

PROCEEDINGS.

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, August 26, 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, Bollman, Cottrell, Craft, Gibson, Gimber;
Hardesty, Kahn, Kennington, Pressly, Reagan, Thalman, Whit-
sit, Wiles and Woodburn—15.

Absent—Councilmen Bigham, Rush and Sherwood—3.

The proceedings of the regular session, held August 19th,
1872, and of the adjourned session held August 16th, 1872, were
read and approved.

Sealed proposals were received, opened, read and referred to the Committee on Contracts.

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

INDIANAPOLIS, August 26, 1872.

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

Your Committee on Contracts, to whom was referred sundry proposals for the improvement of streets, have examined the same and would recommend that contracts be awarded as follows:

FIRST.

For grading and graveling the first alley east of Maxwell street, running north and south from Elizabeth to North streets, to James Mahoney, at 27 cents per lineal foot front on each side of the line improved.

SECOND.

For grading and graveling the first alley east of Alabama street, running from Market street to Wabash alley, to James Mahony, at 27½ cents per lineal foot front on each side of the line improved.

THIRD.

For grading and bouldering Sciota alley, running north and south from Washington to Market street, to Patterson & Dunning, at 45 cents per foot front on each side of the line improved.

FOURTH.

For grading and graveling New Jersey street and paving the sidewalks with brick, from St. Mary to Morrison street, there was only one proposal presented, and we, deeming that too high, would recommend that the same be re-advertised.

FIFTH.

For grading and paving with brick the south sidewalk on Pratt street, between Pennsylvania and Delaware streets, to Patterson & Dunning, at 47 cts. per foot front.

SIXTH.

For grading and graveling Greer street and paving with brick the west

sidewalk from Stevens to McCarty street, to Hiram Seibert, at 48 cts. on each side for grading and graveling, and 60 cents per front foot for paving with brick.

SEVENTH.

For grading and paving with brick the south sidewalk on St. Joseph street from Pennsylvania to New Jersey street, to Patterson & Dunning, at 47 cts. per front foot.

EIGHTH.

For grading and paving with brick and curbing with stone the east sidewalk on Alabama street, from Pogue's Run to Louisiana street, to Patterson & Dunning, at \$1 17 for paving, and 57 cents for curbing on the line improved.

NINTH.

For grading and graveling the first alley west of Alabama street, running north and south from South to Merrill street, to John Greene, at 41 cents per lineal foot front on each side of the line improved.

TENTH.

For grading and graveling College avenue and sidewalks, from Home avenue to Tinker street, exclusive of the west sidewalk from Home avenue to Lincoln street, and widening the sidewalks to a width of 18 feet, to Hanway & Hanna at \$1.09 cents from Tinker to Lincoln street on each side of the line improved; and from Lincoln street to Home avenue, excluding the west sidewalk, at \$1.09 cents for the east side, and 89 cents per foot front on the west side.

ELEVENTH.

For curbing with Flat Rock stone the outside edges of the sidewalks on Pennsylvania street, from Washington to North streets, where not already curbed, to Bernard Hamill, at 50 cents per lineal foot front on each side of the line improved.

TWELFTH.

For grading the first alley east of East street, running from Merrill street to the first alley north of Merrill street, to John Greene, at 35 cents on each side of the line improved.

THIRTEENTH.

For grading the alley running from East to Merrill street through out-lot 102, to John Greene, at 15 cents per lineal foot front on each side of the line improved.

FOURTEENTH.

For grading and paving with wooden block pavement Illinois street from the north side of Louisiana to the south side of South street, to John J. Palmer, at \$2.25 cents per square yard.

FIFTEENTH.

For erecting lamp-posts, lamps and fixtures on St. Mary street, from Alabama street to Western avenue, and on Park avenue, from St. Clair street to Christian avenue, and for the erection of one post at the corner of the alley on the east side of Bellefontaine street, at \$32 for corner and \$31 for intermediate lamps; and on Illinois street, or Westfield Gravel Road, running from Seventh to Morrison street, and on Western avenue from Cherry street to Christian avenue, and on National Road from White River Bridge to Indianapolis, Bloomington and Western Railroad Company's tracks, and on Malotte avenue from Massachusetts avenue to Columbia street, and on Noble street, from Washington to Market street, to D. Root & Co., at \$33 50 for corner, and \$32 for intermediate posts.

SIXTEENTH.

For grading and graveling Fletcher avenue, excluding the sidewalks, from Noble street to Dillon street, we would recommend be re-advertised, with the understanding that the contractor to whom the work is awarded must do the rolling.

Respectfully submitted,

ISAAC THALMAN,
Committee on Contracts.

Which was concurred in, with the exception of the 4th and 16th paragraphs.

On motion by Mr. Batty, the contract for grading and graveling New Jersey street and paving with brick the sidewalks of the same, between St. Mary and Morrison streets, was awarded to Hanway & Co.

On motion by Mr. Whitsit, the contract for grading and graveling Fletcher avenue, exclusive of the sidewalks, was awarded to Hiram Seibert, he being the lowest bidder, the city to do the rolling, &c.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer made the following report :

INDIANAPOLIS, August 26, 1872.

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

GENTLEMEN:—I have examined Winston street, with reference to the petition of Geo. Brough, Amos Scott, Charles Sobbe and others, which was referred to me by your honorable body.

I find it to be impracticable to carry the water under the Bellefontaine Road, as suggested by the petitioners, but would recommend that the gutters be cleaned out, and that the sidewalks be either paved with brick or regraded. The body of the street is in good condition but the sidewalks are worn down, and the gutters in many places filled up so that in time of rain the water runs over the adjoining lots.

Respectfully submitted,

R. M. PATTERSON, Civil Engineer.

Which was concurred in.

The City Civil Engineer made the following report :

INDIANAPOLIS, Aug. 26, 1872

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

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

J. J. Palmer, for grading Tinker street and sidewalks from the south-east corner to the south-west corner of W. H. Talbott's property :

Length on north side.....	595 ft.
Length on south side.....	595 ft.
Total length	1190 ft.
At 40 cents per lineal foot.....	\$476 00

Also, Geo. W. Buchanan, second partial estimate for grading, bouldering curbing and paving East street and sidewalks from South to McCarty street:

Length of bouldering on east side....	1693 ft.
Length of bouldering on west side... ..	1720 ft.
Total length of bouldering.. . . .	3413 ft.
At \$1.05 cents per lineal foot.....	\$3,584 52

Length of curbing on east side.. .. .	1707 ft.	
Length of curbing on west side.. .. .	1738 ft.	
Total length of curb.. .. .	3445 ft.	
At 53 cents per lineal foot.. .. .		\$1,826 11
Length of pavement on east side.	1567 ft 4 in.	
Length of pavement on west side.....	1667 ft 5 in.	
Total length of pavement.....	3234 ft 9 in.	
At 48 cents per lineal foot.....		1,552 68
828 ft. of flag foot crossings at 46 cents per square foot.....		380 88
172 yards of bouldering at 72 cents per square yard.....		123 84
Total estimate... .. .		\$7,468 03
Deduct former payment.....		5,410 63
Present payment.... .		\$2,057 40

Also, Hanway & Co., for grading and graveling Ohio street and sidewalks from old corporation line east to a line 220 feet east:

Length on north side.....	242 ft. 6 in.	
Length on south side.....	242 ft. 6 in.	
Total length	485 feet.	
At \$1.05 cents per lineal foot.....		\$509 25

Also, John Schier, for grading and paving the east sidewalk on East street from Massachusetts avenue to St. Clair street:

Length of pavement 746 feet, at 60 cents per lineal foot.....	\$447 60
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Respectfully submitted,

R. M. PATTERSON, Civil Engineer.

Which was concurred in.

The City Clerk made the following report:

INDIANAPOLIS, Aug. 26, 1872.

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

GENTLEMEN:—The City Clerk would respectfully report as follows:

FIRST.

First and final estimate allowed J. J. Palmer for grading Tinker street and sidewalks from the south-east to the south-west corner of W. H. Talbott's property.

SECOND.

Second and final estimate allowed George W. Buchanan for grading, bouldering, curbing and paving East street and sidewalks from South to McCarty streets.

THIRD.

First and final estimate allowed Samuel Hanway & Co. for grading and graveling Ohio street and sidewalks from the old corporation line to a point 220 feet east.

FOURTH.

First and final estimate allowed John Schier for grading and paving with brick the east sidewalk of East street from Massachusetts avenue to St. Clair street.

FIFTH.

Contract and bond of Samuel Hanway and Hanna for grading and graveling College avenue and sidewalk from Forest Home avenue to Tinker street, exclusive of the west sidewalk of said street, between Forest Home avenue and Lincoln street.

Respectfully Submitted,

JOHN R. CLINTON, City Clerk.

Which was concurred in and bond approved.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed J. J. Palmer for grading Tinker street and sidewalks from the south-east to the south-west corner of W. H. Talbott's property 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, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Thalman, Whitsit, Wiles and Woodburn—15.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing second and final estimate allowed George W. Buchanan for grading, bouldering, curbing and paving East street and sidewalks, between South and McCarty streets, be, and the same is hereby, adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Samuel Hanway & Co. for grading and graveling Ohio street and sidewalks from old corporation line to a point 220 feet east thereof, be, and the same is hereby, adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Batty, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Thalmar, Whitsit, Wiles and Woodburn—15.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed John Schier for grading and paving with brick the east sidewalk of East street from Massachusetts avenue to St. Clair 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, Bollman, Cottrell, Craft, Gib-

son, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Thalman, Whitsit, Wiles and Woodburn—15.

Negative—None.

The City Clerk made the following report :

OFFICE OF CITY CLERK,
INDIANAPOLIS, August 26, 1872. }

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

GENTLEMEN :—The City Clerk would respectfully report that there is on file in his office affidavits for the collection of street assessments by precepts as follows :

John Scheier vs. Robert B. Johnson, for.....	\$22 00
Hanway & Hanna vs. L. Martin, for.....	143 52
Hanway & Hanna vs. T. B. Harvey, for	66 07
Henry C. Roney vs. Martha Montague, for.....	26 77½
Henry C. Roney vs. Rufus L. Noe, for.....	26 77½
D. Root & Co. vs. Charles W. Stagg, for.....	16 18

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

Respectfully submitted.

JOHN R. CLINTON, City Clerk.

Which was concurred in, and precepts ordered to issue.

The City Marshal made the following report :

INDIANAPOLIS, Aug. 26, 1872.

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

GENTLEMEN :—Your resolution, adopted July 22d, 1872, directing the City Marshal to notify Alfred Huckaba and John W. Brown to each withdraw their front fences on New Jersey street inward five feet, to conform to the plat of the subdivision of out-lot 178, within ten days.

The said Brown and Huckaba failed to remove their fences after ten days' notice, and I have set their fences to a line fixed by the City Engineer.

THOMAS D. AMOS, City Marshal.

Which was concurred in.

The City Commissioners submitted the following report:

INDIANAPOLIS, Aug. 26, 1872.

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

GENTLEMEN:—The Board of City Commissioners have received from the City Clerk the petition, report and other papers in the matter of opening Rockwood street through out-lots 92 and 93, referred to us for further action under a motion adopted by your honorable body August 19th, 1872, and after full investigation and further consideration of the several matters and things contained in our former report, we would report as follows:

That we arrived at the several values therein set forth, for the property taken, and for the benefits derived from opening said street, after full and faithful examination of the premises, and of the values of real estate in that neighborhood, and on re-examination of all the points in the case, we can not conscientiously change our opinion thereon, or materially vary from the figures we have heretofore reported.

Respectfully submitted,

WM. S. HUBBARD,
SAMUEL M. SEIBERT,
J. F. RAMSAY,
Board of City Commissioners.

Mr. Kennington presented the following communication:

INDIANAPOLIS, August 26, 1872.

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

GENTLEMEN:—We, the property holders fronting on Rockwood and Louisiana streets, petition your honorable body to have the City Civil Engineer measure the ground between Rockwood and Louisiana streets; also, measure the width of Louisiana street between East and Noble streets, and report the same to the Common Council at their next meeting. The distance between Rockwood and Louisiana streets, as shown on the map, is 133 feet 10 inches, while there is but 123 feet 4 inches by actual measurement. This seems to have considerable to do with the widening of Rockwood street from the north side—the petitioners supposing the map to be correct—and your petitioners will ever pray.

Reference is here given to the City Charter, page 266, of ordinance passed 1852, to have Louisiana street widened to a width of 80 feet by the Lawrenceburgh and Upper Mississippi Railroad Company. Furthermore, and that the south line of Louisiana street be established to its full widened width as per widened by said Company, and the same be put upon the city surveys.

G. H. VOSS,
SAMUEL LOVE.

On motion by Mr. Batty, the whole matter was referred to the City Attorney, with instructions to report as to the legality of the proceedings of the Commissioners in said matter.

His Honor, the Mayor, presented the following invitation:

INDIANAPOLIS, August 26, 1872.

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

GENTLEMEN:—You are respectfully invited to attend the dedication of the German P. Orphan Home, which will be on Sunday next, the first day of September, 1872. We will assemble in front of the City Hall at half past 8 o'clock, A. M.

THE COMMITTEE OF ARRANGEMENT.

Which was accepted.

His Honor, the Mayor, presented the following:

INDIANAPOLIS, August 26, 1872.

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

GENTLEMEN:—It appears by the records of your honorable body, that heretofore, on the 29th day of July, 1872, certain action was had, of which the following is a copy, to-wit:

“*Moved*, That the Street Commissioner be, and is hereby, directed to fill up the Canal, where the same is crossed by Potomac alley, between Market and Washington 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.”

I am also advised that the Street Commissioner is proceeding to execute said order.

As President of the Water Works Company of Indianapolis, and in behalf of said company, I protest against said order and its execution, as an invasion of the rights of said company.

This protest is made that it may not be assumed that said Water Works Company waives any of its rights or acquiesces in said invasion, and that it may hereafter assert its rights at such times and in such manner as it may deem proper.

I ask as a matter of justice to said company that this protest may be made part of your record.

Respectfully,

JOHN R. ELDER,

Pres't Water Works Co., Indianapolis.

Which was received.

ORDINANCES ON FIRST READING.

Mr. Craft introduced special ordinance No. 160, 1872, entitled:

An ordinance to provide for grading and paving with brick the south sidewalk of Vermont street, between East and Pennsylvania streets.

Which was read the first time.

Mr. Wiles introduced special appropriation ordinance No. 50, 1872, entitled:

An ordinance appropriating money to Woollen, Webb & Co. for money advanced by them to redeem bonds and pay interest thereon.

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

Affirmative—Councilmen Batty, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Thalman, Whatsit, Wiles and Woodburn—15.

Negative—None.

Mr. Batty, from the Committee on Revision of Ordinances, made the following report:

INDIANAPOLIS, Aug. 16, 1872.

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

GENTLEMEN:—Your Committee on the Revision of Ordinances, to whom was referred general ordinances Nos. 56, 57 and 66, report that they have examined said ordinances, and herewith report for the action of the Council a substitute for ordinance No. 56.

Ordinance No. 66 they report back for the action of the Council, amended by striking out the word "two," and inserting in lieu thereof the word "one," making it read one hundred dollars, instead of two hundred dollars. The Council can not, by ordinance, inflict or fix a penalty or forfeiture over one hundred dollars.

Your committee further report that all the provisions of ordinance No. 57 are embraced in ordinances already and now in force, and they recommend that it be stricken from the files.

Your committee would recommend that any ordinance introduced by any member of the Council shall have the name of the member introducing it indorsed on the back thereof, else it shall not be read.

J. H. BATTY,
ROBERT KENNINGTON,
E. J. HARDESTY,
Com. on Rev. Ordinances.

Which was concurred in.

On motion, the Finance Committee were authorized to contract with some banking house to furnish the money necessary to pay all claims against the city that may become due prior to the issue of the September bonds.

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

INDIANAPOLIS, Aug. 26, 1872.

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

We, your Committee on Sewers, to whom was referred the matter of placing a catch-basin on the corner of South and New Jersey streets, would respectfully report that in their opinion the same is much needed, and would recommend that the Sewerage Engineer be instructed to have the work done as soon as possible.

DAVID GIBSON.
C. E. WHITSIT,
Com. on Sewers

Which was concurred in.

Mr. Kahn, from the Committee on Public Schools, submitted the following:

INDIANAPOLIS, August 26, 1872.

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

GENTLEMEN:—At a meeting of the Board of School Commissioners of this city, held on the evening of the 24th, the President was directed to request

your honors to confer police powers on the Janitor of the High School Building, for the better protection of the grounds and property of the School.

John Rotah is the present Janitor. I respectfully ask that the request of the Board be granted.

Yours, most respectfully,

JOHN R. ELDER,
President of Board.

Which was referred to the Board of Police with instructions to confer said powers, &c.

On motion by Mr. Thalman, Dr. Woodburn was added to the Special Committee for Tinker street ditch.

On motion, the Council adjourned.

DANIEL MACAULEY, Mayor.

ATTEST:

JOHN R. CLINTON, City Clerk.