

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
*Monday, Oct. 21, 1872, 7 o'clock, P. M.* }

The Common Council met in regular session.

His Honor, the Mayor, being absent, on motion by Mr. Batty, Mr. Wiles took the chair.

Present—Councilmen Batty, Bigham, Craft, Gibson, Hardesty, Kahn, Kennington, Pressly, Rush, Sherwood, Whitsit and Wiles—12.

Absent—Councilman Bollman, Cottrell, Gimber, Reagan, Thalman and Woodburn—6.

The proceedings of the regular session, held October 14th, 1872, were read and approved.

Sealed proposals for City Loan were opened, read and referred to the Committee on Finance, with instructions to report thereon during the evening.

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

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMEN:—Your Committee on Contracts, to whom was referred sundry proposals for certain work, have examined the same, and would recommend that contracts be awarded as follows, to-wit:

FIRST.

For building brick sewer at the crossing of Maryland street in the Central Canal to R. M. Riner, at \$10.68 per lineal foot run for the sewer, and for the embankment the sum of 28 cents per superficial yard.

SECOND.

For building the cistern at the corner of Illinois and Pratt streets the following proposals were presented:

John A. Whitsit 68 cents per barrel.

R. M. Riner 72 cents per barrel.

John A. Whitsit being the lowest bidder, we would recommend that he be awarded the contract.

THIRD.

For grading and graveling Harris street and sidewalks from North to Elizabeth street, the following proposals were presented:

S. W. Patterson 78 cents per foot front.

Bernard Hamill 69 cents per foot front.

On each side of the line improved.

Bernard Hamill being the lowest bidder, we would recommend that he be awarded the contract.

FOURTH.

For grading and graveling Agnes street and sidewalks, from New York to North street, the following proposals were presented:

S. W. Patterson 75 cents per front foot.

Bernard Hamill 72 cents per front foot.

James Mahoney 70 cents per front foot.

Samuel Keers 65 cents per front foot.

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

#### FIFTH.

For grading and graveling Coe street and sidewalks, from its eastern terminus to the Mill race, the following proposals were presented:

Bernard Hamill \$2 25 cents per front foot.

S. W. Patterson 95 cents per front foot.

On each side of the line improved.

S. W. Patterson being the lowest and best bidder, we would recommend that he be awarded the contract.

#### SIXTH.

For grading and graveling Columbia street and sidewalks, from Vermont to Michigan street, the following proposals were presented:

S. W. Patterson 60 cents per front foot.

James Mahoney 50 cents per front foot.

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

#### SEVENTH.

For grading and graveling the first alley north of McCarty street, running east and west from Alabama street to the first alley west of Alabama street, only one proposal was presented. We therefore would recommend that the City Clerk be directed to re-advertise the same.

#### EIGHTH.

For grading and paving with brick the south sidewalk on Vermont street, between East and Pennsylvania streets, the following proposals were presented:

R. P. Dunning 72 cents per front foot.

Jas. H. Smith 71 cents per front foot.

John Schier 66 cents per front foot.

H. C. Roney 64 cents per front foot.

Henry C. Roney being the lowest and best bidder, we would recommend that he be awarded the contract.

Respectfully submitted,

L. Q. SHERWOOD,

H. S. BIGHAM,

Committee on Contracts.

Which was concurred in, and contracts awarded.

The City Civil Engineer made the following report :

INDIANAPOLIS, Oct. 21, 1872.

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

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

Patterson & Dunning, first and final estimate, for grading and paving with brick the east sidewalk on Noble street from Washington street to Virginia avenue.

Length of pavement 2372 ft. 4 in., at 54c. per lineal foot...	\$1,281 06
66.6 yards of bouldering at alley crossings at 72c. per lineal foot...	47 95
Total estimate.....	\$1,329 01

Also, Hanway & Hanna, first and final estimate, for grading and graveling the alley running north and south through Square No. 2, between North and Michigan streets :

Length on east side.....	435 ft.
Length on west side.....	435 ft.
Total length . . . . .	870 ft.
At 37½ cents per lineal foot.....	\$326 25

Also, O. H. P. Bly, for grading, paving and curbing the east sidewalk on New Jersey street from Washington street to Pogue's Run :

Length of pavement 575 ft. 10 in., at 62c. per lineal foot.....	\$357 01
Length of curb 612 ft. 10 in., at 50c. per lineal foot.....	306 41
Total .. . . . .	\$663 42

Respectfully submitted,

R. M. PATTERSON, Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMEN:—The City Clerk would respectfully report :

1. Contract and bond of Patterson & Dunning for grading and bouldering the alley running north and south from Louisiana to South street.
2. Contract and bond of John Volmer for building stone abutments for an Iron Bridge where Third street crosses the Central Canal.

3. Contract and bond of Samuel Lefever for grading and paving with brick the west sidewalk on Delaware street from the second alley north of South street to Madison avenue.

4. Contract and bond of Hanway & Hanna for grading and graveling William street and sidewalks from Illinois street, or Westfield Gravel Road, to Meridian street.

5. Contract and bond of Hanway & Hanna for grading and graveling the alley running north and south from Michigan to North street, between Davidson and Winston streets.

6. Contract and bond of George W. Buchanan for grading, bouldering, paving and curbing Cumberland or Pearl street and sidewalks from Alabama to East street.

7. First and final estimate allowed Patterson & Dunning for grading and paving with brick the east sidewalk on Noble street, from Washington street to Virginia avenue.

8. First and final estimate allowed Hanway & Hanna for grading and graveling the alley running north and south through Square No. 2, between North and Michigan streets.

9. First and final estimate allowed O. H. P. Bly for grading, paving and curbing the east sidewalk on New Jersey street from Washington street to Pogue's Run.

Respectfully submitted.

JOHN R. CLINTON, City Clerk.

Which was concurred in.

Also, the following resolution:

*Resolved,* That the foregoing first and final estimate of O. H. P. Bly, for grading, paving with brick and curbing with stone the east sidewalk of New Jersey street, from Washington street to Pogue's Run, be, and the same is hereby, adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote:

Affirmative—Councilmen Batty, Bigham, Craft, Gibson, Hardesty, Kahn, Kennington, Pressly, Rush, Sherwood, Whitsit and Wiles—12.

Negative—None.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate of Hanway & Hanna, for grading and graveling the alley running north and south through Square No. 2, between Michigan and North 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, Bigham, Craft, Gibson, Hardesty, Kahn, Kennington, Pressly, Rush, Sherwood, Whitsit and Wiles—12.

Negative—None.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate of Patterson & Dunning, for grading and paving with brick the east sidewalk of Noble street from Washington street to Pogue's Run, be, and the same is hereby, adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Batty, Bigham, Craft, Gibson, Hardesty, Kahn, Kennington, Pressly, Rush, Sherwood, Whitsit and Wiles—12.

Negative—None.

The City Commissioners submitted the following report :

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMEN:—The City Commissioners have examined into the matter of the condemnation of the White River Gravel Road, within the city limits, as referred to them by your honorable body, and would report as follows :

The White River Gravel Road Company are occupying the old Michigan Road and collecting tolls thereon, claiming to do so under the general road law of Indiana. So far as we can learn, the Company has received in divi-

dends from said tolls a sum more than sufficient to reimburse them for any improvement they have made upon said road.

The question has been raised, whether the said Company have any well founded right to the use and ownership of said road.

We understand that the Michigan Road was originally laid out from the River to the Lakes 100 feet in width, under a treaty between the Indians and the United States, and that lands were ceded by the Indians to the Government, to be sold by the Government, and the proceeds applied by the Government, as Trustee, in the survey, location and improvement of said road. Under the treaty stipulations the road was located and its improvement begun. The lands—known as Michigan Road lands—were sold to form a fund for the location, &c., of the road. The road was laid out through this county 100 feet wide, and was partially improved. The road-bed was held by the Government. Whether the title was ever surrendered to the State, under the treaty, is unknown to us. From all we can learn it was not so surrendered.

Under these conditions the White River Gravel Road Company was organized under the general act, and took possession of the road and made an improvement, and have been collecting tolls thereon for 12 or 15 years.

So far as we can learn the Government has not lost its title, nor the State acquired any. If this be true, the Company has the road only by sufferance, and the improvement has been made at their own risk. If, however, their title—such as it is—be now divested, it seems to us that no injustice is done, and no hardship involved, as the original outlay has been more than reimbursed to them by tolls heretofore received.

Under these considerations, we think the damages in this case are merely nominal, and that this highway should return to the control of the community, and be opened to its former width.

We have found, in our examination, that many of the property holders on the line of the road have followed the example of the Company, and seized on the public property by setting out their fences and diminishing the width of the road from 100 feet to 40, or 50 or 60 feet.

We therefore assess the damages to the White River Gravel Road Company for so much of the line of their road—formerly the Michigan Road, 100 feet wide—as lies in the city limits, at \$1.00.

We estimate the benefits to the city of Indianapolis, from the condemnation of so much of the road aforesaid as lies within the city limits, and its re-opening as a public street of said city, 100 feet wide, at the sum of \$1.00.

We recommend the condemnation of said road as above stated, that it be surveyed by the City Engineer, and laid off to its full width of 100 feet, and

that the City Marshal be ordered to set back the fences along the line to the limits established by said survey.

All of which is respectfully submitted.

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

Which was received.

Also, the following report :

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMEN:—The City Commissioners have acted on the petition of M. Van Blaricum and others, for the widening and straightening of West Washington street, and would report thereon as follows :

The damages to property and property holders, from the improvement in question, we estimate at \$1,926.50.

The benefits to property and property owners from the improvement of said street, at \$1,926.50.

We think the city of Indianapolis should pay no part of the damages or benefits caused by said improvement.

The following statements gives the damages and benefits to property, &c., in detail.

The damages to Aaron Kauffman for a strip off the north end of lots 3, 4, 5, 6, 7, and 8, in Kauffman's subdivision of the east half of out-lot 2, west of White river, we estimate at \$70 on each lot—making his total damages \$420. And the benefits to said Kauffman from straightening said street, on each of said lots, at \$65, or total benefits to Kauffman \$390—making balance of damages to Kauffman \$30.

Damages to Jno. A. Benson for strip off the north end of lot 1, Van Blaricum's subdivision of west half of out-lot 2, west of river, \$115. Benefits to said Benson on said lot \$60. Balance of damages to Benson on said lot \$55.

Damages to Dorcas A. Van Blaricum for strip off north end of lot 2, in said last named subdivision, \$105. Benefits to said Van Blaricum on said lot \$60. Balance of damages to said Van Blaricum on said lot \$45.

Damages to James H. Curry for strip off the north end of lot 3 in said sub. \$90. Also for moving house on said lot, \$90—making total damages to Curry \$180. Benefits to Curry on said lot \$60. Balance of damages to Curry on said lot \$120.



Damages to James H. Starrs for strip off north ends of lots 4 and 5, in said sub., \$75 on each lot, making \$150. Benefits to Starrs \$60 on each lot, making \$120. Balance damages to Starrs on said lots \$30.

Damages to Martha Irwin (wife of Benj. Irwin) for strip off north end of tract in north-east corner of out-lot 3, west of River, fronting 71 ft. 3 inches on said street, \$100. Also for moving and repairing house on north-east corner of said tract, \$250. Also for removing or tearing away old house west of the first named house, \$50—making total damages \$400. Benefits to said Martha Irwin on said tract \$90. Balance of damages to said Martha Irwin on said tract \$310.

Damages to the widow and heirs of Simon S. Wiseman and to Samuel Delzell for strip off north end of tract west of Irwin's tract, in the east half of out-lot 3, west of River, and fronting 142 feet on said street, \$185. Benefits to said widow and heirs of said Wiseman, and to said Delzell, on said tract, \$185. Balance of damages or benefits to said parties on said tract, nothing.

Damages to A. Naltner and P. Spitzfadden for strip off the north end of lots 16 and 17, in Wood's sub. of out lots 3 and 6, west of White River, \$45 on each lot \$90. Benefits to Naltner and Spitzfadden \$50 on each lot—\$100. Balance of benefits to said Naltner and Spitzfadden on said lots \$10.

Damages to John J. Owsley (or other owner) for strip off the north end of the east half of lot 18, in said sub., \$15. Benefits to said Owsley (or other owner) on said half lot \$23. Balance of benefits to said Owsley (or other owner) on said half lot \$8.

Damages to Herman Greve for strip off north end of the west half of lot 18, in said sub., \$15. Benefits to said Greve on said half lot \$24. Balance of benefits to said Greve on said half lot \$9.

Damages to Frederick Hoffner for strip off north end of lot 19, in said sub., \$25. Benefits to said Hoffner on said lot \$50. Balance of benefits to said Hoffner on said lot \$25.

Damages to Fred. Hoffner, G. W. Hoffner, Mary Lange and Fred. Schurich, guardian of said Mary Lange, for a strip off the north ends of lots 20 and 1, in said sub., \$15 on each lot—making \$30. Also damages to the same parties for moving and repairing the house on said lots \$180—making total damages \$210. Benefits to said parties on each of said lots \$50, making \$100. Balance of damages to said parties on the said lots \$110.

Damages to Rudolf Berner for strip off the north end of lot 2, in said sub., \$7.50. Benefits to said Berner on said lot \$52.50. Balance of benefits to said Berner on said lot \$45.

Damages to Judd F. Harmon for strip off the north end of lot 3, in said sub., \$5. Benefits to said Judd F. Harmon on said lot \$53. Balance of benefits to said J. F. Harmon on said lot \$48.

Damages to Wm. H. Woods' heirs for strip off the north end of lot 4, in said sub., \$3. Benefits to said heirs on said lot \$53. Balance of benefits to said heirs on said lot \$50.

Damages to Christopher Zimmerman for strip off the north end of lot 5, in said sub., \$1. Benefits to said Zimmerman on said lot \$51. Balance of benefits to Zimmerman on said lot \$50.

We estimate benefits only to the following lots, as no damages are sustained:

To Ellen Mansur, on lots 6, 5, 4, 3 and 2, \$11 on each lot, and on east part of lot 1 \$5, making together \$60—said lots all being in French's subdivision of out-lot 4, west of White River.....	\$60 00
Benefits to Jeremy Mansur on 15½ feet off west side of lot 1, French's sub. of out-lot 4, and on 26½ feet off the east side of lot 14, Bell & Anderson's sub. of out-lot 4, west of White River, \$5 on first and \$10 on last lot .....	15 00
Benefits to James C. Ferguson on lots 13, 12, 11 and 10, in Bell & Anderson's sub. of out-lot 4 (\$15 on each lot), and on 7 feet 2 inches off west side of lot 14, in said sub. \$2—making total benefits.....	62 00
Benefits to Frederick Schurich on lots in same sub., as follows: on lots 8 and 9 \$22 on each, and \$10 on the east half of lot 7—making total benefits to him of .....	54 00
Benefits to the unknown owner of the east half of lot 6, and west half of lot 7, in said sub., \$10 on each .....	20 00
Benefits to Luther Ketrow on lot 5 \$24, and on west half of lot 6 \$12, both in said sub.....	36 00
Benefits to Louisa Frech on lots 4 and 3, in said sub., \$24 each, and on east half of lot 2, in said sub., \$12—making total benefits to her of.....	60 00
Benefits to James W. Smock on lot 1, in said sub., \$26, and on west half of lot 2, in said sub., \$14, and on 50 feet on east side of out lot 5, west of River, \$34, and on 50 feet west of Crabb's lot, in said out-lot 5, \$34—making total benefits to Smock.....	108 00
Benefits to Wilson Crabb on 57 feet on said street, west of 50 feet off the east side of said out-lot 5, west of River.....	40 00
Total damages .....	\$1,926 50
Total benefits .....	\$1,926 50

Respectfully submitted,

WM. S. HUBBARD,  
IGNATIUS BROWN,  
JOSEPH M. SUTTON,  
J. F. RAMSAY,  
SAMUEL M. SEIBERT,  
Board of City Commissioners.

Which was received.

Also, the following report :

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMEN:—The Board of City Commissioners have acted on the matter of the condemnation of the franchise and improvements of the Pogue's Creek Gravel Road Company, so far as the same is situated within the present limits of the city, referred to us by your honorable body, and after due consideration of the subject would report as follows :

We have been met at the outset by the question as to the proper method of valuing the property in cases of this kind. Shall it be estimated at the original cost of the improvement, or according to the average yearly income derived by the Company from the investment, or at the cash value of the franchise and improvements in their present condition and under existing circumstances? After due consideration of this question, we have arrived at the conclusion that the last method of estimating values in cases of this kind is the correct one. We therefore estimate the damages to the Pogue's Creek Gravel Road Company, being the present value of the gravel road and bridge franchise, and other improvements, from the former donation line of the city eastward to the present eastern boundary line of said city of Indianapolis, at the sum of \$1,800.

We estimate the benefits to the property holders and property along the line of the road, so far as condemned, at the sum of \$1,200.

We estimate the benefit to the city of Indianapolis at \$600.

The benefits to the property and property holders along the line of said road, so far as the same is condemned, are set out in detail in the following schedule :

Damages to the Pogue's Creek Gravel Road Company for that portion of said road lying between the north-east corner of the donation and the present east boundary of the city of Indianapolis, together with all the franchise of said road in said limits, its improvement, bridges, &c.....	\$1,800 00
Benefits to Olive Hanna on lots 1, 2, 3, 5, 6, 7 and 8, in Hanna's heir's Addition to the city of Indianapolis, \$25 on each lot.....	175 00
Benefits to John L. Hanna on lots 4, 11 and 12, in said add., \$25 on each lot.....	75 00
Benefits to Frances M. Hanna on lots 14, 15 and east half of 13, in said Add., \$25 on each lot and \$12 50 on the half lot.....	62 50
Benefits to Catherine M. Hughes on lot 9 in said Add.....	25 00
Benefits to V. C. Hanna on the west half of lot 13 in said Add....	12 50
Benefits to Ruth A. Black on lot 10 in said Add.....	25 00
Benefits to W. F. Black on 0 83 acres, being the south-west lot in Fletcher's Brookside Add.....	50

Benefits to J. K. Smith on lot 13 in said last named Add.....	\$100
Benefits to Gustave Bergner on lot 14 in said last named Add.....	75
Benefits to Geo. H. Heitkam on lot 15 in said Add.....	75
Benefits to S. A. Fletcher, Jr., on lots 16 and 17 in said Add., \$75 on each of said lots.....	150
Benefits to S. A. Fletcher on tract of about — acres, lying east of said last named lots and north of said road.....	375
Benefits to City of Indianapolis.....	600
Total damages.....	\$1,800 00
Total benefits.....	\$1,800 00

All of which is respectfully submitted.

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

Which was received.

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

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMEN:—Your Committee on Finance, to whom was referred the various bids for the "One hundred thousand dollars two years eight per cent. bonds of this city," report that in our opinion the bid of Jesse Hunt, Pres't, for \$30,000 of that sum at 99½ cents to the dollar, and \$30,000 at 99¼ cents to the dollar is the best, and recommend the contract for that amount be awarded to them.

We also recommend that the contract for \$20,000 be awarded to Woollen, Webb & Co., their bid being 99 cents to the dollar and next best. That Woollen, Webb & Co. have the option of taking the balance at 99 cents for 30 days.

W. D. WILES,  
DAVID GIBSON,  
H. S. BIGHAM,  
Com. on Finance.

Which was concurred in.

The Board of Health made the following report :

INDIANAPOLIS, Oct. 21, 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 Oct. 21, 1872 :

Under 1 year.....	5
From 1 to 2 years .....	0
From 2 and 5 years .....	1
From 5 to 10 years.....	0
From 10 to 15 years.....	1
From 15 to 20 years.....	0
From 20 to 25 years.....	0
From 25 to 30 years.....	1
From 30 to 40 years.....	0
From 40 to 50 years.....	1
From 50 to 60 years.....	0
From 60 to 70 years.....	1
From 70 to 80 years.....	2
From 80 to 90 years.....	0
From 90 to 100 years.....	0
100 and upwards.....	0
Unknown.....	0
Total.....	<hr/> 12

Respectfully submitted,

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

W. WANDS, M. D., Secretary.

Which was received.

ORDINANCES ON FIRST READING.

Mr. Batty presented the following petition :

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on North Alabama street, between St. Joseph street and the north side of Home avenue, respectfully petition your honorable body to pass an ordinance providing the laying of gas pipes and the erection of street lamps. And your petitioners will ever pray, &c.

David Powell, J. B. Cleaveland, C. F. Cleaveland, Geo.

W. Powell, and 5 others.

Which was received.

Mr. Batty introduced special ordinance No. 184, 1872, entitled:

- An ordinance to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Alabama street from St. Joseph street to Home avenue.

Which was read the first time.

Mr. Batty presented the following petition:

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Park avenue, between Home avenue and Lincoln street, respectfully petition your honorable body to pass an ordinance providing for the lighting with gas Park avenue, between Home avenue and Lincoln street. And your petitioners will ever pray, &c.

L. H. Guffin, F. D. Everts, C. E. Merrifield, E. S. Folsom,  
J. M. Hanley and Dr. C. Oliver.

Which was received.

Mr. Batty introduced special ordinance No. 185, 1872, entitled:

- An ordinance to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Park avenue, from Home avenue to Lincoln street.

Which was read the first time.

Mr. Pressly presented the following petition:

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMEN:—The undersigned, owners of real estate fronting on Grove st., between Virginia avenue and Dillon street, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of the street and sidewalks with river or creek gravel, according to specification to be furnished by the City Engineer. And your petitioners will ever pray.

Amasa Stone, Jr., Stillman Witt, James M. Hoyt, Annie  
L. Taylor, and 2 others.

Which was received.

Mr. Pressly introduced special ordinance No. 186, 1872, entitled:

An ordinance to provide for grading and graveling of Grove street and sidewalks, from Virginia avenue to Dillon street.

Which was read the first time.

Mr. Pressly presented the following petition:

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMEN:—The undersigned, owners of real estate fronting on Fletcher avenue, between Cedar street and Dillon street, respectfully petition your honorable body to pass an ordinance providing for the grading and paving with brick the sidewalks on said avenue, between said streets, in conformity with the sidewalks of said avenue between Cedar and Noble streets.

And your petitioners will ever pray, &c.

Amasa Stone, Jr., Stillman Witt, James M. Hoyt, Annie  
L. Taylor, and 2 others.

Which was received.

Mr. Pressly introduced special ordinance No. 187, 1872, entitled:

An ordinance to provide for grading and paving with brick the sidewalks of Fletcher avenue, between Cedar and Dillon streets.

Which was read the first time.

Mr. Craft introduced special ordinance No. 188, 1872, entitled:

An ordinance to provide for grading and graveling the alley running east and west through Squares 17 and 18, between Pennsylvania and Delaware and Vermont and Michigan streets.

Which was read the first time.

Mr. Bigham introduced general ordinance No. 66, 1872, entitled:

An ordinance granting to Barnabas Coffin permission to repair, fit up and use his Slaughter House.

Which was read the first time.

Call of the Roll of Members for the presentation of new business.

Mr. Batty presented the following petition:

INDIANAPOLIS, Aug. 29, 1872.

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

GENTLEMEN:—We, the undersigned, property owners on Walnut street, between Chatham and ——— streets, respectfully petition your honorable body to require James W. White, the contractor who set out shade trees on said street in the spring of 1871, to replant with live trees the trees that have died since that time, which is according to his contract. And we will ever pray, &c.

Christoph G. Hohl, Mart D. Hamilton and Mrs. R. Roll.

Which was referred to the Committee on Accounts and Claims.

Mr. Batty presented the following communication:

INDIANAPOLIS, Oct. 21, 1872.

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

I herewith present two deeds, one a street improvement deed and the other a tax deed, as evidence of the several amounts of money which I have paid out in connection therewith.

The real estate described in said deeds was sold as the property of one Thomas Griffin. Upon a careful examination of the records in the Recorder's office, I find that Thomas Griffin was not the owner thereof, and never was; that said realty was improperly sold as his property; that all this was by reason of the mistake or fault of the officials of the city of Indianapolis. In view of these facts, I pray the Council that the facts may be investigated to the end that the amount by me paid out, and interest thereon, be refunded to me by order of the Council, as it would be but right and just to so do.

MICHAEL SHEA,

By Hanna & Knefler, his Attorneys.

Which was referred to the Committee on Accounts and Claims.



Mr. Batty offered the following motion :

Whereas certain reports have been circulated through the public journals and other sources, charging that John Ross, the City Sexton, has been neglecting his business by laying around saloons drunk and otherwise acting in a manner unbecoming a city officer. Therefore,

*Moved*, That a Special Committee of three Councilmen be appointed who, in conjunction with the City Attorney, shall examine said charges, and that for that purpose shall have power to examine witnesses, &c., and report the result of their investigation to the next meeting of the Council.

Which was adopted.

The Chair appointed as such special committee Councilmen Batty, Gibson and Whitsit.

Mr. Bigham presented the following petition :

INDIANAPOLIS, Oct. 21, 1872.

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

The undersigned would respectfully show to your honorable body that they have erected at great expense, at the terminus of East New York street, in the city of Indianapolis, a Starch Factory building, and have purchased and put in use all the machinery and appliances, including engine, boiler, vats, troughs, &c., commonly used in the manufacture of starch, and have successfully operated and carried on said business of manufacturing starch at said place and location for near five years last passed. Said buildings and improvements made and erected upon said ground, which is owned by the undersigned, cost some forty-six thousand dollars (\$46,000), and in order to prevent great and irreparable loss to your petitioners it is necessary that they should continue the business of manufacturing starch, as all their buildings, improvements and machinery is adapted to that purpose and no other. And as some of the inhabitants and citizens of Indianapolis, and especially those living on and in the immediate neighborhood of Pogue's Run, complain on account of the flow of the water from said Starch Factory into said Run, your petitioners would respectfully ask permission from your honorable body to place along down Pogue's Run from their said Factory a sewer or drain seven inches in diameter in the clear, about eighteen inches under ground, until they intersect with the same the City's sewer at South street where the same crosses Pogue's Run; and also ask permission from your honorable body to tap said sewer at said last mentioned place, so that no offense may arise from

Pogue's Run on account of your petitioners carrying on their said business as aforesaid.

Proprietors of Union Starch Factory,  
Per W. F. Peel & Co.

Which was referred to the Committee on Sewers and Sewerage Engineer and City Attorney.

Mr. Craft offered the following motion :

*Moved*, That A. L. Wright be, and is hereby, granted permission to pave and put in stone curb in front of his new block on Massachusetts avenue, between New York and Vermont streets, under the direction and to the satisfaction of the Civil Engineer, who is hereby directed to set the grade stakes.

Which was adopted.

Also, the following motion :

*Moved*, That the Committee on Contracts be, and are hereby, requested to report only the successful bidders on public improvements.

Which was referred to the Committee on Contracts.

Mr. Gibson presented the following petition :

INDIANAPOLIS, Oct. 18, 1872.

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

We, the undersigned, property owners and residents on North West street, do respectfully petition your honorable body to amend the ordinance for paving the sidewalk by substituting brick in place of the patent Lefler stone, between the bridge at the Race and Washington street, on North West street.

N. Kellogg, John Carlisle, A. Reed & Co., Jas. Skillen,  
Henry Schnull, and 3 others.

Which was referred to the Committee on Streets and Alleys, together with the ordinance.

Mr. Gibson offered the following motion :

*Moved*, That the following owners of lots on West street, viz., James Hill, Jacob Bisbing, S. Barbour and Jacob Dickert, between Vermont and Michi-

gan streets; also John Lintner, John Segar, David Trester, Charles Keeher, ——— Miner, Jane Smith, Samuel Trendle and Martin Berk be permitted to pave with brick a width of nine feet of the sidewalk in front of their property on West street, under the direction of the City Civil Engineer, to be completed within sixty days.

Which was referred to the Committee on Streets and Alleys.

Mr. Hardesty offered the following motion :

*Moved*, That the Street Commissioner be, and is hereby, directed to put down two rows of flag stone, with boulders on either side and between said rows of flag stone, with the necessary iron foot ways over the gutters, on the east and west side of Pennsylvania street where the same crosses South st.

Which was adopted.

Mr. Sherwood presented the following petition :

INDIANAPOLIS, Oct. 21, 1872

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

GENTLEMEN :—The undersigned, owners of the real estate fronting on West Washington street, between Illinois and Meridian streets, respectfully petition your honorable body to pass an ordinance providing that we may tap the Illinois street sewer for the purpose of draining our water closets into said sewer, and that we may lay a twelve inch glazed sewer pipe one hundred feet east from the east sidewalk of Illinois street on Potomac alley connecting with said sewer.

M. S. Whitehead, P. H. Griffith, per M. S. Whitehead,  
H. C. Griffith, per M. S. Whitehead, and Charles Post,  
Guardian.

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

Mr. Whitsit presented the following communication :

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMEN :—As some of the property holders on South Illinois street refuse to pay their assessments for the laying of the block pavement to the middle of the street, claiming that the city is liable for that portion occupied

by the Street Railroad and two feet on each side, I would respectfully ask your honorable body to take such action as may enable me to collect said assessment.

Respectfully,

J. J. PALMER, Contractor.

Which was referred to the City Attorney, with instructions to report as to the liability of the city.

Mr. Whitsit offered the following motion :

*Moved*, That Wm. Wolf, Mr. Howard and Mr. ——— be allowed to pave the sidewalk in front of their property on School street, between Huron and South streets, with Lefler stone, and the Civil Engineer be instructed to set the grade stakes.

Which was adopted.

Mr. Batty offered the following motion :

*Moved*, That the Street Commissioner be, and is hereby, instructed to place stone crossing at the street and alley crossings on Bellefontaine street from Christian avenue to Home avenue, and also curb with stone the corners of the pavement on said crossings.

Which was adopted.

#### REPORTS FROM COMMITTEES.

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

INDIANAPOLIS, Oct. 21, 1872.

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

Your Committee on Sewers, to whom was referred the building of a Sewer on Michigan street to connect with the North Illinois street Sewer, would respectfully report, *not* in favor of it.

First. Being against the original plan.

Second. Being too small to have any other connections than in the original plan specified.

(The Illinois Street Sewer referred to.)

Respectfully submitted,

F. P. RUSH,

DAVID GIBSON.

C. E. WHITSIT,

Com. on Sewers

Which was concurred in.

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

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMEN:—Your Committee on Bridges, to whom was referred sundry proposals for building an Iron Bridge over the Central Canal where the same is crossed by Third street, have examined the same and find them to be as follows :

Massillon Iron Bridge Company \$30.00 per lineal foot.

Wrought Iron Bridge Company, Canton, Starke county, Ohio, \$17.50 cents per lineal foot run.

The Wrought Iron Bridge Company, of Canton, Starke county, Ohio, being the lowest bidder, we would recommend that they be awarded the contract.

Respectfully submitted.

JOHN T. PRESSLY,

L. Q. SHERWOOD,

Com. on Bridges.

Which was concurred in, and contract awarded.

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

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMAN:—Your Committee on Bridges, to whom was referred sundry proposals for building stone abutments for an Iron Bridge over the Central

Canal on Third street, have examined the same, and find them to be as follows, to-wit:

John Volmer, stone masonry per cubic yard \$5.65.

“ “ excavation per cubic yard 25 cents.

Cummings & Petrie, stone masonry per cubic yard \$5.95.

“ “ excavation per cubic yard 40 cents.

John Stumph & Co., stone masonry per cubic yard \$6.85.

“ “ excavation and filling per cubic yard 25 cents.

John Volmer being the lowest bidder, we would recommend that he be awarded the contract, the same to be completed by the 15th day of December, 1872.

Respectfully submitted,

JOHN T. PRESSLY,  
L. Q. SHERWOOD,  
Committee on Bridges.

Which was concurred in, and contract awarded.

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

INDIANAPOLIS, Oct. 21, 1872.

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

GENTLEMEN:—Your Committee on Bridges, and Civil Engineer, would report that the Wrought Iron Bridge Company of Canton, Ohio, have completed their contract for building the Iron Bridge across the western arm of the Central Canal, where the same crosses Washington street, and that they be paid the sum of \$1,975, one-half of the contract price, cash down, and the balance in a note of the same amount, \$1,975, to be executed by the Mayor and the City Clerk without interest, as per article of agreement made with the said Wrought Iron Bridge Company and approved by the Common Council August 12th, 1872.

Your Committee also herewith report an ordinance making the allowance of one-half of the contract price, and would ask the passage of the said ordinance at this meeting of the Council.

Respectfully submitted,

JOHN T. PRESSLY,  
L. Q. SHERWOOD,  
R. M. PATTERSON, Civil Engineer.  
Committee on Bridges.

Which was concurred in.

Mr. Pressly introduced special appropriation ordinance No. 61, 1872, entitled :

An ordinance appropriating money for the payment of claim on account of building bridge over the waste way of the Central Canal at the crossing of Washington street.

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

Affirmative—Councilmen Batty, Bigham, Craft, Gibson, Hardesty, Kahn, Kennington, Pressly, Rush, Sherwood, Whitsit and Wiles—12.

Negative—None.

Mr. Craft offered the following motion :

*Moved*, That the Committee on Streets and Alleys be, and are hereby, requested not to use the Steam Road Roller until work is prepared for it in accordance with its design and the specifications for making roads, as adopted by this Council.

Which, after considerable discussion, was withdrawn.

On motion the Council adjourned.

W. D. WILES,  
Temporary Chairman.

ATTEST :

JOHN R. CLINTON; City Clerk.