

PROCEEDINGS.

OF THE

COMMON COUNCIL.

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS, }  
*Monday, July 29, 1872, 7½ o'clock, P. M.* }

The Common Council met in regular session.

Present—Dr. J. H. Woodburn, President *pro tem.*, in the chair,  
and the following members:

Councilmen Batty, Bigham, Bollman, Cottrell, Craft, Gibson,  
Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush,  
Sherwood, Thalman, Whitsit and Wiles—17.

Absent—None.

The proceedings of the regular session held July 22d, 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 29, 1872.

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

GENTLEMEN:—Your Committee on Contracts to whom was referred the proposal of August Richter for building stone culverts on East street, across Pogue's run, have examined his proposal and consider it reasonable, which is as follows, to-wit:

Masonry per cubic yard.....	\$6 95
Foundation timber \$2.25 cents per hundred, board measure....	2 25
Excavation 40 cents per cubic yard.....	40
Filling 35 cents per cubic yard.....	35

Respectfully submitted,

L. Q. SHERWOOD,  
ISAAC THALMAN,  
H. S. BIGHAM,  
Committee on Contracts.

Which was concurred in, and contract awarded.

The Civil Engineer made the following report:

INDIANAPOLIS, July 29, 1872.

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

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

James W. Hudson, for grading and paving the east sidewalk on Virginia avenue, from Louisiana to South street:

Length of pavement 352 feet 8 inches, at 60 cents per lineal foot.. \$211 60

Also, James Mahoney, for grading and covering with Rolling Mill cinders and graveling the alley running north and south from Pratt to First streets, and between Mississippi and Tennessee sts.

Length on east side .....543 ft. 2 in.

Length on west side .....541 ft. 11 in.

Total length ..... 1085 ft. 1 in.

At 50 cents per lineal foot..... \$542 54

Also, O. H. P. Bly, a partial estimate for grading and paving the sidewalks on Market street from Noble street to the old corporation line east.

Length of pavement on north side 1277 ft. 7 in., at 50 cents per lineal foot.....	\$638 79
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Also, Bernard Hamil, for grading and paving the north sidewalk on South street from Illinois to Tennessee streets.

Length of pavement 352 feet, at 67 cents per lineal foot.....	\$235 84
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Also, Samuel Hanway & Co., for grading, graveling and paving Park avenue from Christian to Home avenues.

Length on east side .....770 feet

Length on west side .....770 feet

Total length.....1540 feet

At \$1.05 per lineal foot.....\$1,617 00

180 feet of graveling at street and alley crossings, at 65 cents per ft. 117 00

260 feet of flagstone foot-crossing, at 55 cents per foot..... 143 00

160 feet of curbing at 55 cents per foot..... 88 00

44.4 yards paving, at 63 cents per yard..... 27 97

71.7 yards bouldering at street and alley crossing, at 72 cts per yd. 51 62

Total estimate..... \$2,044 59

Respectfully,

R. M. PATTERSON, Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, July 29, 1872.

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

The City Clerk respectfully reports to Council:

FIRST.

Contract and Bond of James Mahoney for grading and graveling the first alley west of Illinois street, running from Merrill street south a distance of 240 feet.

SECOND.

Contract and Bond of James Mahoney for grading and graveling the first alley west of Noble street, from Vermont to Michigan street.

THIRD.

Contract and Bond of James Mahoney for grading and paving with brick the east sidewalk on Pennsylvania street, from Washington street to Madison avenue.

## FOURTH.

Contract and Bond of Hiram Seibert for grading and graveling Merrill street and sidewalk, from Mississippi to Missouri street.

## FIFTH.

Contract and Bond of John A. Whitsit for building a footway on the west side of Illinois street, from Louisiana to South street.

## SIXTH.

Contract and Bond of James W. Hudson for grading, paving with brick and curbing the outside edge with stone the east sidewalk on Alabama street from Louisiana to South street.

## SEVENTH.

Contract and Bond of August Richter for building stone arches over Pogue's run on East street.

## EIGHTH.

First and third estimate allowed James W. Hudson for grading and paving with brick, the east sidewalk on Virginia avenue, from Louisiana to South street.

## NINTH.

First and final estimate allowed James Mahoney for grading and covering with Rolling Mill cinders and gravel the alley running north and south from Pratt to First street, and between Tennessee to Mississippi street.

## TENTH.

First and partial estimate allowed O. H. P. Bly for grading and paving the sidewalks on Market street, from Noble street to the old corporation line east.

## ELEVENTH.

First and final estimate allowed Berward Hamil for grading and paving the north sidewalk on South street from Illinois to Tennessee street.

## TWELFTH.

First and final estimate allowed Hanway & Co., for grading and graveling Parke avenue and paving the sidewalks with brick from Christian to Home avenue.

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 James W. Hudson for grading and paving with brick the east sidewalk on Virginia avenue from Louisiana to South 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, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman, Wiles and Woodburn—17.

Negative—None.

Also, the following resolution :

*Resolved*, That the foregoing first and partial estimate allowed O. H. P. Bly for grading and paving with brick the sidewalks on Market street, from Noble street to the Old Corporation Line east, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are 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, Wiles, and Woodburn—17.

Negative—None.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed James Mahoney for grading and covering with rolling mill cinders, and graveling the alley, running north and South from Pratt to First street, and between Tennessee to Mississippi 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—Councilman Batty, Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman, Willes and Woodburn—17.

Negative—None.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed Barnard Hamil for grading and paving the north sidewalk on South street, from Illinois to Tennessee 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, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman, Wiles and Woodburn—17.

Negative—None.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed Hanway & Co. for grading and graveling Park avenue, and paving the sidewalks with brick from Christian to 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, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood Thalman, Wiles and Woodburn—17.

Negative—None.

By consent, Mr. Bigham offered the following motion :

*Moved*, That the City Clerk give notice to all contractors that they must file their bonds the week after contract has been awarded them, and on fail-

ure to do so, that the Committee on Contracts will award the same to the next lowest bidder.

Which was adopted.

The Sewerage Engineer made the following report :

INDIANAPOLIS, July 29, 1872.

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

GENTLEMEN:—The following is the first and final estimate allowed Jesse Whitsit on account of the Washington street sewer :

75½ feet of sewer at \$27.32.....	\$2,062 66
Two catch basins at \$150.....	300 00
Total. ....	<u>\$2,362 66</u>

Also, the following second and partial estimate allowed Jesse Whitsit on account of the North Illinois street sewer :

1,450 feet of sewer at \$7.42....	\$10,759 00
3 manholes at \$40.35.....	121 05
4 catch-basins at \$117.25..	469 00
	<u>\$11,349 05</u>
Less 15 per cent.....	1,702 35
	<u>\$9,646 70</u>
Less former payment.....	4,988 05
	<u>\$4,658 65</u>

Respectfully submitted,

J. W. BROWN, Sewer Engineer.

Which was concurred in.

The Chief Fire Engineer made the following report :

INDIANAPOLIS, July 22, 1872.

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

GENTLEMEN:—The Chief Fire Engineer would respectfully report to your honorable body that I have examined the cistern built by John A. Whitsit, near the corner of Yeizer and Franklin streets, and find it to be completed according to contract and would recommend that the civil engineer report a final estimate for the same.

Respectfully submitted.

DAN. GLAZIER,  
Chief Fire Engineer.

Which was concurred in.



## ORDINANCES ON FIRST READING.

Mr. Cottrell introduced special ordinance No. 145, 1872, entitled:

An Ordinance to provide for grading and paving with brick the sidewalks of Alabama street from Pogue's Run to Merrill street.

Which was read the first time.

Mr. Bollman introduced special ordinance No. 146, 1872, entitled:

An Ordinance to provide for grading and paving with brick the sidewalks of Alabama street, between Merrill and McCarty streets.

Which was read the first time.

Mr. Kennington introduced special ordinance No. 147, 1872, entitled:

An Ordinance to grade and gravel Bicking street and sidewalks from Delaware to East streets.

Which was read the first time.

Mr. Whitsit introduced special ordinance No. 148, 1872, entitled:

An Ordinance to grade and gravel Short street and sidewalks from Daugherty street to Coburn street.

Which was read the first time.

Mr. Wiles introduced special ordinance No. 149, 1872, entitled:

An Ordinance to grade and pave with brick the east sidewalk on New Jersey street from St. Clair to St. Joseph streets.

Which was read the first time.

Mr. Thalman introduced special ordinance No. 150, 1872, entitled:

An Ordinance to grade and gravel Coe street and sidewalks from its eastern terminus to the Mill Race.

Which was read the first time.



## ROLL CALL.

Mr. Bigham offered the following motion :

*Moved,* That the City Commissioners be directed to view and assess damages and benefits for the opening of Ohio street from its present terminus to Arsenal avenue, said street to be the same width as the street is from Davidson to the old corporation line east, and the City Clerk is hereby directed to give the proper notice to parties interested.

Which was adopted.

Also, the following motion :

*Moved,* That Mrs. C. Wengger have permission to grade and pave with brick, in front of her residence, on north Noble street corner of Wabash street, said pavement to be in width same as other pavements on said street, said work to be done under the supervision of the City Civil Engineer, who is hereby directed to set grade stakes.

Which was adopted.

Also, the following motion :

*Moved,* That the City Water Works Co. be directed to extend their mains from Washington street north on New Jersey street to where it will intersect with other mains now laid by said company.

Which was referred to the Committee on Water Works.

Mr. Bollman offered the following motion :

*Moved,* That the Civil Engineer be hereby directed to set the grade stakes on McCarty street, between East and New Jersey streets, and that the Street Commissioner be directed to grade and gravel the same between the points named, provided the cost thereof shall not exceed fifty dollars.

Which was adopted.

Mr. Cottrell offered the following motion :

*Moved,* That the Mayor be instructed to purchase a suitable clock to be placed in the Council Chamber not to exceed \$40.00 in cost.

Which was referred to the Committee on Contracts, with instructions to make the purchase.

Mr. Cottrell offered the following motion :

*Moved*, That the Sewer Engineer be directed to have a catch basin placed near the north east corner of New Jersey and South streets.

Which was referred to the Committee on Sewers with power to act.

Mr. Cottrell offered the following motion :

*Moved*, That the Street Commissioner be instructed to regrade and gravel the intersection of Merrill street with East street at the expense of the city

Which was referred to the Committee on Streets and Alleys with power to act.

Mr. Cottrell offered the following motion :

*Moved*, That the Street Commissioner be directed to notify the proper officers of the I. C. & L. R. R. Co., to properly plank the crossing on New Jersey street sidewalk, and should they fail to do such planking within thirty days after serving the notice, then the Street Commissioner shall plank said crossing and collect the same from the aforesaid Railroad Company.

Which was adopted.

Mr. Cottrell presented the following petition :

INDIANAPOLIS, July 29, 1872.

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

GENTLEMEN:—The undersigned, a resident of the city of Indianapolis, respectfully represents to your honorable body, that on or about the — of September, A. D., 1871, he was notified by your honorable body to remove a two-story brick front, No. 395, South East street, or so much of it as extended into the limits of the street; that he acted upon this notice, taking down and rebuilding said two-story brick front at an individual expense of one hundred dollars, as shown by exhibit "A," and which is made a part of this memorial, and for re-painting said two-story brick front at an individual expense of twelve dollars, as shown by voucher "B," and which is made a part of this memorial, making in the aggregate one hundred and twelve dollars. And your memorialist further represents, that when he bought said property, No. 395 South East street, he was ignorant of the fact that the building

extended within the street limits, and he respectfully prays your honorable body to reimburse him in the amount which he he has actually expended in making said removals.

Respectfully,

J. E. WATTS.

EXHIBIT "A."

INDIANAPOLIS, November 10, 1871.

Received of James E. Watts one hundred dollars, for taking down and rebuilding a two-story brick front on South East street, No. 395.

M. M. CONAROY.

EXHIBIT "B."

INDIANAPOLIS, Jan. 17, 1872.

Received of J. E. Watts twelve dollars, for repainting front on East street house, No. 395.

McPHERSON & HAMMOND.

Which was referred to the Committee on Judiciary.

Mr. Craft presented the following petition :

INDIANAPOLIS, July 29, 1872.

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

Your petitioners would respectfully represent to your honorable body that heretofore, to-wit, on the 27th day of May, 1872, a certain petition was presented to the Council by divers citizens interested therein, praying that Rockwood street, in the city of Indianapolis, be widened and extended, which petition was referred to the Committee on street and alley, and said Committee afterwards, to-wit, on the 3d day of June, 1872, reported to said Council, recommending that said Rockwood street be widened twelve feet and extended east to Noble street, which report was, thereupon by the Council, concurred in, and your petitioners show that as soon as it was known that said petition had been presented to your Honors, certain other property owners on the line of said street, to-wit, on the 31st day of May, 1872, prepared a remonstrance against the proposed change in said street and caused the same to be presented to your honorable body, but they say that owing to the ordinary routine of business or from other causes which they are unable to state, said remonstrance was not presented until after the committee on streets and alleys had reported in favor of said improvement and the same had been concurred in, and that remonstrance was thereupon referred to said committee on streets and alleys, with whom it has ever since remained, and that no action, whatever, has been taken thereupon they further show



that afterwards, to-wit, on the 22d day of July, the city Commissioners reported to your honorable body their assessment of the benefits and damages to be incurred by reason of said proposed change, and in addition thereto, being desirous, as your petitioners suppose, of forcing said street, made divers and sundry observations in reference to pretended agreements and contracts in reference to said street, wholly impertinent and beyond the province assigned by law to said commissioners, which said observations were, as your petitioners are informed and believe, founded on the surmises and information of some one or more of the Commissioners, and were made without any evidence whatever, in reference thereto, having been taken by said Commissioners. Your petitioners further represent that a portion of the signatures to the petition aforesaid, to-wit, that of Mrs. Abby Sullivan, was procured by fraud and false representations, it having been represented to her when said petition was presented to her for her signature, that it was simply a petition for the improvement of said street, and she being ignorant of its contents, signed it, supposing it to be what it was represented to her; they also file herewith the remonstrance of certain property owners on the south side of said Rockwood street against the proposed change; they further show that these parties petitioning for said change, are only the owners of 547 feet on said street, while those remonstrating against said change are the owners of 1139 feet on said street, and that said change will not be a benefit to the public at large, nor to the owners of property immediately adjoining, for the reason that said Rockwood street is, in reality, but an alley between Louisiana and South streets, and that it is not desirable or wise to cut up the squares and out-lots into small and inconvenient subdivisions; they further show that the Indianapolis, Cincinnati and Lafayette Railroad Company are of the owners of property to be taken to make said improvement, is at present, and will be for some time to come, in the hands and under the control of the United States Circuit court by its receiver, and that it will be impossible for your honorable body to interfere with the possession of said Court without subjecting yourselves to the charge of contempt of the authority of said Court, nor can said change be made except in part until said property shall have passed out of the possession and control of said Court, and any assessment made at this time of the damages or benefits, might not be a proper one, at some future day when it might become proper to make said proposed change. Wherefore, in view of all the facts set forth in the foregoing petition, your petitioners most earnestly pray that your honorable body may reject the report of said Commissioners and rescind the order of June 3d, 1872, requiring said street to be widened and extended.

And your petitioners will ever pray, &c.

Samuel Love, M. L. Cox, L. V. Boyle and 5 others.

State of Indiana, }  
Marion County. } Sct.

Samuel Love being duly sworn, on his oath says, that he is one of the



signers to the foregoing petition and that the matters and facts therein set forth are true, as he is informed and verily believes.

SAMUEL LOVE.

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

Witness my hand and seal.

W. A. KETCHAM, Notary Public.

Also, the following:

INDIANAPOLIS, July 15, 1872.

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

GENTLEMEN—The petition to widen Rockwood street that is pending before your honorable body, was represented to me to be a petition to grade and gravel said street, and with this representation I was induced to sign said petition. I will not be able to pay the amount of benefits assessed against my property, and ask that your honorable body will not pass the order to widen said street, as it is wide enough now to answer all purposes, and to accommodate all living on said street.

Her

ABBA ✕ SULLIVAN.

mark.

Which were referred to the City Attorney, together with the report of the City Commissioners.

Mr. Gibson offered the following motion:

*Moved:* That the report of the late commissioners in the matter of widening West Washington street west of the river petitioned for by Jesse Van Blaricum and others, be referred back to said City Commissioners, and the City Clerk is hereby directed to issue notices to all property holders interested in the widening of said street.

Which was adopted.

Mr. Thalman presented the following remonstrance:

INDIANAPOLIS, July 23, 1872.

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

GENTLEMEN: The undersigned, owners of the real estate fronting on Washington street or National Road, respectfully remonstrate against the adoption of the report of the City Commissioners for widening West Washington

street, west of White river, a large majority being opposed to it, and no necessity existing for the contemplated change, as the street is now of sufficient width to accommodate all the travel approaching both bridges.

And your petitioners will ever pray, &c.

Luther Ketrow, John A. Benson, D. W. Smock, and eight others.

Which was referred to the City Commissioners.

Mr. Gibson offered the following motion :

*Moved*, That the Street Commissioner be, and is hereby, directed to fill up the Canal where the same is crossed by Potomac alley, between Washington and Market streets, and to put in a brick sewer six feet in diameter to pass the water flowing in said Canal; said work to be done under the direction of the Sewer Engineer, who is hereby directed to fix the grade and set the stakes for said work.

Mr. Bigham offered the following as a substitute for Mr. Gibson's motion :

*Moved*, That the Street Commissiouer be directed to fill up at once the Canal from Market to McCarty streets, the said fill to cover and include Missouri street.

The question being on the adoption of Mr. Bigham's motion :

When Mr. Batty moved to lay said motion on the table.

The question being, shall Mr. Bigham's motion be laid on the table?

Those who voted in the affirmative were Councilmen Batty, Bollman, Cottrell, Craft, Gibson, Hardesty, Kahn, Pressly, Rush, Sherwood, Thalman, Whitsit, Wiles and Woodburn—14.

Those who voted in the negative were Councilmen Bigham, Gimber, Kennington and Reagan—4.

So Mr. Bigham's motion was laid on the table.

Mr. Craft offered the following motion :

*Moved,* That the Committee on Judiciary, in connection with the City Attorney be, and are hereby, instructed to report to this Council, as to whether the City, or the Central Canal Company are the owners of that portion of Missouri street occupied by the said Canal, and that the said committee be authorized to call to their aid the best legal authority of the city in arriving at an opinion.

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

The ayes and noes were demanded.

Those who voted in the affirmative were Councilmen Batty, Craft, Kahn, Wiles and Woodburn—5.

Those who voted in the negative were Councilmen Bigham, Bollman, Cottrell, Gibson, Gimber, Hardesty, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman and Whitsit—13.

So Mr. Craft's motion was not adopted.

The question then being on the adoption of the original motion offered by Mr. Gibson, the ayes and noes were demanded.

Those who voted in the affirmative were Councilmen Batty, Bigham, Bollman, Cottrell, Gibson, Gimber, Hardesty, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman and Wiles—14.

Those who voted in the negative were Councilmen Craft, Kahn, Whitsit and Woodburn—4.

So the motion as offered by Mr. Gibson was adopted.

Mr. Gibson offered the following motion :

*Moved,* That the janitor of the city buildings is hereby directed to hang cotton cloth, so placed as to close the opening between the Council Chamber and the gallery, for the purpose of ascertaining if it will improve the acoustics of said Council Chamber.

Which was adopted.

Mr. Gibson offered the following motion :

*Moved*, That the Water Works Company be, and are hereby directed to lay water mains, not less than six inches in diameter, on the National Road, and Washington street, from Blake street to West street ; also on West street from Ohio to North street ; on New York street, from Mississippi street to Blake ; on Blake street, from New York street to the National Road. Said pipes to be laid within sixty days.

Which was referred to the Committee on Water Works.

Mr. Gimber offered the following motion :

*Moved*, That the Water Works' Company of the city of Indianapolis be, and are hereby ordered to lay down and extend their pipes and mains from Pearl street south on west street, to McCarty street, said work to be completed within ninety days from the service of this notice.

Which was referred to the Committee on Water Works.

Mr. Gimber presented an account against the city in favor of James W. Hudson for \$150.

Which was referred to the Committee on Accounts and Claims, with the City Attorney and Civil Engineer.

Mr. Kahn offered the following motions :

*Moved*, That A. H. Brown has the privilege to present a report of a committee (which was appointed by this Council) and of which he is chairman.

*Moved*, That the City Street Commissioner be, and is hereby instructed to bowlder the mouth of the first alley east of Pennsylvania street, on the north side of Michigan.

Which were adopted.

By consent, Mr. A. H. Brown, Chairman of Select Committee, made the following report :

INDIANAPOLIS July 29, 1872.

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

The undersigned, appointed at a meeting of your honorable body, held on the 3d of June, 1872, to report " At what points, and at what expense, two



or more fifty-foot streets can be located through St. Clair's Addition, between Second and Seventh streets, to connect Illinois and Meridian streets, with the least damage to the property owners," would beg leave to report as follows:

We find the problem given us a difficult one to solve, owing to many obstacles that stand in the way, by reason of the property being in possession of parties who have built upon it without taking into consideration the matter of public streets, and in some cases have built expensive houses on purpose to prevent the opening of much-needed highways. It is presumed your honorable body did not intend that our examination should be made with reference to the extension of the streets of Drake's Addition, known as Third, Fourth, Fifth and Sixth streets, through St. Clair's Addition, because these could be easily described and an order made for their opening after an assessment of damages and benefits. Acting on this presumption, and finding that neither of those streets could be opened straight through from Illinois to Meridian streets, without great expense, we have looked elsewhere for lines of streets. We find that Illinois and Meridian streets cannot be connected together by simply opening streets through St. Clair's Addition; but that Drake's Addition, lying east of Illinois street, will have to be gone through to make a complete connection. This portion of Drake's Addition is made up of a strip 108 feet in length, running north from First to Seventh streets on the east side of Illinois street, and is separated from St. Clair's Addition by a section line. Originally this was laid off into lots of 61 feet frontage, with sixty-foot street and fifteen-foot alleys intervening. These streets were continuations of Second, Third, Fourth, Fifth and Sixth streets. Second street runs through from Illinois to Meridian and there stops. Third and Fourth streets and intermediate alleys have been vacated by order of the Board of County Commissioners, who had jurisdiction prior to the annexation of that Addition to the city, and the ground vacated has been taken possession of by the adjacent property owners, under the provisions of the law governing vacations of streets and alleys. St. Clair's Addition was made up originally of four-acre lots, without alleys or streets, and the ground remains about as platted, except that it is cut up into smaller pieces, and on most of them fine houses are already built, and others are in progress or contemplated. The whole west side of this Addition abuts on the east side of Drake's Addition without an intervening alley. We have thus before us a plat of ground 2,172 feet in length, without a street or an alley running from east to west, or an alley running from north to south. It seems to us that it would be of great public utility that at least two highways should be open through from east to west. The question is, where shall they go at the least expense? The following lines for forty-foot streets have been suggested, and have been examined:

1st—*Third Street.* By taking a strip off of the north line of the property of Mary M. Hubbard, lot No. 10, St. Clair's Addition, forty feet in width; and a strip of the same width out of lot No. 6, of square No. 11, Drake's Ad-

dition. This would terminate the street on Illinois, about 21 feet north of the north line of Third street as now located, and make the south line of the new street 422 feet north of Second street. In our opinion this is the best location that can be made for the first street north of Second street, and we recommend that steps be taken to have it opened.

2d—*Fourth Street.* By taking a strip forty feet in width off of the north end of the ground of E. B. Martindale, and a lot and building in Drake's Addition immediately west of this strip, thus making a new forty-foot street some twenty feet north of Fourth street, as already opened west of Illinois street. We do not recommend this, because it would be almost impracticable to [make the street at this point, and for the further reason that, if opened, it would be too near Third street, as proposed, and too far from Seventh street, if but two streets are to be opened.

3d—*Fourth Street.* By taking a strip  $34\frac{1}{2}$  feet in width off of the south line of J. D. Condit's ground, and a strip  $\frac{1}{2}$  foot in width off the grounds of Robert Browning, and part of a vacant lot in Drake's Addition fronting on Illinois street, making a street 35 feet in width. We think such a street would be too narrow and is impracticable, and therefore cannot recommend it.

4th—*Fifth Street.* By taking a strip 35 feet in width off of the south side of the grounds of William Henderson, and 5 feet off of the north side of the grounds of J. D. Condit, and a strip forty feet wide west of the first described 40 feet, to be taken partly out of 5th street and partly out of lot No. 1, square 20, Drake's Addition. This would take part of a frame house on lot 1, square 20, Drake's Addition, which could be moved further south without much expense, and would also take about fifteen feet off of Wm. Henderson's newly-built brick stable and carriage house. The north line of the street would run about ten feet south of Henderson's house, and the south line about five feet north of Condit's house. In view of the fact that this proposed street would intersect a thirty-five-foot street running from Pennsylvania street to Meridian, and would continue Fifth street on almost a straight line from Illinois street. We think it the best point to locate the second street north of Second street, and though it would be an expensive one to make, yet we believe the public interests require it to be opened, and therefore recommend that your honorable body take steps to secure that end. This new street would be 740 feet north of Third street, as proposed, and 930 south of Seventh street.

5th—*A Street Intermediate between Fifth and Sixth Streets, on Illinois Street.* By taking a strip forty feet in width off of the north line of Lucien Barbour's grounds, and a corresponding strip off of a lot in Drake's Addition fronting on Illinois street. We think this impracticable, as there is no connecting street on the east to Pennsylvania street. The distance from this proposed street would be 601 feet south of Seventh street, and, if Fifth street be not opened, 1,043 feet north of the proposed Third street; and also 175 feet north of the Fifth street running east to Pennsylvania street. We, therefore, cannot recommend its opening.

6th—*Sixth Street.* Through Vinnedge's house and grounds. We think



the public necessities do not demand this street, if the other two recommended be opened, and cannot recommend its opening.

To make the proposed Third street of more practical utility, it would be necessary to open a new street as a continuation of it through St. Clair's Addition to Pennsylvania street. This could be easily done, and the expense ought not to be very great. We would recommend that a strip twenty feet in width be taken off of the south side of lot 1 of T. A. Lewis' Subdivision of lot 4, of St. Clair's Addition (owned by Merrick E. Vinton) and a strip twenty feet in width off of the lot adjoining on the south, belonging to Sarah E. M. Tout, which lot is part of said lot 4 of St. Clair's Addition, described by metes and bounds; and in continuation, that all of a lot owned by George Braucamp, 29½ feet front on Pennsylvania street, including a small frame house, and 10½ feet off of the adjoining lot on the north, owned by J. R. Pierson, thus making a forty-foot street, the terminus of which on Meridian street would bring the south line about ten feet north of the south line of the proposed Third street from Illinois to Meridian.

To show the necessity for this proposed street we beg leave to submit a few facts: Between St. Joseph and Seventh streets there is nothing deserving the name of a street extending from Pennsylvania to Meridian except Fifth street, which is located immediately south of what is known as the Vinton property. This proposed street will commence on Pennsylvania street, nearly opposite to the property of Ebenezer Sharpe, and run almost in a straight line westward to Illinois street, and is nearly midway between St. Joseph and Fifth streets, above referred to. It will enable citizens as far east as Delaware, and south almost to St. Joseph street, to send their children by a near route to the new school house now building on the corner of Fourth and Tennessee streets, who would otherwise have to go north to Fifth, thence up Meridian to Seventh, and down Illinois to Fourth, or down to St. Joseph street and on it to Illinois, and thence up to Fourth; for the so-called First street is but an alley, and is almost impassable in winter.

We understand and believe the profiles of the streets on file in the office of the City Civil Engineer will show that Pennsylvania street is so graded that the Water from St. Clair street runs north, and from Seventh street south, to a point nearly opposite to the proposed new Third street. Aside from this, water from Delaware and several side streets flows to this point, and has no outlet. A drain pipe from Pennsylvania street could be laid in Third street (as proposed) to Meridian, and thence down Meridian to Second street, and could there connect with the drain pipe which we understand is to be laid in Second street to the Illinois street sewer.

We submit, herewith, a roughly-drawn map, showing the proposed streets, Third and Fifth. The dotted lines show the other streets as suggested to us, but which we do not recommend. In case the Common Council should determine to take steps to secure the opening of these streets, we would suggest that the City Civil Engineer make a survey and a map of the same, to be referred to the Commissioners.

The undersigned, in conclusion, would say that so far as the matter of expense of opening the streets recommended, any estimate would be but guess work. This can best be determined by the Commissioners; and we do not wish to present figures that might be used to influence their judgment. It is enough for us to say, what is apparent to all who have made any investigation into the subject, that property in that locality is already held at high prices, and will likely continue to advance in price, and that these streets can be opened cheaper now than in the future.

All of which is respectfully submitted.

AUSTIN H. BROWN,  
JOHN W. RAY.

I concur in the above report fully with regard to Third street. I do not concur with it, however, in relation to Fifth street; but think that Fourth, between Condit and Browning, if opened, would subserve public interest quite as well, and that such opening would be much less expensive to the city than the opening of Fifth, as proposed. My reason for thinking so is the property that would be damaged by opening Fifth, in value, is greatly above that that would be damaged by opening Fourth.

L. H. JAMESON.

On motion, the report of the majority of said special committee was concurred in by the following vote:

Affirmative—Councilmen Batty, Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman, Wiles and Woodburn—17.

Negative—Councilman Whitsit—1.

Mr. Kennington presented the following petition:

INDIANAPOLIS, July 29, 1872.

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

GENTLEMEN—The undersigned petitioners, being property holders along the street or road hereinafter named, would respectfully represent unto your honorable body, that a certain corporation known as the Southport and Indianapolis Turnpike Road Company, own and possess, under the laws of the State, the franchise and use of the road formerly known as "the Madison State road," beginning at the donation line, at the south end of Madison avenue, and running thence south parallel to the east and west lines of the quarter sections through which it runs for a mile and a half, and thence south-easterly, etc., to the town of Southport.



That said corporation was organized under the laws of the State, and that it has taken possession of said road, and graveled the same, and charged, and still charges tolls upon the animals and vehicles, and parties using said road, and claims sole control and ownership of said road.

We would further represent, that the City Council of Indianapolis, under the laws in such cases made and provided, has heretofore annexed by resolution sundry tracts and lots of land along, and bordering on said road, and belonging to your petitioner and others, by which action of the city authorities said lots became a part of the city, and the boundaries of said city were largely extended, and said road, for a part of its length, was included within the city limits.

Your petitioners further state, that in the various additions and subdivisions of the land along said road, on either side, made at different times by the owners thereof, the lots as laid out and platted abut directly on said road, and that the owners of said lots have no voice or responsibility in the improvement of said road or street, or power to compel the same to be properly drained, lighted, improved, or repaired.

Your petitioners think it very questionable whether said company have any right to charge tolls for the portion of said road now within the city limits, but to avoid all uncertainty in the matter, and to quiet all questions in regard to the same, your petitioners pray your honorable body to have all of said road between the donation line and the present south line of the city (as it has recently been extended) properly condemned for a public street of the city, and that the damages and benefits therefor be properly assessed by the City Commissioners, and that upon their report your honorable body will take such further action by ordinances condemning the ground for public use, and appropriating the moneys therefor, and collecting the benefits, as to your honorable body seem legal and just.

And your petitioners will ever pray, etc.

James Frank, Deloss Root, L. Mueller, and three others.

Which was referred to the City Commissioners.

Mr. Kennington presented the following petition :

INDIANAPOLIS, July 29, 1872.

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

The undersigned, residents and property holders, respectfully petition your honorable body to rescind the order lately passed in reference to the removal of certain water plugs so far as it relates to the water plug on the north east corner of Maryland and Illinois streets; they urgently request that this plug may be allowed to remain where it now is, believing it to be of very great value for the protection of property in that vicinity.

William S. Hubbard, J. F. Ramsey, W. H. Roll and 12 others.

Which was referred to the Committee on Fire Department.

Mr. Kennington offered the following motion :

*Moved*, That the City Engineer report to this Council if in his judgment there is an alley on the east side of the Madison and Jeffersonville Railroad between South street and Pogue's Run.

Which was adopted.

Mr. Kennington offered the following motion :

*Moved*, That the City Railroad be directed to lay their track on the west side of Illinois street.

Which was referred to the Committee on Streets and Alleys.

Mr. Kennington offered the following motion :

*Moved*, That the Street Commissioner be instructed to flag and boulder the crossing of the streets and alleys from South street to McCarty street, on Meridian street.

Which was referred to the Committee on Streets and Alleys.

Mr. Kennington offered the following motion :

*Moved*, That the City Attorney be not allowed to employ any more attorneys without the consent of the Council.

Mr. Gibson offered the following motion as a substitute :

*Moved* That when the employment of additional counsel for the city is necessary, it shall be the duty of the Judiciary Committee to employ such additional counsel.

Which was adopted.

On motion by Mr. Batty, the vote by which general ordinance No. 43, 1872, failed on engrossment was reconsidered.

Mr. Pressly presented the following petition :

INDIANAPOLIS, June 17, 1872.

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

STATE OF INDIANA, MARION COUNTY, ss:

Anthony Kelley. }  
 v. }  
 The City of Indianapolis, }

The plaintiff, Antony Kelley, complains of the city of Indianapolis, and says that on or about the 17th day of July, 1872,

in said city and county aforesaid, on Stevens street, between East street and Virginia avenue, in said city, to-wit: House No. 163 was over flooded on said day by water running on the sidewalks of said street, and gathering in and upon the vacant lot of one Peter Early, so as to burst through the cellar wall of said Kelley, it being a nine-inch wall, built of brick, tearing said wall down, to the plaintiff's damage fifty dollars, and destroying fruits, vegetables, and other articles of value to the amount of seventy-five dollars. The plaintiff asks your honorable body to appoint a committee to investigate the case as complained of, and make such disposition of the same you may think best.

And your plaintiff will ever pray, etc.

ANTHONY KELLY.

Which was referred to the Committee on Accounts and Claims and Civil Engineer.

By consent, Mr. Batty from the special committee, submitted the following report:

INDIANAPOLIS, July 29, 1872.

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

Your Committee to whom was referred the petition of R. B. Duncan and others, in regard to draining the north east portion of the city into the State Ditch, beg leave to report that they have carefully examined the ground prepared to be drained and the course of the contemplated drain as proposed by the petitioners, and after such examination we have unanimously agreed to report that in our opinion the cheapest and best plan to drain that portion of the city prayed for in said petition, is in accordance to the prayer of said petitioners.

We would, therefore, recommeed that the prayer of the petitioners be granted, and that W. H. Morrison be employed at once to make a survey of said ground taking the level, &c., and that he report the plan and profile of said drainage, together with an estimate of the cost of the same to this Council at his earliest convenience.

JOHN H. BATTY,  
W. H. CRAFT,  
H. S. BIGHAM.  
J. S. HARVEY, City Attorney.

Which was concurred in.



Mr. Reagan presented the following petition :

INDIANAPOLIS, July 29, 1872.

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

GENTLEMEN :—The undersigned property owners, tax payers, and business men would respectfully petition you to retain the two fire plugs now located on Tennessee street and Kentucky avenue, as we believe said plugs are necessary for the protection of our property, as the Masonic Hall property, the State offices, Spiegel & Thoms furniture warehouse, Lowe's carriage warehouse, and other valuable property is in the immediate vicinity of these plugs. A fire in either of these would be hard to extinguish without the aid from these plugs. Without these plugs the risk to our property would be largely increased, and the rate of insurance will be advanced. By granting this petition the undersigned will ever pray, &c.

John C. Shoemaker, A. Abromet, Jas. B. Ryan, and nineteen others.

Which was referred to the Committee on Fire Department.

Mr. Reagan offered the following motion :

*Moved*, That the Street commissioner be, and is hereby authorized to raise the gutter on the west side of Kentucky avenue, between Washington and Maryland streets.

Which was adopted.

Mr. Rush presented the following petition :

INDIANAPOLIS, July 29, 1872.

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

GENTLEMEN :—The undersigned, property holders and business men, on Washington, Pennsylvania, Market, Delaware and Court streets, would respectfully request that the removal of the Fire Hydrant from Court street, in square 57, will materially add to the danger of our property in case of fire, add to our rates of premium for insurance, and owing to the combustible nature of some of the property, will endanger a large amount of valuable property in the very heart of the city. We therefore respectfully ask that you permit said Fire Plug to remain.

John H. Drew, J. George Stilz, John Abrams and 24 others.

Which was referred to the Committee on Fire Department.



Mr. Rush offered the following motions :

*Moved,* That the Street Commissioner be, and is hereby authorized to put a wooden railing on the east side, over Pogues' Run bridge on South Delaware street.

*Moved,* That the Street Commissioner be, and hereby is authorized to raise the gutter on the north side of Washington street, between Alabama and New Jersey streets, according to the direction of the City Engineer.

Which were adopted.

Mr. Kahn moved that when the Council adjourn it be to meet Thursday, August 1st, 1872.

Which was adopted.

Mr. Rush offered the following motion :

*Moved,* That the Street Commissioner be, and hereby is authorized to repair the street, and the wooden crossing on the east corner of Pennsylvania and Ohio street at once.

Which was adopted.

Mr. Rush offered the following motion :

*Moved,* That the Water Works Company in the city of Indianapolis be, are hereby ordered to lay down and extend their pipes and mains on North New Jersey street, from Market to Ohio street, said mains to be extended in accordance with section (5) five of their charter ; said work to be completed ninety (90) days from the service of this notice.

Which was referred to the Committee on Water Works.

Mr. Thalman offered the following motion :

*Moved,* That the City Clerk be, and is hereby directed to add \$300 to the next Appropriation Ordinance for the Chief of Police, for use of horse and buggy during the ensuing term of his office.

The question being, shall the motion be adopted,

Those who voted in the affirmative were Councilmen Gibson, Pressly, Rush, Sherwood, Thalman, Whitsit, Wiles and Woodburn—8.

Those who voted in the negative were Councilmen Bollman, Cottrell, Craft, Gimber, Hardesty, Kahn, Kennington and Reagan—8.

There being a tie vote the motion was not adopted.

Mr. Thalman offered the following motion :

*Moved,* That the Street Commissioner notify the owners of lot No. 9, square 51, on West Washington street, to immediately fill up said lot, so that the water will drain off, as the stagnant pools of filth and scum now existing there are an intolerable nuisance.

Also, the Water Works Co. to fill up hole immediately under the old tumble in the lower arm of the canal—or open a way so that the water will run off.

Which was referred to the Committee on Streets and Alleys.

Mr. Wiles presented the following petition :

INDIANAPOLIS, July 29, 1872.

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

GENTLEMEN:—We would respectfully represent that a number of the taxpayers of the city of Indianapolis have contributed liberally of their means to purchase grounds and erect a building for a Colored Orphan Asylum, which has been in operation for more than a year, caring for a class of destitute colored orphans that would otherwise be in the Poor House or prison.

We propose erecting an addition to the present building of a kitchen and wash-house, and ask your honorable body to donate for that purpose \$1,000, for which we would ever pray.

Respectfully submitted, on behalf of the Board of Directors,

WM. HADLEY, President of Board.

Which was referred to the Committee on Benevolence and Hospitals.

Dr. Woodburn offered the following motions :

*Moved,* That the Street Commissioner give notice to the owner of the north one-third of lots 4, 5, and 6, in outlot 35, to repair the pavement in front thereof, and unless the same is done within ten days from date of notice, that he repair the same at his expense.

*Moved,* That his Honor, the Mayor, give the required notice in pursuance of section 15 of an Ordinance to provide for tapping public sewers and drains, and making connections therewith, passed October 30, 1871.

Which were adopted.

Mr. Cottrell offered the following motion :

*Moved,* That the Council proceed to elect five commissioners to open streets and alleys, to serve for one year, and until their successors are elected and qualified.

Which was postponed until Thursday, August 1st, 1872.

By consent, Mr. Pressly, from the Committee on Bridges, made the following report :

INDIANAPOLIS, July 29, 1872.

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

GENTLEMEN:—Your Committee on Bridges, to whom was referred the proposals or bids of the Wrought Iron Bridge Company, of Canton, Ohio, and the Massillon Iron Bridge Company, report that they have examined the same, and have advised with the City Civil Engineer in regard thereto.

That since said reference the said specifications furnished by the Wrought Iron Bridge Company, of Canton, Ohio, has been changed, and the price or cost thereof reduced to three thousand nine hundred and fifty dollars (\$3,950.)

The changes are: Sidewalks or footways to be 18 feet in the clear, instead of 12 feet. Footways to have a lattice iron fence on each side of each footway, and each fence to be made as follows: Each fence to be made in three pannels of  $13\frac{1}{2}$  inches in length, and each pannel 3 feet high, with a cast post on each end of pannel, with suitable ornaments on each post. Top and bottom rails of each pannel to be made of  $2\frac{1}{2}$  inch bars of angle iron. Top rail to have an oval iron bar rivited on top of said rail. The lattice part will be made of  $1\frac{1}{2}$  inch flat iron, riveted at each crossing and between the two angle bars, composing top and bottom rails of said fence. The boiler plate girders to be ten, instead of eleven.



No specifications whatever accompanying the bid or proposal of the Massillon Iron Bridge Company.

Taking into consideration the slight change made in the specifications as made by the Wrought Iron Bridge Company, of Canton, Ohio, which we believe does not in any degree affect the strength of the bridge, and the reduction in the price or cost thereof, we are of the opinion that the best interests of the city will be subserved by accepting the bid or proposal of the Wrought Iron Bridge Company, of Canton, Ohio, modified as above said. The bridge to be completed within sixty days from the execution of the contract and bond. One-half of the said sum of three thousand nine hundred and fifty dollars to be paid to said company on the completion of said bridge to the satisfaction of the Committee on Bridges, and the City Civil Engineer, or the Common Council. The other one-half to be paid within four months from and after such completion. We therefore recommend that the Council award the contract for the construction of said bridge upon the terms herein mentioned, with the said Wrought Iron Bridge Company, of Canton, Ohio, immediately upon the Company giving the proper security for the completion of said bridge, in accordance with the contract, its terms and conditions.

Respectfully submitted,

JOHN T. PRESSLY,  
L. Q. SHERWOOD,  
HENRY GIMBER,

Com. on Bridges.

Which was concurred in.

On motion, the Council adjourned until Thursday, August 1st, 1872, at 7½ o'clock, P. M.

J. H. WOODBURN, Pres't *pro tem*.

ATTEST :

JOHN R. CLINTON, City Clerk.