

PROCEEDINGS

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
Monday, Sept. 30, 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, Sherwood, Thalman, Whitsit, Wiles and Woodburn—16.

Absent—Councilmen Batty and Rush—2.

The proceedings of the adjourned session, held Sept. 24th, 1872, were read and approved.

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

Mr. Bigham offered the following motion :

Moved, That J. F. Heim have permission to pave the sidewalk in front and on the side of his property on the southwest corner of Washington and Alabama streets, and lay the crossings with good oak studding on their edge, said work to be at his own expense, and under the direction of the City Civil Engineer, who is hereby directed to set the grade stakes in conformity to the ordinance passed for the improvement.

Which was adopted.

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

INDIANAPOLIS, Sept. 30, 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 Ray street and sidewalks, between Meridian and Delaware streets, find that the following were presented :

James Mahoney 89 cents per lineal foot front.

Geo. W. Buchanan 89 cents per lineal foot front.

Sam'l Hanway & Co. 80 cents per lineal foot front.

John Green 77 cents per lineal foot front.

On each side of the line improved.

John Green being the lowest and best bidder, we would recommend that he be awarded the contract.

Respectfully submitted,

L. Q. SHERWOOD,

H. S. BIGHAM,

ISAAC THALMAN,

Committee on Contracts.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, Sept. 30, 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, graveling and bouldering the gutters and curbing the

outside edge of the sidewalk of Georgia street, from Meridian to Pennsylvania street, have examined the same and find them to be as follows, to wit:

George W. Buchanan, for grading and graveling, per lineal foot front, on each side of the line improved, \$2.47 cents.

For bouldering the gutters, 30 cents per lineal foot front on each side of the line improved.

For curbing the outside edge of the south sidewalk, 65 cents per lineal foot front.

James Mahoney, for grading and graveling \$1.50 cents per lineal foot front on each side of the line improved.

For bouldering the gutters on each side of the line improved, 75 cents.

Curbing the outside edge of the south sidewalk, 65 cents per front foot.

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

Respectfully submitted,

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

Which was concurred in.

Also, the following report:

INDIANAPOLIS, Sept. 30, 1872.

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

GENTLEMEN:—Your Committee on Contracts, to whom was referred sundry proposals for placing a cement pipe sewer on Howard street to Sixth street, and on Sixth street to the Central canal, have examined the same and find them to be as follows:

Henry C. Roney, \$3.25 cents per lineal foot run.

R. M. Riner, \$2.85 cents per lineal foot run.

Manholes \$19.50 cents each, the city to furnish iron caps.

Catch Basins, \$93.00.

R. M. Riner being the lowest bidder, we would recommend that he be awarded the contract, on condition that he complete the same in 60 days.

Respectfully submitted.

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

Which was concurred in.

The City Civil Engineer made the following report :

INDIANAPOLIS, Sept. 30, 1872.

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

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

John Green first and final estimate, for grading and graveling Market st. and sidewalks from Arsenal to State avenue :

Length of north side.....	716 ft. 10 in.	
Length of south side.....	716 ft. 10 in.	
Total length.....	1433 ft. 8 in.	
At 94½ cents per lineal foot		\$1,354 81½

Also, Patterson & Dunning, first and final estimate, for grading, paving and curbing the east sidewalk on Ellsworth street from New York to Vermont streets :

Length of paving 450 ft. at 56c. per lineal foot...	\$252 00
441 ft. curbing at 19c. per lineal foot.....	83 79
Total estimate.....	————— \$335 79

Also, James Mahoney, first and final estimate, for grading and graveling the east alley east of Alabama street, running from Market street to Wash-bash alley :

Length on east side.....	195 ft.
Length on west side.....	195 ft.
Total length	390 ft.
At 27½ cents per lineal foot.....	\$107 25

Also, Jas. W. Hudson, a partial estimate for paving, flagging and bouldering Washington street from Missouri street to east side of California street :

Length of paving 830 ft. 6 in. at \$1.30 per lineal foot.....	\$1,079 65
Length of flagging 180 ft. at 50c. per lineal foot..	90 00
179½ square yards bouldering at 55c. per yard	98 72
Total estimate.....	————— \$1,268 37

Also, D. Root & Co. first and partial estimate for erecting lamp-posts and fixtures on Westfield Gravel Road, or Illinois street, from Seventh to Morrison street :

East side 4 corner posts and 7 intermediate ones.	
West side 2 corner posts and 8 intermediate ones.	
Total number of corner posts 6, at \$33. 50 per post.....	\$201 00
Total number intermediates 15, at \$32.00 per post.	480 00
Total estimate	————— \$681 00

Also, J. J. Palmer for grading and paving with wooden block pavement intersection of Washington and Illinois street:

1131 square yards of paving at \$2.04 cents per square yard.....	\$2,307 24
35 feet of curb at 65 cents per foot	22 75
35 feet of curb reset at 15 cents per lineal foot.....	5 25
180 feet of pipe at Maryland street, at 90 cents per foot... ..	162 00
4 elbows at \$1.25 cents each.....	5 00
6 protective stones at \$6.00 per stone.....	36 00
Total estimate.....	\$2,538 24

Also, August Richter a partial estimate for building stone culvert at crossing of Pogue's Run and East street:

434 cubic yards masonry, at \$6.95 per yard	\$3,016 30
23,049 feet of timber, at \$2.25 per 100 feet board measure	518 60
440 yards excavation, at 40 cents per yard.....	176 00
Total	\$3,710 90

Respectfully submitted,

R. M. PATTERSON, Civil Engineer.

Which was concurred in.

The City Clerk made the following report:

INDIANAPOLIS, Sept. 30, 1872.

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

GENTLEMEN:—The City Clerk would respectfully report:

FIRST.

First and final estimate allowed John Greene for grading and graveling Market street and sidewalks, from Arsenal to State avenues.

SECOND.

First and final estimate allowed Patterson and Dunning for grading, paving with brick and curbing with wood, the east sidewalk of Ellsworth street from New York to Vermont street.

THIRD.

First and final estimate allowed James Mahoney for grading and graveling the first alley east of Alabama street, running from Market street to Wabash alley.

FOURTH.

First and partial estimate allowed James W. Hudson for grading and paving with brick, and flagging and bouldering the street and alley crossings, the north sidewalk of Washington street, from Missouri street to the east side of California street.

FIFTH.

First and partial estimate allowed D. Root & Co. for erecting lamp-posts, lamps, &c., on Illinois street or Westfield Gravel Road, from Seventh street to Morrison street.

SIXTH.

First and final payment allowed J. J. Palmer for grading and paving with wooden block pavement, at the intersection of Illinois and Washington streets.

SEVENTH.

First and partial payment allowed August Richter for building stone culvert over Pogues Run on East street.

Respectfully Submitted,

JOHN R. CLINTON, City Clerk.

Which was concurred in.

Also, the following resolution :

Resolved, That the foregoing first and final estimate of John Greene for graveling Market street and sidewalks from Arsenal avenue to State avenue, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate of Patterson & Dun-

ning for grading, paving with brick and curbing with wood, the east sidewalk of Ellsworth street, between New York and Vermont streets, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby requested to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate of James Mahoney for grading and graveling the first alley east of Alabama street, running from Market street to Wabash alley, 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, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Sherwood, Thalman, Whitsit, Wiles and Woodburn—16.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and partial estimate of James W. Hudson for grading and paving with brick, and flagging and bouldering the street and alley crossings, the north side of Washington street from Missouri street to the east side of California 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, Craft,

Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Sherwood, Thalman, Whitsit, Wiles and Woodburn—16.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and partial estimate of D. Root & Co. for erecting lamp-posts, lamps and fixtures complete to burn gas, except the service pipes, on Illinois street or Westfield Gravel Road, from Seventh to Morrison 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, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Sherwood, Thalman, Whitsit, Wiles and Woodburn—16.

Negative—None.

The Chief Fire Engineer made the following report :

INDIANAPOLIS, Sept. 30, 1872.

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

GENTLEMEN:—The Chief Fire Engineer would respectfully recommend to your honorable body that some action be taken in regard to the manner of construction and height of Smoke Stacks or chimneys for steam boilers.

DAN. GLAZIER,
Chief Fire Engineer.

Which was referred to the Committee on Judiciary and City Attorney, with instructions to report an ordinance governing the matter complained of.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }
INDIANAPOLIS, Sept. 24, 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 Schier vs. Henry Hooker, for.....	\$19 52
John Schier vs. Christian Hooper, for..	15 25
R. P. Dunning vs. Josephine Gest, for..	78 00

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 Board of Health submitted the following report:

INDIANAPOLIS, Sept. 30, 1872.

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

GENTLEMEN:—The Board of Health submits the following mortality report for the week ending Sept. 16, 1872:

Number of deaths under 1 year.....	5
Number of deaths under 2 years.....	2
Number of deaths between 2 and 5 years.....	0
Number of deaths between 5 and 15 years.....	0
Number of deaths between 15 and 20 years.....	0
Number of deaths over 20 years.....	13
Total..	<hr/> 20

Respectfully submitted,

J. A. COMINGOR, M. D., Pres't.

W. WANDS, M. D., Secretary.

Which was received.

The City Attorney made the following report:

INDIANAPOLIS, Sept. 30, 1872.

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

GENTLEMEN:—I have to inform you that since your last meeting the case of Horace F. Kenyon and Emma M. Kenyon vs. The City of Indianapolis, was tried a third time in the Superior Court of Marion county, by a jury, and a verdict rendered for the city.

That on the 27th and 28th instants the case of Brett & Cooper vs. The City of Indianapolis, was tried by a jury in the Marion Common Pleas. The jury failed to agree and were discharged.

This suit is brought to recover damages for an alleged overflow of plaintiffs' cellar, under the Terre Haute saloon, on South Illinois street.

Very respectfully,

J. S. HARVEY, City Attorney.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, Sept. 30, 1872.

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

GENTLEMEN:—The communication of E. M. and O. Williams, in reference to standing trees on property belonging to N. W. Fitzgerald and others, has been handed to me with instruction to report what power the city (Council) has in the matter.

I have to say, that if the trees are within the corporate limits the Common Council, if the trees are in any way dangerous to the lives of persons living in the vicinity, or of property contiguous thereto, has full power to cause at once the removal thereof; that it is the duty of the Common Council to do so, and if the Common Council does not do so, the city would be liable for any damage that might occur to life or property by reason thereof.

J. S. HARVEY, City Attorney.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, Sept. 30, 1872.

the Mayor and Common Council of the City of Indianapolis :

GENTLEMEN:—On the 24th inst. you adopted a motion directing me to examine the law, in conjunction with recent decisions of the Supreme Court, and report to you whether or not in my opinion a mere resolution of the Common Council would be sufficient to make a street improvement.

In the case of City of Indianapolis vs. Imberry, 17 Ind. 175, the Court says: "The manner in which the order or determination of the Council that a given street or alley, or part thereof, shall be improved, is to be expressed, is not pointed out in the paramount law, but we think it need not be by ordinance. We think it may be expressed by motion or resolution."

It seems, therefore, that a mere motion or resolution is sufficient to secure the improvement of a street or alley.

J. S. HARVEY, City Attorney.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, Sept. 30, 1872.

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

GENTLEMEN:—By a motion passed by your honorable body on the 24th inst., we are required to prepare and submit an ordinance preventing builders from occupying as much of the streets, alleys and sidewalks as is common in (under) the present ordinance.

We beg leave to report that, in our opinion, the ordinance now in force, viz. Sections 5 and 6 of an ordinance entitled, "An ordinance concerning buildings and improvements, and regulating the granting of building permits," passed May 31, 1869 (see Compilation of Ordinances of 1869, p. 170), is all that is required, and fully meets the idea suggested in the motion, if the ordinance is enforced.

J. S. HARVEY, City Attorney.

E. J. HARDESTY,

ROBERT KENNINGTON,

Com. on Rev. Ordinances.

Which was, on motion, referred to a select committee consisting of His Honor, the Mayor, and Councilmen Thalman, Wiles and Cottrell, with the Street Commissioner.

ORDINANCES ON FIRST READING.

Mr. Pressly presented the following petition :

INDIANAPOLIS, Sept. 30, 1872.

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

Your petitioners, owners of the lots bordering on the alley running north from McCarty street to the alley running west from Virginia avenue, in Greer and Waters' subdivision of out-lot 101, in the city of Indianapolis (as shown by the following diagram), pray that said alley bounded on the west by lot 33, and on the east by lots 34, 35 and 36, may be graded and graveled.

Thos. R. Plumridge, R. M. Riner, Christian Pohler and
Wilhelm Potter.

Which was received.

Mr. Pressly introduced special ordinance No. 182, 1872, entitled :

An ordinance to provide for grading and graveled the first alley west of

Virginia avenue, running from McCarty street to the first alley north of McCarty street.

Which was read the first time.

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

INDIANAPOLIS, Sept. 30, 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, would report as follows:

FIRST.

Is a petition from V. Carter, and others, in regard to the grade of Bellefontaine street. We can see no way to remedy the matter complained of, and believe that the Engineer has done the best that can be done with it. We recommend that no further action be taken.

SECOND.

Is a remonstrance against the passage of an ordinance to improve Peru street. We believe the work should be done, and recommend that ordinance No. 161 be placed upon its passage.

THIRD.

Is a remonstrance from Jno. Larkin, and others, against the opening and widening of Blackford street. We believe the improvement should be made and recommend that the matter be referred to the City Commissioners for their action, and that the Clerk be directed to give the necessary notices.

Respectfully submitted,

ISAAC THALMAN,

JOHN T. PRESSLY,

C. E. WHITSIT,

Committee on Streets and Alleys.

Which was concurred in.

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

INDIANAPOLIS, Sept. 30, 1872.

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

GENTLEMEN:—Your Committee on Water Works, to whom was referred a bill in favor of the Water Works Company, have examined the same, and

find it correct, except one item, and that is for the public fountain at the corner of Pennsylvania and Market streets, which we have stricken out of the bill, and would recommend that said portion of the account be referred to the City Attorney to report whether under their contract they have the right to charge for said water for drinking purposes, and that the balance of the account be referred to the Committee on Accounts and Claims.

Respectfully submitted,

J. H. WOODBURN,
EDWARD REAGAN,
LEON KAHN,
Com. on Water Works.

Which was concurred in.

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

INDIANAPOLIS, Sept. 30, 1872.

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

GENTLEMAN:—Your Committee on Water Works, to whom was referred a motion to lay down water mains on Pennsylvania street from Merrill street to Madison avenue ; on Madison avenue to McCarty street ; thence west on McCarty street to Union street ; thence on Union street to Morris street, herewith report said motion back to the Council and would recommend that the same be passed.

Respectfully submitted,

J. H. WOODBURN,
EDWARD REAGAN,
LEON KAHN.

Committee on Water Works.

Which was concurred in.

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

INDIANAPOLIS, Sept. 30, 1872.

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

GENTLEMEN:—Your Committee on Bridges, to whom was referred a motion introduced by Dr. Woodburn, to have an iron bridge, with stone abutments, built across the Central canal, have examined the same, and are of opinion that the same should be built, and would recommend that the City Clerk

advertise for proposals for the same, according to plans and specifications to be prepared by the Civil Engineer.

Respectfully submitted.

JOHN T. PRESSLY,
L. Q. SHERWOOD,
HENRY GIMBER,
Com. on Bridges.

Which was concurred in.

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

INDIANAPOLIS, Sept. 30, 1872

the Mayor and Common Council of the City of Indianapolis:

Recapitulation of Weekly Report of Contents of Register of Patients of City Hospital, ending September 14, 1872:

Number of patients in Hospital at last report.....	57
Number of patients received in Hospital since last report... ..	20
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report.....	13
Number of patients died in Hospital since last report.....	2
Number of patients remaining in Hospital at present report	64

J. W. MARSEE, Superintendent.

Which was received.

Mr. Cottrell moved that when the Council adjourn, it be to meet Wednesday, October 9th, 1872.

Which was adopted.

On motion by Mr. Whitsit, general ordinance No. 64, 1872, entitled:

An ordinance to provide for the building of a sewer in Pine street, from Elm street to Fletcher avenue.

Was withdrawn and stricken from the files.

ORDINANCES ON SECOND READING.

General ordinance No. 36, 1872, entitled :

An ordinance to regulate the establishment of grades of streets in the city of Indianapolis.

Was read the second time and ordered engrossed.

General ordinance No. 56, 1872, entitled :

An ordinance to provide for placing bells on Fire Engines, Hose Reels and Hook and Ladder Truck.

Was taken up and, on motion, stricken from the files.

General ordinances Nos. 43 and 44, 1872, entitled :

Ordinances to provide Policemen for the prevention of violation of ordinances by Railroad trains, &c.

Were taken up and, on motion, stricken from the files.

Mr. Gibson offered the following motion :

Moved, That the Police Board are hereby directed to add to the present police force two extra policemen for the term of sixty days, whose duty shall be to look after the obstruction of the streets by the railroad trains.

Which was adopted.

ROLL CALL.

Mr. Bigham offered the following motion :

Moved, That the City Marshal be and is hereby directed to notify Isaac N. Phipps to open Market street its full width to Arsenal street, as per plat recorded in the plat books of the Recorder of Marion county, Indiana; and if said Phipps does not open said street, then the said Marshal shall open the same and charge work to said Phipps, with 10 per cent. damages, and the City Attorney is hereby directed to collect the same by due process of law.

Which was referred to the Committee on Streets and Alleys and City Attorney.

Mr. Bigham offered the following motion :

Moved, That the City Marshal be and is hereby directed to notify the property owners on the north side of Washington street, from Meridian to Noble street, to improve and fix, in a good and workmanlike manner, the sidewalks in front of their property. They, the said owners or their agents, failing to do so within 20 days, the City Street Commissioner is hereby directed to fix the same at the owners' expense.

Which was adopted.

Mr. Bollman offered the following motion :

Moved, That John L. Marsee be allowed to grade and pave with Lefler paving stone, in front of his property on South and New Jersey streets, and the Civil Engineer is hereby directed to set the grade stakes.

Which was adopted.

Mr. Craft offered the following motion :

Moved, That Christian F. Neiman be permitted to gravel Lockerbie street, in front of his property, at his own expense and under the direction of the Civil Engineer, who is hereby instructed to set the proper grade stakes.

Which was referred to the Committee on Streets and Alleys.

Mr. Craft offered the following motion :

Moved, That the City Marshal be and is hereby instructed to enforce the ordinance to remove and to prevent the obstructions on the sidewalks of Washington street.

Which was adopted.

Also, the following motion :

Moved, That the Street Railroad Company be and are hereby requested to put bells upon thier car horses, as we believe it would be a safeguard against accident, and a great convenience to the citizens.

Which was adopted.

Mr. Gibson offered the following motion :

Moved, That the City Treasurer is hereby directed to report to this Council the amount of money collected for school purposes in each of the years 1870, 1871 and 1872; how much of said money was collected from the delinquent list; also, a detailed statement of the various school funds to which said money belonged, and when and to whom paid.

Which was adopted.

Mr. Gimber presented the following petition :

INDIANAPOLIS, Sept. 30, 1872,

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

GENTLEMEN:—The undersigned, owners of real estate fronting on Willard street, between Garden and Merrill streets, and signers of the petition introduced Sept. 24, to grade and gravel Willard street, respectfully ask that in connection with grading and graveling said Willard street, as petitioned for Sept. 24, 1872, that a bridge be built across Pogue's Run on said Willard st., as without a bridge we would have no thoroughfare, and such grading and graveling would be of no benefit. Willard street has already been graded and graveled in front of the property belonging to the undersigned.

R. R. Williams, Geo. Hamilton, L. D. Barr, Emer Funk,
John Fultz, and 4 others.

Also, the following motion :

Moved, That the Street Commissioner build a wooden bridge over Pogue's Run on Willard street.

Dr. Woodburn presented the following remonstrance :

INDIANAPOLIS, Sept. 30, 1872.

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

GENTLEMEN:—The undersigned, owner of lots No. 15, 16, 17, 18, 19, 20, 21, 22, 37, 38, 39, 40, 41 and 42 of out-lot No. 28, fronting on Willard street, respectfully remonstrates against the passing of an ordinance (introduced before the Council Sept. 24, 1872), for grading and graveling Willard street between Garden and Merrill streets, for the following reasons, to-wit :

1st. Willard street, except a portion near the line of Pogue's Run, was graded and graveled in 1870.

2d. There is now no bridge crossing Pogue's Run on Willard street, and if the street be graded and graveled up to the run, it will leave an embankment on each side of the run, with $12\frac{1}{2}$ feet of a jump-off, and it would be impossible for a team to pass over; besides, the first freshet would carry all of the new dirt and gravel away, while as it now is there is a gap and slope on either side of the run sufficient to allow the water to pass.

3d. No person owning a single foot on the street where it has not already been graded and graveled, has signed any petition asking your honorable body to make such improvement—the ground on both sides of the street, where not already graded and graveled, belonging to me.

See the plat herewith presented, showing where the street has already been graded.

I feel that I must protest against such improvement until a bridge is provided to cross Pogue's run, so as to make the street a thoroughfare, or of any benefit. Thus I will ever pray, &c.

Respectfully,

J. H. McKERNAN.

Which, on motion, was referred to the Committee on Streets and Alleys, and the Committee on Bridges.

Mr. Kennington offered the following motion:

Moved, That the City Clerk be and is hereby directed to advertise for bids to build a cement sewer on Illinois street, from Louisiana street to the first alley north on Illinois street, on the east side of Illinois street.

Which was referred to the Committee on Sewers and Sewer Engineer.

Mr. Kennington offered the following motion:

Moved, That the City Marshal be and is hereby instructed to notify Mr. Robert Browning to remove the stairs from in front of the building which he occupies on Pennsylvania street, between South and Merrill streets.

Which was adopted.

Mr. Sherwood offered the following motion:

Moved, That the City Clerk advertise for a fire cistern of 600 barrels at or near Pratt and Illinois streets, in place of one now at the corner of Pratt and

Illinois streets, which will be ruined by the Illinois street sewer. Bids to be received at the next meeting of the Council.

Which was adopted.

Mr. Sherwood presented the following remonstrance :

INDIANAPOLIS, July 30, 1872.

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

GENTLEMEN:—We, the undersigned residents of North Meridian street, between New York street and First street, do hereby remonstrate against the granting by the City Council of a petition to pave said street with Nicholson or block pavement, for the following reasons :

It is the most expensive street to construct and most costly to maintain.

We have recently paid for improving said street under the direction of the city officials, and feel it an injustice to compel us to tear it up and replace it with a fancy article.

Our taxes are so high already for city purposes, that we must object to the addition of unnecessary burdens.

George W. Mears, J. Mansur, R. B. Duncan and others.

Also, the following remonstrance :

INDIANAPOLIS, Sept. 30, 1872.

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

GENTLEMEN:—We, the residents of North Meridian street, between First street and Seventh street, do hereby remonstrate against the granting by the City Council, of a petition to pave said street with Nicholson or block pavement, for the following reasons :

It is the most expensive street to construct, and the most costly to maintain. Our street is a residence street, and the clouds of dust from a block pavement greatly detract from our comfort and pleasure.

With our high city taxes, costly system of sewerage, tunnels, school buildings, court house and other necessary improvements, we feel it an injustice to require an extravagant expenditure for street improvements.

R. R. Parker, Wm. S. Hubbard and others.

Which were referred to the Committee on Streets and Alleys.

Mr. Thalman offered the following motion :

Moved, That Edward Santo be permitted to pave, with brick, the sidewalk in front of his property on West street, between Washington and North sts.,

at his own expense and to the satisfaction of the Civil Engineer, who is hereby directed to set the grade stakes.

Also, the following motion :

Moved, That John Gahm be permitted to pave with brick the sidewalk in front of his property on West street, (lot No. 12 in square No. 10) at his own expense, and under the direction of the Civil Engineer, who is hereby directed to set the grade stakes.

Also, the following motion :

Moved, That the Street Commissioner be directed to put cement pipe in the gutter at the crossing of Washington and California street, and the first alley west of the canal and Washington street.

Which were adopted.

Mr. Whitsit offered the following motion :

Moved, That the Street Commissioner be instructed to place a stone crossing across East street, at the termination of Buchanan street.

Also, the following motion :

Moved, That the Street Commissioner be instructed to provide for the drainage of water which flows from Huron street upon private property, between Pine and Cedar streets.

Also, the following motion :

Moved, That the Chief Fire Engineer be authorized to lower the crown of the cistern at the intersection of Noble street and Fletcher avenue.

Which were adopted.

Mr. Wiles presented the following petition :

INDIANAPOLIS, Sept. 26, 1872.

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

GENTLEMEN :—The undersigned, owners of the real estate fronting on Winston street, between North street and Peru street, respectfully petition your honorable body to extend Winston street from its present northern terminus

to St. Clair street, to a width of forty feet. And your petitioners will ever pray, &c.

Charles Lauer, Jacob R. Crull, George Bradshaw and 22 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Wiles presented the following communication:

INDIANAPOLIS, Sept. 28, 1872.

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

Will you please see that the pavement on Fort Wayne avenue is fixed so that the water from the gutters will not float St. Mary's street, as the rains have flooded our cellars twice, and we are afraid another rain will flood them again. The Street Commissioner and the City Engineer have both been informed, and nothing has been done, and if it is not fixed we can put nothing up, and should they be flooded again we will have to sue the city for damages.

Two of the property owners on St. Mary's street.

Which was referred to the Committee on Streets and Alleys.

On motion, the Council adjourned until Wednesday, October 9, 1872, 7 o'clock, P. M.

DANIEL MACAULEY, Mayor.

ATTEST :

JOHN R. CLINTON, City Clerk.