

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS, }
Monday, Sept. 2, 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 Bigham, Bollman, Cottrell, Craft, Gibson, Gimber,
Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Thalman,
Whitsit, Wiles and Woodburn—16.

Absent—Councilmen Batty and Sherwood—2.

The proceedings of the regular session, held August 26th,
1872, were read and approved.

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

INDIANAPOLIS, Sept. 2, 1872.

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

GENTLEMEN:—Your Committee on Contracts, to whom was referred sundry proposals for grading and graveling John street and sidewalks, have examined the same and find them to be as follows:

Hiram Seibert, where the street is 60 feet wide, for \$1.09 cents per front foot on each side, and where 40 feet wide at 83 cents per front foot on each side of the line improved.

Samuel Hanway & Co., where the street is 60 feet wide, for 99 cents per front foot on each side of the line improved, and where the street is 40 feet wide at 70 cents per front foot on each side of the line improved.

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

For building three cisterns, one near the corner of Home and College avenues, size 800 barrels, one at the intersection of Daugherty and McKernan streets, size 600 barrels, and one at the corner of Dillon street and Virginia avenue, size 600 barrels.

We find that John A Whitsit is the lowest bidder, his bid being 62 cents per barrel, and would report in favor of awarding him the contract.

Respectfully submitted,

ISAAC THALMAN,
HEYDEN S. BIGHAM,
Committee on Contracts.

Which was concurred in.

The City Civil Engineer made the following report:

INDIANAPOLIS, Sept. 2, 1872.

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

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

Bernard Hamill, for grading and graveling the alley running from Liberty to Noble street, between Ohio and New York streets:

Length on north side	420 ft.
Length on south side	420 ft.
Total length	840 ft.
At 27 cents per lineal foot.....	\$226 80

Also, James Menloy, second and final estimate for curbing with stone the sidewalks of Madison avenue from Meridian to McCarty streets:

Length on west side.....	1471 ft. 10 in.	
Length on east side... ..	1678 ft. 8 in.	
Total length.....	3150 ft. 6 in.	
At 50 cents per lineal foot		\$1,575 25
Deduct former payment... ..		735 71
		\$839 54

Also, Henry C. Roney, second and final estimate for grading and paving the sidewalks on Madison avenue from Meridian to McCarty street:

Length on west side... ..	1225 ft. 4 in.	
Length on east side.....	1632 ft. 8 in.	
Total length.....	2861 ft.	
At 62 cents per lineal foot		\$1,773 82
Deduct former payment		761 57
		\$1,012 25

Also, Macauley & Alexander a partial estimate for grading and paving with Lefler paving stone the north sidewalk on Michigan street from Indiana avenue to Blackford street.

From West to Blackford street, total number of square feet 4569.2
 at 23 cents per square foot..... \$1,050 92

Respectfully submitted,

R. M. PATTERSON, Civil Engineer.

Which was concurred in.

The Sewerage Engineer made the following report:

INDIANAPOLIS, Sept. 2, 1872.

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

GENTLEMEN:—The following is the sixth and final estimate allowed John W. Dodd & Co., on account of the South Illinois street sewer:

898 feet of sewer, at \$3.25 cents....	\$2,918 50
1,065 feet of sewer, at \$4.50 cents.....	4,792 50
10 manholes, at \$30.....	300 00
150 house connections, at 75 cents.....	112 50
6 catch-basins, at \$130 each.....	780 00
On account of change in catch-basins	51 00

Extra excavation	17 50
Bouldering	6 50
Total	<u>\$8,978 50</u>
Less former payments	8,798 93
Final payment	<u>\$179 57</u>

Also, the second and final estimate allowed John A. Whitsit, on account of the East street Sewer:

557 feet of sewer at \$2 57	\$1,431 49
15 house connections at 75 cents	11 25
1 catch-basin	138 50
1 manhole	30 00
1 catch-basin	155 00
550 yards excavation at 80 cents	440 00
Total	<u>\$2,206 74</u>
Less former payment	2,162 61
Final payment	<u>\$44 13</u>

Also, the following first and final estimate allowed John A. Whitsit on account of the Merrill street Sewer and connections:

544 feet cement pipe at \$3.60	\$1,958 40
262½ feet brick sewer at \$5.80	1,522 50
2 manholes at \$45	90 00
3 catch-basins at \$140	420 00
40 house connections at \$1.00	40 00
Total	<u>\$4,030 90</u>

Also, the following fifth and partial estimate allowed John A. Whitsit & Co. on account of the Illinois street Tunnel:

Excavations	\$5,220 00
Two catch-basin	250 00
250 feet pipe	400 00
Masonry	24,800 00
Total	<u>\$30,670 00</u>
Less 15 per cent	4,600 50
	<u>\$26,069 50</u>
Less former payments	22,047 30
Present payment	<u>\$4,022 20</u>

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

2,350 feet of sewer at \$7.42.....	\$17,437 00
4 manholes at \$40.35.....	161 40
6 catch-basins at \$117.25..	703 50
Total	\$18,301 90
Less 15 per cent.....	\$2,745 28
And former payments.....	9,646 70
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	12,391 98
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Third payment	\$5,909 92

Respectfully submitted,

J. W. BROWN, Sewer Engineer.

Which was concurred in.

The City Clerk made the following report:

INDIANAPOLIS, Sept. 2, 1872.

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

The City Clerk respectfully reports to Council:

FIRST.

Contract and bond of Hiram Seibert for grading and graveling Fletcher avenue, excluding the sidewalks, from Noble to Dillon streets.

SECOND.

Contract and bond of Hiram Seibert for grading and graveling Greer st. and paving the west sidewalk with brick, from Stevens to McCarty street.

THIRD.

Contract and bond of John A. Whitsit for building three cisterns—one at or near the intersection of Home and College avenues. One at or near the intersection of Dougherty and McKernan streets, and one at the corner of Dillon street and Virginia avenue.

FOURTH.

Contract and bond of Hanway & Hanna for grading and graveling New Jersey street, and paving the sidewalks with brick from St. Mary to Morrison streets.

FIFTH.

Contract and bond of Patterson & Dunning for grading and bouldering Scioto alley from Washington to Market streets.

SIXTH.

Contract and bond of Patterson & Dunning for grading and paving with brick the south sidewalk on Pratt street, between Pennsylvania and Delaware streets.

SEVENTH.

Contract and bond of Patterson & Dunning for grading, paving with brick and curbing with stone the east sidewalk on Alabama street, from Pogue's Run to Louisiana street.

EIGHTH.

Contract and bond of Patterson & Dunning for grading and paving with brick the south sidewalk on St. Joseph street, from Pennsylvania to New Jersey streets.

NINTH.

Contract and bond of James Mahoney for grading and graveling the first alley east of Maxwell street, running north and south from Elizabeth to North streets.

TENTH.

Contract and bond of James Mahoney for grading and graveling the first alley east of Alabama street, running from Wabash alley to Market street.

ELEVENTH.

First and final estimate allowed Bernard Hamill for grading and graveling the alley running from Liberty to Noble street, between Ohio and New York streets.

TWELFTH.

Second and final estimate allowed James Maloy for curbing with stone the sidewalks of Madison avenue from Meridian to McCarty streets.

THIRTEENTH.

Second and final estimate allowed Henry C. Roney for grading and paving the sidewalks on Madison avenue from Meridian to McCarty streets.

FOURTEENTH.

First and partial estimate allowed Macauley & Alexander for grading and paving with Lefler paving stone the north sidewalk on Michigan street, from Indiana avenue to Blackford street.

Respectfully Submitted,

JOHN R. CLINTON, City Clerk.

Which was concurred in and bonds approved.

Also, the following resolution :

Resolved, That the foregoing first and partial estimate allowed Macauley & Alexander for grading and paving with Lefler paving stone the north sidewalk of Michigan street, from Indiana avenue to Blackford 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 Bigham, Bollman, Cottrell, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Thalman, Whitsit, Wiles and Woodburn—14.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing second and final estimate allowed Henry C. Roney for grading and paving with brick the sidewalks of Madison avenue, from Meridian to 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 Bigham, Bollman, Cottrell, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Thalman, Whitsit, Wiles and Woodburn—14.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing second and final estimate allowed James Maloy for curbing with stone the sidewalks of Madison avenue, from Meridian to 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 Bigham, Bollman, Cottrell, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Thalman, Whitsit, Wiles and Woodburn—14.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Bernard Hamill for grading and graveling the alley running from Liberty to Noble street, between Ohio and New York 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 Bigham, Bollman, Cottrell, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Thalman, Whitsit, Wiles and Woodburn—14.

Negative—None.

The Street Commissioner made the following report :

INDIANAPOLIS, Sept. 2, 1872.

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

GENTLEMEN:—It is the opinion of your humble seryant that the existing ordinances regulating the granting of building permits, gives too much latitude to contractors and builders.

I would, therefore, recommend that section 5 of an ordinance concerning buildings and improvements, and regulating the granting of building permits, be amended so as to read as follows:

"All permits issued by the Clerk for the erection, construction, or alteration of any house or building, shall specify the amount and space in the street upon the line of which such proposed house or building fronts, to be occupied by the builder with building materials: Provided, that no permit shall be issued allowing the use of any greater space on any street than one-fourth of the width of such street between the curbs, or reckoning from the outside edge of the sidewalks, and immediately fronting the property proposed to be improved, commencing at a point not less than five feet from the outer edge of the sidewalk.

"No permit shall be issued allowing the placing of building materials upon any alley in such a manner as to obstruct the free passage of vehicles, or hinder the free passage of persons or of water upon or along any street, alley or gutter."

Respectfully submitted,

A. BRUNER, Street Commissioner.

Which was referred to the Committee on Revision of Ordinances.

The City Attorney made the following report:

INDIANAPOLIS, Sept. 2, 1872.

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

GENTLEMEN:—On the 26th of August, 1872, the City Commissioners presented to your honorable body a report upon the petition, their former report, and other papers, in the matter of opening Rockwood street through out-lots 92 and 93; which report was referred to the undersigned, with instruction to report as to the legality of the proceedings of the City Commissioners in said matter.

From the papers furnished me by the City Clerk, it appears that the petition of Jesse Jones and others for the widening of Rockwood street, was presented to the Common Council on the 27th of May, 1872, and referred to the Committee on Streets and Alleys; that the Committee on Streets and Alleys afterwards reported the same back, recommending that the matter be referred to the City Commissioners, and the matter was so referred. That on the 22d day of July, 1872, the City Commissioners made their report to the Common Council assessing the damages and benefits accruing by reason of the widening of said street as petitioned for. This report was adopted by the Common Council on the 6th of August, 1872, (see page 366 printed proceedings.)

On the 12th day of August, 1872, Mr. Batty moved that the vote adopting the report of the City Commissioners in regard to widening Rockwood street be reconsidered, which was laid over for one week.

On the 19th of August, 1872, the Council, on motion, reconsidered the vote by which the report of the City Commissioners in the case of widening Rockwood street through out-lots Nos. 92 and 93, at the meeting of the Council held August 6th, 1872.

I am of the opinion that the Common Council had no power under the rules to reconsider the vote adopting the report of the City Commissioners. The motion was not made at the then or next regular meeting. The Council may, even now, rescind by motion or resolution the motion or resolution adopting the report of the City Commissioners, but a motion to reconsider under your rules comes too late. But admitting all to be right up to this point, the second report of the City Commissioners is void for the reason that the City Clerk did not give them and the persons interested in the property to be appropriated, the notice required by the Charter. The proceedings are and must all be *de novo*.

Very respectfully,

J. S. HARVEY, City Attorney.

Which was concurred in, and, on motion by Mr. Whitsit, the petition as first presented, and the report of the Committee on Streets and Alleys, in regard to the extension and opening of Rockwood street, were referred to the Commissioners, and the City Clerk instructed to notify said Commissioners and property owners interested, as provided by the City Charter.

ORDINANCES ON FIRST READING.

Dr. Woodburn introduced special appropriation ordinance No. 51, 1872, entitled :

An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis on account of City Hospital, for the month of August, 1872.

Which was read the first and second times and ordered to be engrossed.

Mr. Kahn introduced special appropriation ordinance No. 52, 1872, entitled :

An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis.

Which was read the first and second times and ordered to be engrossed.

Mr. Thalman introduced special appropriation ordinance No. 53, 1872, entitled :

An ordinance appropriating money for the payment of sundry claims against the city of Indianapolis, on account of the Station House for the month of August, 1872.

Which was read the first and second times and ordered to be engrossed.

Mr. Pressly introduced special appropriation ordinance No. 54, 1872, entitled :

An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis on account of printing, stationery, &c., for the month of August, 1872.

Which was read the first and second times and ordered to be engrossed.

Mr. Wiles presented the following petition :

INDIANAPOLIS, August 30, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Peru street, between Home and Massachusetts avenues, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling Peru street from Home avenue to Massachusetts avenue, and paving the sidewalks with brick six feet wide. And your petitioners will ever pray, &c.

Levi Wright, T. M. Whiting, L. A. Kiefer, Benj. A. Richardson and 8 others.

Which was received.

Mr. Wiles introduced special ordinance No. 161, 1872, entitled :

An ordinance to provide for grading and graveling Peru street and paving with brick the sidewalks thereof, between Massachusetts avenue and Forest Home avenue.

Which was read the first time.

Mr. Wiles presented the following petition :

INDIANAPOLIS, Aug. 16, 1872.

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

GENTLEMEN :—The undersigned, owners of the real estate fronting on Tinker or Seventh street, between Western and Hill avenues, respectfully petition your honorable body to pass an ordinance providing for the grading of said street between the streets above named, to-wit, from Western avenue to Hill avenue, and graveling the same with good pit gravel twenty feet wide, and to the depth of fifteen inches in the centre and nine inches on the sides, making an average depth of twelve inches, and twenty feet wide. The Indianapolis Car Company and S. A. Flether, Jr., owning the property on the north side of said street east of the Peru Railroad and not within the city, hereby agree and bind themselves to pay to the contractor the amount that would be assessed against them if their property was in the city. And your petitioners will ever pray, &c.

S. A. Fletcher, Jr., Indianapolis Car Co. and E. B. Martindale.

Which was received.

Mr. Wiles introduced special ordinance, No. 162, 1872, entitled :

An ordinance to provide for grading and graveling Tinker or Seventh street, between Western avenue and Hill avenue.

Which was read the first time.

Mr. Cottrell introduced special ordinance No. 163, 1872, entitled :

An ordinance to provide for grading and graveling High street and sidewalks from McCarty street to the first alley south of Bicking street.

Which was read the first time.

Mr. Cottrell introduced special ordinance No. 164, 1872, entitled :

An ordinance to provide for grading and bouldering the first alley south of Cumberland or Pearl street running from New Jersey street to Alabama street.

Which was read the first time.

Dr. Woodburn introduced special ordinance, No. 165, 1872, entitled :

An ordinance to provide for grading and graveling Sixth street and sidewalks from Tennessee street to the Michigan Road.

Which was read the first time.

Mr. Hardesty introduced special ordinance No. 166, 1872, entitled :

An ordinance to provide for grading and graveling the alley running east and west between out lots 110 and 111, from Pennsylvania to Delaware streets.

Which was read the first time.

Mr. Hardesty introduced special ordinance No. 167, 1872, entitled :

An ordinance to provide for grading, bouldering, curbing the sidewalks with stone, and putting down flagstone foot crossings on Delaware street from Pogue's Run to the south side of South street.

Which was read the first time.

Mr. Hardesty introduced special ordinance No. 168, 1872, entitled :

An ordinance to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Merrill street between Pennsylvania and Delaware streets.

Which was read the first time.

Mr. Hardesty introduced special ordinance No. 169, 1872, entitled :

An ordinance to provide for grading, bouldering the gutters and graveling Georgia street, between Meridian and Pennsylvania streets, and curbing the south sidewalk thereof with stone.

Which was read the first and second times and ordered to be engrossed.

Mr. Pressly introduced general ordinance No. 61, 1872, entitled :

An ordinance to provide for the appointment of a flagman at the crossing of Liberty street by the Indiana Central Railway Co. and the Junction Railroad Co.

Which was read the first and second times and ordered to be engrossed.

Mr. Kahn introduced general ordinance No. 62, 1872, entitled :
An ordinance to prevent fast driving over the Delaware street bridge.

Which was read the first time.

Mr. Wiles introduced special ordinance No. 170, 1872, entitled :

An ordinance providing for bouldering the gutter on the east side of Alabama street, between St. Clair street and Ft. Wayne avenue.

Which was read the first time.

By unanimous consent, the rules were suspended and special appropriation ordinance No. 51, 1872, entitled :

An ordinance appropriating money for the payment of sundry claims on account of the City Hospital for the month of August, 1872.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Thalman, Whitsit, Wiles and Woodburn—16.

Negative—None.

Special appropriation ordinance No. 52, 1872, entitled :

An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Pressly, Kahn, Kennington, Reagan, Rush, Thalman, Whitsit, Wiles and Woodburn—16.

Negative—None.

Special appropriation ordinance No. 53, 1872, entitled :

An Ordinance appropriating money for the payment of sundry claims on account of the Station House for the month of August, 1872.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Thalman, Whitsit, Wiles and Woodburn—16.

Negative—None.

Special appropriation ordinance No. 54, 1872, entitled :

An ordinance appropriating money for the payment of sundry claims on account of printing, stationery, &c., for the month of August, 1872.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Thalman, Whitsit, Wiles and Woodburn—16.

Negative—None.

Special ordinance No. 169, 1872, entitled :

An ordinance to provide for grading and graveling Georgia street and bouldering the gutters and curbing with stone the south sidewalk thereof, between Meridian and Pennsylvania streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Thalman, Whitsit, Wiles and Woodburn—16.

Negative—None.

By consent, special ordinance No. 104, 1872, entitled :

An ordinance to provide for grading and graveling Ray street between Meridian and Chestnut streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Thalman, Whitsit, Wiles and Woodburn—16.

Negative—None.

By consent, the rules were suspended and general ordinance No. 61, 1872, entitled :

An ordinance to provide for the appointment of a flagman at the crossing of Liberty street, by the Indiana Central Railway Co. and the Indianapolis and Junction Railroad Co.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Thalman, Whitsit, Wiles and Woodburn—16.

Negative—None.

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

Mr. Bigham offered the following motions :

Moved, That Daniel Yandes and James W. Brown be permitted to grade and gravel the alley between lots 9 and 10, in square 36.

Moved, That George Van Antwerp have permission to boulder the sidewalk in front of his shop on North East street, between Washington and Market streets, for the purpose of a drive.

Which were adopted.

Mr. Craft offered the following motion :

Moved, That the City Clerk advertise for bids to build an Engine House on the City's lot on the corner of Massachusetts avenue, Delaware and New York streets, as per plans and specifications furnished by Dagget & Roth—the Council reserving the right to reject any and all bids for the same.

Which was adopted.

Mr. Gibson offered the following motions :

Moved, That Aderson Simmonds be granted the privilege of making a bouldered crossing across the sidewalk in front of his lot, east side of Minerva street, between Vermont and Michigan streets. Also, that he be granted the privilege of putting curbing along the sidewalk of his said lot. The above work to be done according to the direction of the City Civil Engineer.

Moved, That the Indianapolis Water Works Company be required to lay down water pipe as recommended by the report of the Committee on Water Works, dated August 6th, 1872, in Proceedings of Council August 12th, 1872, by the first day of December next. That the City Marshal is hereby directed to notify the President of the Water Works Company of the order of this Council for laying said water pipe—none to be less than six inches diameter.

Which were adopted.

Mr. Gibson offered the following motion :

That a Special Committee of three be appointed by the Mayor to examine into the condition of the establishment for rendering animal offal north-west of the city.

Which was adopted, and His Honor appointed as such committee Councilmen Gibson, Bollman and Rush.

By consent, Mr. Kahn presented the following petition on the same subject :

INDIANAPOLIS, Sept. 2, 1872.

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

GENTLEMEN:—Your petitioners respectfully state, that a number of slaughter houses, soap factories, bone-boiling houses, and other establishments of like character, now exist in the region east of the river, west of the Bluff

Road and south of the old donation line. That they formerly existed outside of the city, but by the extension of population and the annexations recently made, they are now in or near thickly settled neighborhoods, and under the jurisdiction of your honorable body.

Your petitioners are not opposed to these establishments; we deem them necessary and valuable adjuncts to the business of a large flourishing city; but they should be either so managed, or so located, that they may not interfere with the health and comfort of large populations, nor depreciate the value of extensive sections of real estate. Whenever either of these consequences flow from their location or management, they become great nuisances and sources of evil.

Your petitioners believe that the instances are rare where such establishments are so conducted as to be blameless, and we think the only plan is to compel their removal to such a distance as the extension of the city limits requires. We say that the establishments above mentioned are, at the present moment, exercising a very injurious influence on the comfort and the health of the neighborhood, and depreciating the value of real estate over a large section of the city. We therefore pray that an examination of these cases be made, and that these establishments be removed a sufficient distance beyond the city limits, by resolution or ordinance of the Common Council, and that your honorable body take prompt action in the matter, that we may be saved from the probable effects of epidemic diseases during the hot weather now prevalent.

And we will ever pray, &c.

T. G. Brand, John Berry, David Wemmer, R. Benjowsky,
Henry Reinfels. and 108 others.

Which was referred to the Select Committee above appointed.

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 from Pearl street south on ——— street to Maryland street.

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

Mr. Gimber offered the following motion :

Moved, That the Street Commissioner be, and is hereby, directed to fill up the Canal where the same crosses Maryland street, 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.

Which was referred to the Committee on Streets and Alleys.

Mr. Gimber offered the following motion :

Moved, That the Street Commissioner be instructed to boulder the crossings of the alleys from McCarty to Ray streets, on Meridian street, and flag the crossings of Ray and Wilkens streets with stone.

Which was adopted.

Mr. Hardesty offered the following motions :

Moved, That Charles Glazier be, and is hereby, granted permission to boulder the sidewalk and gutter in front of his property on South Alabama st., the same to be done under the direction and to the satisfaction of the Civil Engineer, who is hereby directed to set the stakes.

Moved, That Charles Grobe be permitted to lay down stone flagging in front of his place of business on Louisiana street, between Illinois and Meridian streets.

Moved, That the contractor for the grading and paving of the east sidewalk of Pennsylvania street, from Washington street to Madison avenue, be directed to proceed at once with the work.

Which were adopted.

Mr. Hardesty offered the following resolution :

Resolved, That the owners of the following described real estate, to-wit : South-east quarter of out-lot No. 118, and owned by Margaret McCarty and the Western Furniture Company, of the City of Indianapolis, be and they are hereby required to fill or drain the same, as, in the opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to become a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled, "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and

that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance: *Provided*, that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote:

Affirmative—Councilmen Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Thalman, Whitsit, Wiles and Woodburn—16.

Negative—None.

Mr. Hardesty presented a bill of the Indianapolis Gas Light and Coke Co., amounting to \$713.66.

Which was referred to a Special Committee consisting of Councilmen Hardesty, Pressly and Bigham.

By consent, Mr. Kahn submitted the following report:

INDIANAPOLIS, Sept. 2, 1872.

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

Your committee, appointed to examine the Illinois Street Tunnel, whether the same is being built according to contract, beg leave to report that we have examined the same, and, in justice to the contractors, have to acknowledge that they are doing a better job than the contract calls for.

Respectfully submitted,

LEON KAHN,
H. S. BIGHAM,
JOHN T. PRESSLY,

Committee.

Which was concurred in.

Mr. Kennington offered the following motion:

Moved, That the City Marshal be instructed to notify the old Madison and Indianapolis Turnpike Gravel Road Company to remove their toll-gate to the corporate limits.

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

Mr. Reagan offered the following motion :

Moved, That the City Marshal be and is hereby authorized to remove the lumber that obstructs the flow of water at the corner of Kentucky avenue and Washington street, at once.

Which was adopted.

Mr. Rush offered the following motion :

Moved, To have two signs painted, and one put up on each end of the South Delaware street bridge, reading, *keep to the right*.

Which was adopted, and the Committee on Bridges instructed to have the same carried into effect.

Mr. Thalman offered the following motions :

Moved, That thirty days further time be granted James W. Hudson, on his contracts for paving the north sidewalk of Washington street between Missouri and Blake, and setting curb on West street, between Market and North.

Moved, That Faulkner Bros. be allowed ten days further time to remove building from off canal at Indiana avenue bridge.

Moved, That Henry Habeni have permission to grade and pave with brick in front of his property on California street (Lot No. 9), and that the City Engineer be directed to set the grade stakes.

Which were adopted.

Mr. Thalman presented the following petition :

INDIANAPOLIS, Sept. 2, 1872.

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

GENTLEMEN:—I hereby ask your honorable body to refund to me \$5.25 the tax charged for an improvement on part of lots 2 and 3, in out-lot 99, which has been erroneously assessed against said lots. there never having been an improvement on said lots. I have fully paid said tax, and pray your honorable body to refund the same.

JOSEPH GREENWOOD.

I certify that the improvement charged on lots 2 and 3 was an error and belongs on the west part of said lots.

WM. HADLEY.

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

Mr. Whitsit offered the following motions :

Moved, That the Street Commissioner be instructed to provide drainage for the water at the crossing of what is known as Virginia river and Huron st.

Moved, That W. T. Royce be allowed to pave the sidewalk in front of his property on Olive street, the same to be done at his own expense, and under the direction of the Civil Engineer.

Moved, That the Street Commissioner be and he is hereby instructed to re-floor the Noble street bridge at the crossing of the Cincinnati and Lafayette Railroad, with good white oak plank, not less than two and one-half inches in thickness.

Moved, That the Street Commissioner be and is hereby instructed to take up and re-floor the bridge at the crossing of Pogue's run and Virginia avenue with good white oak plank, of not less than two and a half inches in thickness.

Which were adopted.

Mr. Whitsit offered the following motion :

Moved, That His Honor, the Mayor, Mr. Cottrell and Mr. Craft be appointed a committee to wait upon the County Commissioners and ask them to reconsider their action with regard to the holding of the election for all the Wards of the city at the Court House, in October next, as it is the opinion of this Council that the rights of the people will be as well preserved, would be a great deal more convenient and less liable to collisions between the parties, if voting places should be appointed in the different Wards and Districts, and as conservators of the peace and dignity of the city we will ever pray.

Which, on motion by Mr. Kahn, was referred to the Committee on Benevolence.

Mr. Wiles offered the following motions:

Moved, That W. H. Pinney be granted permission to grade and pave with brick, to the width of eight feet, the sidewalk in front of his property on North East street—said work to be done at the expense of petitioner, and under the direction and to the satisfaction of the City Civil Engineer.

Moved, That the City Civil Engineer cause flagging to be placed across the streets and alleys on College avenue from Christian to Home avenues, and that he curb with stone the sidewalks corners of the said alley and street crossings.

Which were adopted.

Mr. Wiles offered the following resolution:

Resolved, That the owners of the following described real estate, to-wit: Lot No. 3, in out-lot No. 43, in the City of Indianapolis, be and they are hereby required to fill or drain the same, as, in the opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled, "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance: *Provided*, that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote:

Affirmative—Councilmen Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Thalman, Whitsit, Wiles and Woodburn—16.

Negative—None.

Dr. Woodburn presented the following:

INDIANAPOLIS, Sept. 2, 1872.

The City of Indianapolis to the Water Works Company

DR.

To rent for fire hydrants, for the quarter ending Sept. 1, 1872.

178 Hydrants, as per last bill, at \$50 per annum.....	\$2,225 00
1 Hydrant, corner Delaware and Michigan streets, set July 16, at \$50 per annum.	6 44
1 Hydrant, corner Second and Pennsylvania streets, set July 17, at \$50 per annum.....	6 30
1 Hydrant, corner Louisiana and Tennessee streets, set August 5, at \$50 per annum.....	3 64
1 Public Fountain, corner Pennsylvania and Market streets, set August 13, at \$50 per annum.....	2 52
1 Public Fountain, in Military Park, at \$256 per annum.....	64 00
1 Tap inserted for fountain corner Pennsylvania and Market sts.	2 00
1 Tap inserted for fountain corner Illinois st. and Virginia ave..	2 00
	\$2,311 90

Which was referred to the Committee on Water Works and Chief Fire Engineer.

Dr. Woodburn offered the following motions:

Moved, That the owners of property fronting on Muskingum alley, between Michigan and North streets, be granted permission to grade and gravel the aforesaid alley at their own expense, and the City Civil Engineer is instructed to set the grade stakes.

Moved, That the Street Commissioner be instructed to put down stone crossings on Illinois street, between Vermont and Second streets.

Which were adopted.

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

INDIANAPOLIS, Sept. 2, 1872.

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

GENTLEMEN:—Your Special Committee on Illinois street Block Pavement, have appointed Charles Richmann to superintend that work.

J. H. WOODBURN,
HENRY GIMBER,
E. J. HARDESTY,

Committee.

Which was approved, and the compensation fixed at \$4.00 per day.

Mr. Gibson, from Select Committee, made the following report:

INDIANAPOLIS, Sept. 2, 1872.

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

GENTLEMEN:—Your Special Committee, to whom was referred the subject of draining Tinker street, believe that the most feasible plan to do so would be to put in drain pipe, through Howard street, from Tinker to Sixth streets, and down Sixth street to the Canal, and would recommend that the City Clerk advertise for proposals to do the work.

Respectfully submitted,

DAVID GIBSON,
J. H. WOODBURN,
THOMAS COTTRELL,
Special Committee.

Which was concurred in.

Mr. Cottrell offered the following motion:

Moved, That the City Engineer be instructed to have the bridge across the Railroad tracks on South Delaware street properly lighted with 6 gas lights.

Which was referred to the Committee on Gas.

His Honor, the Mayor, offered the following motion:

Moved, That the Board of Police at once provide a sufficient number of water closets in the Station House for the use of the inmates.

Which was adopted.

On motion, the Council adjourned.

DANIEL MACAULEY, Mayor.

ATTEST:

JOHN R. CLINTON, City Clerk.