

PROCEEDINGS.

[OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, August 12, 1872, 7½ o'clock, P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, Daniel Macauley, in the chair,
and the following members :

Councilmen Batty, Bigham, Bollman, Craft, Gibson, Hardesty,
Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman,
Wiles and Woodburn—15.

Absent—Councilmen Cottrell, Gimber and Whitsit—3.

The proceedings of the adjourned session, held August 6th,
1872, were read and approved.

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

REPORTS FROM OFFICERS.

The City Clerk made the following report:

INDIANAPOLIS, Aug. 12, 1872.

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

The City Clerk respectfully reports to Council:

FIRST.

Contract and bond of the Wrought Iron Bridge Comp'y, of Canton, Starke county, Ohio, for building a bridge over the waste way of the Central Canal where the same crosses Washington street.

SECOND.

Contract and bond of J. J. Palmer for grading and paving with wooden block pavement Illinois street where the same crosses Washington street.

Respectfully Submitted,

JOHN R. CLINTON, City Clerk.

Which was received and bonds approved.

The City Commissioners made the following report:

INDIANAPOLIS, August 12, 1872.

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

GENTLEMEN:—The City Commissioners have inquired into the matter of damages and benefits to the White River Gravel Road Company and others, from the opening of the ditch from Seventh street to Fall Creek, on said road.

According to said plat said ditch runs along the west side of said road from Seventh street to Fall Creek, being open, and above the general level for part of the distance, and for the remainder it is an underground sewer. The fall is very gradual, and the ditch will be over a half mile in length. It empties into the dead water of the mill pond at the bridge. We think if its built along this line the damages and benefits to the gravel road or railroad companies, and other property owners, will be merely nominal, and will offset each other. Mr. Langsdale, however, owns the mill pond, and claims damages to his ice privileges therein, if the ditch empties at the point indicated on the plat by the engineer. The amount of these damages can be fixed by no one, and it would be impossible to say what it might be.

To avoid this question of damages to the ice privilege on the mill pond, Mr. Langsdale offers to give right of way for the ditch over his ground and west of the toll-house to a point on the Creek below the dam. The drain

would be not over fifty yards longer, would be straighter, would cost but little more, and have more fall than on the line of the road. If the line on the road be adopted at all, we recommend that it be run as desired by Mr. Langsdale.

We would assess the damages and benefits to the White River Gravel Road Company (if it runs along their road), as follows:

Damages for right of way for said ditch along the west side of said road from Seventh street to Fall Creek	\$200 00
Benefits to said road to drainage of said road and adjacent territory by said ditch.	200 00
	<hr/>
Balance of damages to said road from the construction of said ditch.	\$ 0 00

We can not say what the damages to Mr. Langsdale's ice privileges may be, but recommend (if this line be adopted) that it leave the road at his corner and pass through his field to the Creek at a point below the dam. If this be done, we assess his damages at \$30 and the benefits at the same amount \$30.00.

The Board, however, would further report that they have examined two or three other lines which might be adopted for the track of said ditch, either or all of which they think preferable to the one they were ordered to assess along the gravel road. For the first route they would suggest the present line of the ditch to the south side of the I C. & L. Railroad, and thence along the south side of said railroad to the point it crosses the mill race on Burkhart's land. This route is shorter, the fall greater and more even, and the ditch could be left open and made cheaper than along the gravel road. The damages and benefits, in our opinion, would be equal on this line.

Another and still better route, in our opinion, would be to carry the present line of sewer pipe down Seventh street to the Canal, passing under that, and thence west along the lane to the mill race. This line would be still shorter, more cheaply constructed, and have a greater and steeper fall than either of the others.

The last, cheapest, and perhaps the best plan, would be to continue the sewer pipe along Seventh street to the Canal, and thence through the bank, and discharge the water into the bottom of the Canal. It is true that at ordinary levels of the water in the Canal the water would back up in the sewer pipe for a considerable distance along Seventh street, but in times of freshet the head of water above on the hill slope, would always sweep all sediment out of it and keep it clean to the Canal.

Mr. Langsdale owns the land next to and under the Canal at this point, and agrees to give the right of way to the city if either of the last named plans be adopted. Either of them seem to us to be so plainly preferable to an open ditch along the road to Fall Creek, that we recommend their immediate examination by the Engineer, or Committee on Sewers. We have indicated these routes in pencil on the plat.

We offer these suggestions concerning the several routes for the ditch with

some hesitation, and only after personal examination, and we do it with the conviction that it is our duty as citizens to aid the authorities in arriving at the best and cheapest methods of draining that portion of the city.

It seems to have been supposed by some of the property holders that we were to assess damages and benefits from the condemnation of said White River Gravel Road for a street for the city, but we find nothing concerning such condemnation of the road in the order referring the matter to us, and therefore have not considered that matter in any way.

All of which is respectfully submitted.

IGNATIUS BROWN,
JOSEPH M. SUTTON,
J. F. RAMSAY,
SAMUEL M. SEIBERT,
Board of City Com'rs.

Which was referred to a Special Committee composed of Councilmen Gibson, Wiles and Cottrell, and the Sewerage Engineer.

Mr. Batty moved that the vote by which the report of the City Commissioners, in the matter of widening and extending Rockwood street, be reconsidered.

Which, on motion, was laid over for one week.

REPORTS FROM COMMITTEES.

Mr. Kahn, from the Committee on Accounts and Claims, made the following report:

INDIANAPOLIS, Aug. 12, 1872.

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

GENTLEMEN:—The Committee on Accounts and Claims, to whom was referred a claim of James W. Hudson for damages on account of removing boulders from Illinois street from the Depot to the south side of South street, have had the matter under consideration, and from the statement made by Mr. Hudson himself, we find the following: Sometime last fall a contract was let to Mr. Hudson for bouldering said streets, which contract expired on the 1st of January, 1872, but prior to the expiration of said contract Mr. Hudson claims to have placed boulders and other material to commence work on the same, but owing to the inclemency of the weather could never commence the work. Subsequently (last spring) the Council let the contract for the tunnel, and the contractors ordered the removal of said boulders and

material. Your committee are not able to decide upon the legal points involved in the case, and would recommend that the matter be referred to the City Attorney.

Respectfully submitted.

LEON KAHN,
W. H. CRAFT,
R. M. PATTERSON,
EDWARD REAGAN,

Com. on Acc'ts and Claims.

Which was concurred in.

Also the following report:

INDIANAPOLIS, Aug. 6, 1872.

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

The Committee on Accounts and Claims, to whom was referred a petition from one Anthony Kelley, claiming damages to the amount of \$115 from an overflow, beg leave to report that they, together with the Civil Engineer, gave the matter a careful investigation, and find the following facts: Adjoining Mr. Kelley's house is a lot upon which an excavation was made for a cellar, which has remained open more than nine months, and in case of even an ordinary fall of rain the water would accumulate there in such quantity that it must necessarily damage the walls of said Kelley's house; but in view of the fact that at the late heavy rains the sidewalks did overflow and added largely to the volume of water already accumulated at this excavation, thereby breaking down the brick walls of said Kelley's house, your committee are of opinion that \$25 should be appropriated as such damage, and \$25 additional for provisions, &c., stored in his (Kelley's) cellar; provided, however, that Mr. Kelley accepts this as full indemnity for his damages.

Respectfully submitted,

LEON KAHN,
W. H. CRAFT,
R. M. PATTERSON,
EDWARD REAGAN,

Com. on Acc'ts and Claims.

Which was concurred in.

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

INDIANAPOLIS, Aug. 12, 1872.

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

GENTLEMEN:—Your Committee on Streets and Alleys, to whom was referred sundry papers, report as follows:

First—Is a remonstrance against the passage of an ordinance to grade and pave with brick the west sidewalk of Delaware street from the second alley north of South street to Madison avenue. We believe the improvement should be made, and recommend that the ordinance be placed upon its passage.

Second—Are three ordinances against each of which a large majority of property holders remonstrate. We would recommend that they be stricken from the files. They are numbered as follows:

No. 96, to grade and gravel Wabash street and sidewalks.

No. 117, to grade and gravel High street and sidewalks.

No. 119, to grade and gravel Douglass street and sidewalks.

Third—Is a petition from Matilda L. Southard and others asking that an alley running across lots 25 and 26, in out-lot 170, be vacated. As said alley has no outlet, and is not recorded as an alley, and is of no practicable use to any one, we would recommend that the prayer of the petitioners be granted, and an order of vacation be passed so soon as the parties interested file proofs that they have complied with the usual form necessary.

Fourth—Is an ordinance to regulate the establishment of grades of streets. We would recommend that it be placed upon its passage, with the following amendment:

“That the grade of center of streets shall be two inches lower than the top of the curb or outside edge of the sidewalks.”

Fifth—Is a motion that several property owners in the Fourth Ward be required to fill up their lots to prevent stagnant pools of water standing on same. We have examined the matter and find there is cause for complaint. We would recommend that the Street Commissioner at once give the proper legal notice to owner of lot No. 9, on West Washington street, Square 51, and the owner of lot on the south-east corner of Blackford and Market streets to immediately fill up the same and abate the nuisance. The pool in the lower arm of the Canal, near the old tumble, is caused by the drainage of New York street washing sand and dirt into the ditch. We would recommend that the Street Commissioner open the ditch so the water will flow off.

Respectfully submitted,

ISAAC THALMAN,
JOHN T. PRESSLY,
C. E. WHITSIT,

Committee on Streets and Alleys.

Which was concurred in.

Dr. Woodburn, from the Judiciary Committee, made the following report:

INDIANAPOLIS August 6, 1872.

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

GENTLEMEN:—Your Judiciary Committee, to whom was referred certain preamble and resolutions, offered by Mr. Wiles at a regular session of the Common Council, July 1st, 1872, annexing certain ground belonging to Messrs. T. A. Morris, Adison L. Roach and Robert B. Duncan to the city, report back the said preamble and resolutions, and state that in our opinion all of said territory proposed to be annexed under the same, has been in the city since the passage of the first resolution annexing the same and liable for taxation since that date.

Respectfully submitted,

J. H. WOODBURN,
J. H. BATTY,
THOMAS COTTRELL,
Com. on Judiciary.

Which was concurred in.

Dr. Woodburn, from the Judiciary Committee, made the following report:

INDIANAPOLIS, Aug. 6, 1872.

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

GENTLEMEN:—Your Judiciary Committee, to whom was referred a petition from Norton R. Smith and Lyman S. Ayres, engaged in business under the firm name and style of N. R. Smith & Ayres, claiming the sum of five hundred dollars as damages by goods destroyed by the overflow of water from the gutter into their cellar on the evening of July 10th, 1872, have made an examination of the justness of said claim against the city, and are compelled to report adverse thereto for the following reasons, to-wit: The window to coal vault in front of said property being broken and open; second, large flagstone of James M. Hume crossing gutter in front of said property; third, obstruction of gutter by Messrs. Parker, Whitehead and Griffith, the gutter being filled up with debris and building material; and if the said firm has sustained any damages, they are the parties who should pay the damages, and to whom they should look for the same.

J. H. WOODBURN,
J. H. BATTY,
THOMAS COTTRELL,
Com. on Judiciary.

Which was concurred in.

Dr. Woodburn, from same committee, made the following report:

INDIANAPOLIS, August 6, 1872.

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

GENTLEMEN:—Your Judiciary Committee to whom was referred a petition or communication from James E. Watts, claiming the sum of one hundred and twelve dollars, for removing the front of a brick tenement built on the street, East street, No. 395, would report that we know of no law which authorizes any person or corporation to build on any street or alley in the city, and as in his own statement to the Council, and referred to your committee, he acknowledges that the said front, we would report against making him any allowance for expenses incurred in moving the same.

Respectfully submitted,

J. H. WOODBURN,

J. H. BATTY,

THOMAS COTTRELL.

Com. on Judiciary.

Which was concurred in.

Mr. Rush, from the Committee on Sewers, made the following report:

INDIANAPOLIS, July 22, 1872.

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

Your committee on sewers to whom was referred the petition of S. T. Crossland, W. C. Thompson, N. R. Smith and others, asking that the assessment of one dollar and fifty cents per foot on the Illinois street sewer be taken off, has been carefully considered, and we submit the following:

The tax of \$1 50 per front foot on property abutting on sewers is intended to cover only the cost of the smallest sized lateral sewer, and certainly adds more than that amount to the value of property, drained by a sewer (especially), in thickly populated parts of the city.

Our system of sewerage contemplates the drainage of all parts of the city, as fast as the means can be raised to do the work, *without over-taxing* the property and it is not practicable for the city to carry it on as rapidly as the necessities of the various localities require it, without taxing all property abutting on sewers a fair share of the cost, which has been fixed at (\$1 50) one dollar and fifty cents per lineal foot on *each* side, and in our opinion no sewer should be built without assessing this amount to the property immediately benefited.

Any other system would (*undoubtedly*) create a competition to have all parts

of the city drained by sewers at once, which is not possible, nor do we think it necessary.

When the South street and Kentucky avenue sewers were built it was probably done without considering the inability of the city to make a system of sewerage wholly at the expense of the city, and a partial remedy for this has been applied in charging (\$25) twenty-five dollars for each house connection on said sewers while on those where the abutting property is taxed for building only a nominal sum (\$2) two dollars is charged for each house connection.

We therefore recommend that the prayer of the petitioners be not granted.

Respectfully submitted,

F. P. RUSH,

C. E. WHITSIT,

DAVID GIBSON.

Com. on Sewers

Which, on motion by Mr. Sherwood, was laid over until the first meeting in October, 1872.

Dr. Woodburn, from the Committee on Water Works, made the following report:

INDIANAPOLIS, August 6, 1872.

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

GENTLEMEN:—Your Committee, to whom was referred sundry motions and resolutions to compel the Water Works Company to lay down mains in streets where the same are not now laid, would respectfully report that they have given the matter a careful consideration, and present the following:

We find by examination of the city ordinance that the Water Works Co. are acting under ordinances passed on the 3d and 24th of January, 1870 about two years and six months ago. That within less than two years from that time the Company had expended in erecting their works, purchasing their machinery, buying and laying down water pipes, building an aqueduct over Fall Creek for the Canal, &c., over four hundred thousand dollars.

That they have laid down over twenty miles of mains' distributing pipes, set over 200 fire plugs, and have their machinery running regularly since within fifteen months from the time the ordinances were passed.

In section 5 of the ordinance authorizing the establishment of water works is the following provision: "The company shall extend their pipes along any street, avenue, or alley of the city, whenever the City Council shall order the same." Under this provision your committee are of the opinion that the Council has the right to direct where water pipes shall be laid, but in exercising this right your committee believe that a just consideration for the public interest would require the Council not to cripple the Water Works Com-

pany, and impair its efficiency and usefulness by ordering pipes laid on streets where there is a large amount of unoccupied property, or where the citizens would not be likely to take water if the pipes were laid, so that the company would not receive a fair remuneration for the outlay in laying the pipes and the expense of running their works. In other words, that it would not be just for the Council to order the company to lay down water pipes in streets where it would not be to the interest of the city to lay them, if the city owned the works and was carrying them on at the public expense.

Your committee believe, however, that there are locations where the demands of the citizens for water and the protection of property from fire require that pipes should be laid as soon as it can conveniently be done, and they would, therefore, recommend that the Council order pipes laid on West street from Ohio to Michigan streets, and on New York street from West to Blackford streets; also on South New Jersey street, Alabama street and Merrill street, on Virginia avenue from Merrill to Dillon streets, where it is so difficult and expensive to dig wells for water, and where additional fire protection is needed.

Respectfully submitted,

J. H. WOODBURN,
LEON KAHN.

Committee on Water Works.

Which was concurred in.

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

INDIANAPOLIS, July 22, 1872.

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

GENTLEMEN:—We, the undersigned, members of the Committee on Fire Department, to which was referred the motion "Empowering and directing the Chief Fire Engineer to allow private citizens to use the public fire hydrants for slushing and sprinkling the streets and sidewalks," would report the same back and recommend that it be not adopted.

Respectfully committed,

W. H. CRAFT,

E. J. HARDESTY,

C. E. WHITSIT,

Committee.

Which was concurred in.

Mr. Thalman, from the Committee on Parks, made the following report:

INDIANAPOLIS, August 12, 1872.

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

GENTLEMEN:—Your Committee on Parks, to whom was referred bill for Military Park expenses have examined the same, and find it correct. The amount is due laborers for keeping the park in order.

We would recommend that the rules be suspended and an appropriation ordinance passed for the amount.

Respectfully submitted,

ISAAC THALMAN,

J. H. WOODBURN,

FRED. C. BOLLMAN.

Com. on Parks.

Which was concurred in.

Mr. Thalman introduced special appropriation ordinance No. 49, 1872, entitled:

An ordinance appropriating money for use of Military Park.

Which was read the first and second times, and under a suspension of the rules read the third time and passed by the following vote:

Affirmative—Councilmen Batty, Bigham, Bollman, Craft, Gibson, Hardesty, Kahn, Pressly, Reagan, Rush, Sherwood, Thalman, Wiles and Woodburn—14.

Negative—Councilman Kennington—1.

By consent, His Honor, the Mayor, offered the following motion:

Moved, That the Committee on Parks investigate and report upon the feasibility of the city acquiring, by purchase or otherwise, sufficient land in the vicinity of Fall Creek, north of the city, or elsewhere, to be held and used as a public park.

Which was adopted.

Mr. Craft offered the following motion:

Moved, That the Market Master be directed to have coverings placed over the scales at the East and West Market Spaces.

Which was adopted.

Dr. Woodburn, from the Committee on Benevolence and Hospitals, made the following report:

INDIANAPOLIS, August 2, 1872.

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

GENTLEMEN:—Your Committee on Benevolence, to whom was referred a communication from Solomon Blair, Treasurer of the Board of Directors of the Colored Orphan Asylum, asking an appropriation of one thousand dollars for the purpose of erecting an addition to their present building of a kitchen and wash-house, would report in favor of making them the allowance asked for.

Respectfully submitted,

J. H. WOODBURN,
F. P. RUSH,
Com. on Benevolence.

Which was concurred in.

Dr. Woodburn, from same Committee, submitted the following report:

INDIANAPOLIS, August 6, 1872.

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

GENTLEMEN:—Your Committee on Benevolence to whom was referred a statement from John W. Murphy, Esq., President, and Wm. Hubbard, Treasurer, of a committee of citizens, and a committee appointed by the Common Council, to receive and disburse money received in aid of the sufferers at the State Fair disaster, in the month of October, 1868, have examined said statement and find it correct.

Respectfully submitted.

J. H. WOODBURN,
F. T. RUSH,
THOMAS COTTRELL,

Com. on Benevolence and Hospitals.

Which was concurred in.

ORDINANCES ON FIRST READING.

Mr. Sherwood introduced special ordinance No. 152, 1872, entitled:

An Ordinance to provide for grading and graveling Third street and sidewalks from Tennessee street to Mississippi street.

Which was read the first time.

Mr. Sherwood introduced special ordinance, No. 153, 1872, entitled:

An ordinance to provide for grading and graveling Sixth street and sidewalks between Tennessee and Mississippi streets.

Which was read the first time.

Mr. Sherwood introduced special ordinance No. 154, 1872, entitled:

An ordinance to grade and gravel Third street and paving with brick the sidewalks of same from Illinois to Tennessee streets.

Which was read the first time.

Mr. Kahn introduced special ordinance No. 155, 1872, entitled:

An ordinance to provide for grading Arsenal avenue from Michigan to Campbell streets.

Which was read the first time.

Dr. Woodburn introduced special ordinance No. 156, 1872, entitled:

An ordinance to grade and gravel William street and sidewalks from Illinois street, or Westfield Gravel Road, to Meridian street.

Which was read the first time.

Mr. Craft presented the following petition:

INDIANAPOLIS, Aug. 6, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on the alley between Michigan street and North, and Davidson and Winston streets, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of the said alley.

And your petitioners will ever pray, etc.

John Helm, Charles F. Wishmeir, Fred. Vogel, and five others

Which was referred to the Committee on Streets and Alleys.

Mr. Craft introduced special ordinance No. 157, 1872, entitled: An ordinance to grade and gravel the alley running north and south from Michigan to North streets, between Davidson and Winston streets.

Which was read the first time.

Dr. Comingor, President of the Board of Health, made a verbal report in relation to the condition of the grounds and premises used by the person who has the contract for taking the dead animals from the city, &c., and that said premises were not kept in such manner as to be deleterious to the health of the city, or the citizens thereof, but that, on the contrary, said grounds and premises were kept and managed much better now than at any time in the past.

Which report was concurred in, and the President of said Board instructed to furnish the Clerk with a written report, &c.

By unanimous consent the rules were suspended for the purpose of calling the roll of members for the presentation of new business.

Mr. Batty offered the following motion:

Moved, That the City Clerk advertise for proposals to gravel Tinker street, fronting the property of W. H. Talbott.

Which was adopted.

Mr. Batty offered the following preamble and resolution:

WHEREAS, It appears to the satisfaction of the Common Council, "That Spann & Co.'s Add. to the City of Indianapolis, of the N. W. part of the S. W. quarter of Section 7, Township 15, Range 4, known as Spann & Co.'s Woodlawn Addition, adjoining to and contiguous to said City, has been laid off and platted, and a record of same has been made in the Recorder's office in the county of Marion, and State of Indiana, plat book, No. 4, page, 64.

Resolved, That the foregoing named described lots of land be and is hereby annexed to the City of Indianapolis, and the boundary of the City is here-

by extended so as to include said addition, which shall hereafter form a part of said City, and be within the jurisdiction of the same.

Which was adopted by the following vote :

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

Negative—None.

Mr. Bigham offered the following motions :

Moved, That John Pressley have permission to move a house from East street to the Eastern terminus of Virginia avenue.

Moved, That the Street Commissioner be and is hereby directed to raise the gutter at the corner of Pennsylvania and Washington streets.

Which were adopted.

Mr. Bollman offered the following motions :

Moved, That the Civil Engineer be instructed to notify the contractor for paving the east side walk on Alabama street between Pogues Run and Washington street to complete the same by the first day of September.

Moved, That the City Marshall be instructed to have the lamp posts removed from the first alley running north and south through outlot 103, and have the same placed in their proper place.

Which were adopted.

Mr. Bollman offered the following motion :

Moved, That the street estimate in favor of G. W. Bucanan for bouldering East street in front of the property of the late August Reich be assumed and paid for by the city of Indianapolis.

Which, on motion, was postponed for one week.

Mr. Craft offered the following motions :

Moved, That Wm. F. Christian be permitted to lay down on the sidewalk

on Vermont street in front of his carpenter shop and stable, either boulder, wooden block, or scantling pavement, and the Civil Engineer is hereby ordered to set the proper grade stakes.

Moved, That the owners of the hotel on the corner of Ohio and Pennsylvania streets be and are hereby ordered to remove the rubbish and building material from the said streets in the vicinity of their building and to lay down the pavement in front of said building, and in case the said hotel company fail to carry out the instructions of this motion, within twenty days, then the Street Commissioner is hereby directed to perform the work and collect the costs of the same from the owner or owners of the said hotel building.

Which were adopted.

Mr. Gibson offered the following motions:

Moved, That Hiram Wright be and is hereby granted the privilege of shooting pigeons that gather about his premises on West Washington street, under the supervision of the City Marshal.

Moved, That the Street Commissioner be and is hereby directed to put in cement pipes on both sides of Michigan street at the crossing of West street, for the purpose of draining the water from West street west on Michigan street, said work to be done under the direction of the City Civil Engineer.

Which were adopted.

Mr. Hardesty offered the following motions:

Moved, That the Street Commissioner be directed to fill up at once an old well in front of No. 89, on the south side of South street between Delaware and Pennsylvania streets.

Moved, That the Street Commissioner be directed to open the sewer across Union street, between McCarty and Ray streets.

Moved, That the Western Union Telegraph Company be allowed permission to place a pole on the side of the Delaware street bridge for the purpose of raising the wires high enough over the top of the bridge, so that the wires may not interfere with the crossing of teams.

Moved, That the Civil Engineer be Directed to make the center of south Illinois street two inches below the top line of the curb, and that the crown or arch of said street be one inch to twenty-four, or not more than eight inches.

Which were adopted.

Mr. Kahn presented the following petition :

INDIANAPOLIS, August 1, 1872.

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

GENTLEMEN:—We, the undersigned, property holders on Winston street, respectfully represent that the grade of Winston street, and the width and depth of the gutters along the same, are such that in time of rain the water can hardly run off before the cellars under their houses are half filled with water; that, in their opinion, it is sufficient to remedy this evil if a culvert be built through the body of the Bellefontaine Railroad, where a street or alley crosses said railroad, and therefore petition your honorable body to have this matter investigated by the City Engineer, and order the work to be done as soon as practicable.

With due respect yours,

George Brough, Amos Scott, Charles Sobbe and
25 others.

Which was received, and, on motion by Mr. Kahn, referred to the Civil Engineer, with instructions to report to this Council what improvements, if any, are necessary to relieve the petitioners' property.

Mr. Kennington presented the following petition :

INDIANAPOLIS, August 1, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Pennsylvania, between South street and Merrill street, respectfully petition your honorable body to pass an ordinance providing for the removal of certain inflammable articles, such as coal oil, benzine, &c, from the building known as No. 223, South Pennsylvania street, between South and Merrill Streets, and prohibit the owners, Messrs. Browning & Sloan or any other parties from occupying the said building for any such purpose, as we believe it endangers our lives and property to such extent as to render it unsafe to have said building so occupied.

And your petitioners will ever pray, &c.

John C. Vetter, James Cummings, Louis Helle, and fifteen others.

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

Mr. Pressly offered the following motion :

Moved, That the Trustees of the South Street Baptist church be allowed the privilege of grading and paving the sidewalk with brick in front of their property on Noble street between South and Huron streets, the same to be done at their own expense and under the supervision of the City Civil Engineer, and the Civil Engineer is hereby directed to set the grade stakes.

Which was adopted.

Also, the following motion :

Moved, That permission be granted to Ostermeier, Cook & Co. to lay a flag stone pavement in front of their new building on the corner of East and Washington streets, and that the city lay her portion of the same.

Which was adopted.

Mr. Reagan offered the following motion :

Moved, That the Street Commissioner put in stone crossings on Kentucky avenue at the crossing of Tennessee and Maryland streets.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner see that the crossings of Georgia and Maryland streets, on the west side of Illinois street, are kept in good condition.

Which was adopted.

Mr. Reagan, also, offered the following motion :

Moved, That the Street Commissioner be ordered to repair the west side of Tennessee street, between Louisiana and Georgia streets, and to fill up the holes with coarse gravel, as the Water Works Company left said street in a bad condition.

Which was referred to the City Marshal, with instructions to notify the Water Works Company to have said work done.

Mr. Rush presented the following petition :

INDIANAPOLIS, August 6, 1872.

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

GENTLEMAN:—I pray your honorable body will order the property holders, fronting on Delaware street from Washington to Market streets, west side, to take up their brick pavement, and relay the same to grade, under the direction of the Civil Engineer. As it now is, it is impassable when it rains.

ANDREW WALLACE.

Which was received and prayer granted, and, on motion, the City Marshal instructed to notify said property owners to have said work done in accordance with the prayer of petitioner.

Mr. Rush presented the following petition :

INDIANAPOLIS, August 6, 1872.

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

GENTLEMEN:—The undersigned, being the owner of a building built on ground owned by W. S. Pierce on Meridian street, on Lot 5, Square 75, was erroneously assessed since the year 1868 for at least \$2,000 too much, and for the year 1868 the whole amount of the taxes for that year should be refunded. The matter has been overlooked until now, from the fact that the building was charged up to the ground to W. S. Pierce, who allowed it to go delinquent. The overcharge amounts to \$172,11, which I have fully paid and ask your honorable body to refund, for which I shall ever pray,

HENRY SCHNULL.

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

Mr. Rush offered the following motion :

Moved, That the City Marshal be, and hereby is, directed to inform the owner or owners of the gravel on Market street, between N. Delaware and East streets, to have said gravel removed within (8) eight days from this notice.

Which was adopted.

Mr. Rush offered the following motion:

Moved, That the City Engineer be instructed not to cut or order to cut down the grade of any street or streets, but to leave the natural raise of any street or streets as much as possible, provided it can be done without the injuring of the adjoining property and the city.

Which was referred to the Committee on Streets and Alleys.

Mr. Thalman offered the following motion:

Moved, That the Street Commissioner notify the owners of the lots on the north-west corner of Bright and Michigan streets to immediately fill up the same, so that stagnant pools of water will not remain thereon.

Which was adopted.

Also, the following motion:

Moved, That C. Held have permission to grade and pave with brick in front of his property, corner of Indiana avenue and Leland street, and that the Engineer be directed to set the grade stakes.

Which was adopted.

Also, the following motion:

Moved, That the Street Commissioner be ordered to flag and boulder the crossings of the streets and alleys from Indiana avenue to Blackford street, on the north side of Michigan street, where stone pavement is now being put down: also Meridian street between South and McCarty streets.

Which was adopted.

Mr. Wiles offered the following motion:

Moved, That the Street Commissioner fill up a hole on the corner of Home avenue and Pennsylvania street, dug for draining water, and that he dig a new one in the same locality.

Which was adopted.

Also, the following motion :

Moved, That David Sylvester be, and is hereby, granted permission to remove a frame building from the corner of East and Market streets to the north-east part of the city, by way of Massachusetts avenue.

Which was adopted.

Mr. Wiles presented the following petition :

INDIANAPOLIS, August 2, 1872.

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

GENTLEMEN:—Your petitioners beg leave to call the attention of your honorable body to the dangerous habit of engineers of locomotives blowing off steam at, in, or near the Union Depot. This habit (for we must call it a *habit*, peculiar to this city, for your petitioners of their own personal knowledge know that it is not indulged by other cities), has grown to be such a dangerous and unmitigated nuisance that we are compelled to ask your honorable body to grant us relief. Scarcely a day passes without a runaway from this cause, endangering life and property. We have consulted practical engineers, and find that there is no necessity for such "blowing off." Trains entering and leaving the city are compelled to go slow which gives them time to increase or decrease the amount of steam. Cases occur daily when carriages come in the vicinity of a locomotive, when those in charge will blow off steam, seemingly to see what the result will be. This happens so often that it is understood by your petitioners to be a sort of *pasttime* of the engineers regardless of its consequences.

Now we earnestly beg your honorable body to pass an ordinance so stringent as to prevent the occurrence of which we complain, by making the engineers personally liable to severe penalties for any violation thereof, and your petitioners will ever pray, &c.

John C. Green, D. W. Coffin, D. Root and fifty-one others.

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

Dr. Woodburn offered the following motion :

Moved, That the Street Commissioner be, and he is hereby, directed to remove the sand that covers the Ballard Block Pavement on Market street.

Which was adopted.

Also, the following motion:

Moved, That the Street Commissioner be, and is hereby, directed to clean out the gutters on East Ohio street, between Pogue's Run and the corporation line east.

Which was adopted.

Mr. Kennington offered the following motion:

Moved, That the Street Commissioner be directed to put in cement drain pipe at the crossing of Louisiana and Meridian streets.

Which was adopted.

Mr. Pressly offered the following motion:

Moved, That the motion introduced by Mr. Whitsit at our last meeting, requiring the Massillon Bridge Company to erect sheet iron guards on each side of the Delaware street bridge, be reconsidered, and instead of sheet iron it be sided with tongue-and-grooved plank, and the same to be well painted.

Which, on motion, was postponed for one week.

On motion, the Council adjourned until Friday evening, August 16th, 1872, 7½ o'clock, P. M.

DANIEL MACAULEY, Mayor.

ATTEST:

JOHN R. CLINTON, City Clerk.