

PROCEEDINGS

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, MAY 31ST, 1869, 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 Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Absent—Councilman Brown—1.

The proceedings of the regular session held May 24th, 1869, were read and approved.

CALL OF THE ROLL.

Mr. Cottrell presented the following petition :

INDIANAPOLIS, May 31, 1869.

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

GENTLEMEN:—The undersigned, owners of out-lot No. 103, and part of out-lot 104, respectfully represent to your honorable body that they have donated and laid out an alley 15 feet in width, each giving 7½ feet on the division line between said out-lots, so far as owned by them jointly.

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We further represent that it would be of general utility to have said alley continued from its present termination to Merrill street. We herewith file a plat showing the position of said alley, with its proposed extension, and the names of owners and different tracks which would be affected by the opening of said alley, and pray that you order the necessary steps for opening said alley.

E. T. SINKER,
A. G. STEVENS.

Which was referred to the Committee on Streets and Alleys.

Mr. Cottrell offered the following motion :

That the Street Commissioner be directed to have the gutters on the south-west corner of East and McCarty streets properly opened.

Which was adopted.

Mr. Cottrell introduced special ordinance No. 38—1869, entitled :

AN ORDINANCE to provide for grading the alley running east and west from Alabama street to the first alley running north and south through out-lot No. 104.

Which was read the first time.

Also, special ordinance No. 39—1869, entitled :

AN ORDINANCE to provide for grading the alley running north and south through out-lot No. 104, between Sinker street and the first alley north of said street.

Which was read the first time.

Also, special ordinance No. 40—1869, entitled :

AN ORDINANCE to provide for grading and graveling the extension of Alabama street, between McCarty and Wyoming streets.

Which was read the first time.

Also, general ordinance No. 20—1869, entitled :

AN ORDINANCE relative to hogs or swine running at large in the City of Indianapolis.

Which was read the first time.

Mr. Cottrell offered the following motions :

That the Street Commissioner be instructed to proceed forthwith to fill lot "C," of Seidensticker, Kappes & Linkenfelter's subdivision of lot 1, in square number 62, in compliance with an order passed by the Common Council on the 19th day of October, 1868.

That the Street Commissioner be instructed to notify all the persons having foot bridges on the east side of Delaware street, between South and Wyoming streets, to have the same removed or raised, so as to let the water in the gutter of said street pass without obstruction.

Which were adopted.

Also, the following resolution :

Resolved, That the owners of the following described real estate, to-wit : twenty-eight by one hundred feet west of eight and one-half feet. South-east corner of lot 11, in square 63, of the City of Indianapolis, be, and they are hereby, required to fill and 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 and 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 23d, 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 drain or fill said excavation, as provided in said ordinance, and 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.

The question being on the passage of the resolution,

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

No Councilman voting in the negative.

So the resolution passed.

Mr. Gimber offered the following motion :

That the Common Council order the Street Commissioner to make foot bridges across the gutters on Maple and Ray streets.

Which was adopted.

Mr. Heckman presented the following remonstrance :

INDIANAPOLIS, May 31, 1869.

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

GENTLEMEN :—We, the undersigned, property holders on Forest Avenue, respectfully remonstrate against grading and graveling said avenue between Cedar street and the corporation line east.

S. McNabb,
Nancy A. Ford,
Friederich W. Coloos,

J. M. Knight,
James M. Pigg,
and 6 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Harrison introduced general ordinance No. 21—1869, entitled :

AN ORDINANCE providing for the execution and delivery of bonds of the City of Indianapolis to the Indianapolis, Crawfordsville and Danville Railroad Company.

Which was read the first time.

Mr. Harrison offered the following motion :

That the Street Commissioner be instructed to properly open the ditch running down Railroad street from St. Clair street, and the culverts at the crossing of St. Clair and Railroad streets:

Which was adopted.

Mr. Kahn offered the following motion :

That the Street Commissioner be instructed to repair Liberty street, between Ohio and Vermont streets.

Which was adopted.

Mr. Kahn presented the following petition :

INDIANAPOLIS, May 31, 1869.

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

GENTLEMEN:—We, the undersigned, members of the Police force of the City of Indianapolis, respectfully petition your honorable body to appropriate a suitable amount to each of the regular members of the Police force for the purpose of purchasing a uniform for each member of the force.

Yours respectfully,

Henry Paul,

N. Stevens,

Thomas B. Hornaday,

Hannibal Taffe,

H. Minnick,

and 21 others.

Which was referred to the Police Board.

Mr. Locke presented the following petition :

INDIANAPOLIS, May 31, 1869.

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

GENTLEMEN:—We desire an order of the City Council requiring the paving of the sidewalk around the State building on Washington and Tennessee streets. Stone pavement.

CHARLES A. RAY, Judge of Sup. Court.

M. F. A. HOFFMAN, Sec. of State.

J. D. EVANS, Auditor of State.

A. KIMBALL, Treasurer of State.

JOHN C. VEATCH, Adjutant General.

F. W. MCCOY, Clerk of Supreme Court.

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

Mr. Marsee offered the following motion :

That the Street Commissioner be directed to repair bridge over Pogue's Run on East street.

Which was adopted.

Mr. Shepherd presented the following petition :

INDIANAPOLIS, May 31, 1869.

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

GENTLEMEN:—I hereby petition your honorable body to grant me relief

from an intolerable nuisance situated on the south-west corner of south Illinois street, adjoining lot No. 12, in out-lot No. 14, City of Indianapolis.

1. That the lot is below the grade of the gutter on Illinois street, therefore there is no escape for the waste water.

2. That the gutter built in said yard, to conduct said water, is built against my cellar wall, thereby causing the water to soften the foundation walls and drain in my cellar, thereby causing me severe damages, as the basement of my house is used for storing goods.

3. That in warm weather the stench under my window is only equalled by the Illinois street gutter.

Therefore, as the owners of said property have utterly refused to change the same, I earnestly pray your honorable body to order the same filled to the grade of the street.

D. S. BENSON.

Which was received.

Also, the following motion :

That notice be served on the Mattler heirs, owners of lot —, out-lot —, square —, in the City of Indianapolis, to fill the same to the city grade within thirty days from the first day of June, 1869.

Which was adopted.

Mr. Newman presented the following petition :

INDIANAPOLIS, May 31, 1869.

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

GENTLEMEN:—The undersigned, the owners of the property adjoining the alley running from Massachusetts Avenue to New York street, passing the west end of the city lot used for Fire Engine No. 2, between Pennsylvania and Delaware streets, respectfully represent, that said alley has never been graded and put by the city in decent condition. They ask that you will cause the same to be graded and prepared for curbing and bowldering, and then order the same to be curbed with stone and paved with bowlders, making the middle of alley so bowldered the gutter or water way, and making small foot passages at each side, to be paved with brick outside of the curbstones, each 2 feet wide, thus leaving a bowldered carriage way of eight (8) feet.

The curbing, bowldering and paving the sidewalks to be paid for by the adjoining property owners, pro rata, on the frontage owned by each.

They further ask that the ordinances contain a prohibition against throwing or placing garbage, slops, or any offensive matters in said alley, under proper penalties.

John H. Bradley,
John Kitchen,

O. P. Morton,
A. Curtis.

Which was received.

Also, special ordinance No. 41—1869, entitled :

AN ORDINANCE to provide for grading, paving, bowldering and curbing the alley running from Massachusetts Avenue to New York street, across the diagonal block No. 37.

Which was read the first time.

Mr. Wiles offered the following motions :

That the Street Commissioner be instructed to put a culvert over the west crossing of North and north New Jersey streets.

That the contract for filling, grading and graveling north Alabama street, between St Joseph and St. Mary's street, be re-let.

Which were adopted.

Mr. Wiles presented the following communication :

INDIANAPOLIS, May 31, 1869.

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

At a regular meeting of your body you conferred the appointment of City Sexton of Greenlawn Cemetery upon me; upon assuming the said office I have met with obstructions which seem to me unbearable. The old Sexton, Allred, has questioned your authority to make an appointment, and has refused to yield a compliance with your selection, and sets the city ordinances at defiance. He has not give up the control of the Cemetery, and states that the Council has no right or authority to appoint any one as Sexton to supersede him. Since my appointment he has taken up bodies and opened graves contrary to all laws governing the Cemetery. The said Allred assumes all control of the Cemetery and performs all the duties of Sexton; he has gone so far as to order persons out of the Cemetery after I have given them permission to come in and cut surplus evergreens. On last Friday I gave permission to Mr. John Beninger to cut evergreens for the decoration of soldiers' graves. Allred met him in the grounds and ordered him to leave, stating to him that I had no authority over the Cemetery. These things may seem very small to you, but to me they are almost unbearable, and I should think that your honorable body could pass some ordinance which would meet this particular case, and did I not think it improper I might suggest an ordinance that would protect me in my duties as Sexton; under these circumstances I have no protection as Sexton. An ordinance that no person would be allowed to do anything in the Cemetery without an order from the lot owner to the Sexton, and that to be approved by the Sexton, I should think would cover all that is needed. Hoping that this communication will meet with your approval, I am, gentlemen, your humble servant,

JAS. H. HEDGES, *City Sexton.*

Which was referred to the City Clerk, with instructions to report an ordinance suiting the case.

Mr. Wiles introduced general ordinance No. 22—1869, entitled :

AN ORDINANCE regulating the erection of public lamps and providing for lighting the streets and alleys of the City of Indianapolis with gas.

Which was read the first time.

Mr. Whitsit offered the following motions :

That Henry Schaub be allowed to grade and pave, with brick, the sidewalk in front of his property, lot No. 331 and out-lot 97, and that the Civil Engineer be directed to set the grade stakes for the same.

Which was adopted.

Mr. Whitsit presented the following remonstrance :

INDIANAPOLIS, May 31, 1869.

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

GENTLEMEN:—We, the undersigned, property owners on Cady street, between Bates and Harrison streets, do respectfully remonstrate against the grading and graveling of said street.

Michael Lawless,	James Jolly,
Teresea Ingle,	John Winsor.

Which was referred to the Committee on Streets and Alleys with instructions to reject all bids for the improvement of said street until the matter can be investigated.

Mr. Whitsit introduced special ordinance No. 42—1869, entitled :

AN ORDINANCE to provide for grading and graveling Liberty street and sidewalks between Washington street and Pogue Run.

Which was read the first time.

Mr. Weaver presented the following petition :

INDIANAPOLIS, May 24, 1869.

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

Your petitioners respectfully represent to your honorable body that they are the owners of lots Nos. 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, in Maguire's subdivision of out-lot 151, of the City of Indianapolis, and lots Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, in Douglass' subdivision of out-lot 151, in the City of Indianapolis, each owning the part of the lot or lots designated by his name on the plat attached hereto, comprising all of the square situate between Bright and Douglass streets on the east and west, and between Vermont and New York streets on the north and south ; that the alley running between lots Nos. 45 and 46, in Maguire's subdivision, is of no available benefit to said property, and that your petitioners are the only persons interested in or affected by the maintenance or closing of said alley ; and your petitioners respectfully but most earnestly pray your honorable body to order said alley closed ; and for which we shall ever pray.

John McLaren,	John C. Walker,
Charles Melling,	Mary Bowen,
Alfred J. Rooker,	and 7 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Weaver presented the following petition :

INDIANAPOLIS, May 31, 1869.

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

GENTLEMEN:—We, the undersigned, property holders on Blake street and sidewalks, petition your honorable body to have the above named street properly graded and graveled with good river or creek gravel, between North street and Indiana Avenue. And us in duty bound we will ever pray, &c.

William Courtney,	Wm. F. Thorn,
P. A. North,	J. S. Wood,
Wm. Johnson,	And 4 others.

Which was received.

Mr. Weaver offered the following motion :

That the Street Commissioner be directed to notify Abraham Bird to place a new cellar door in front of his house on the west side of Illinois street, and on failure to do so the Street Commissioner is hereby directed to have it done and collect the same from the owner of the property.

Which was adopted.

Dr. Woodburn presented the following communication :

INDIANAPOLIS, May 31, 1869.

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

The claim of Dr. E. Howard for payment of gas post was received by the Council, but there was no further action taken on it—the Clerk has it filed—please have it brought up. Yours, &c., E. HOWARD.

Which was referred to the Committee on Gas, with the City Attorney.

Dr. Woodburn offered the following motion :

That the following Committees and Chiefs of Departments be required to prepare and to furnish to the Chairman of the Committee on Finance, within five days from the passage of this motion, their estimates of the probable outlay in their respective departments during the present fiscal year, viz :

From the Committee on Fire Department and Chief Fire Engineer.
 From the Police Board and City Marshal.
 From the Committee on Gas Light and City Gas Inspector.
 From the Committee on Streets and Alleys.
 From the Committee on Bridges.
 From the Committee on Benevolence and Hospitals.
 From the Committee on Printing and Stationery.

Which was adopted.

Also, special ordinance No. 43—1869, entitled :

AN ORDINANCE to provide for grading and paving with brick the sidewalk on Tennessee street from Indiana Avenue to North street.

Which was read the first time.

Dr. Woodburn presented the following bill :

INDIANAPOLIS, May 26, 1869.

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

The City of Indianapolis,		To J. H. Vajen,	Dr.
April 2, 1867.	To 1 punch-----		\$1 25
June 7, "	Hand saw, axe and handle, (order)-----		4 25
July 20, "	1 leather punch, (Waters)-----		35
" " "	2 picks and handles, (Richter)-----		3 20
Feb. 21, 1868.	2 pair of gas plyers, (Wood)-----		3 00
April 1, "	1 belt punch (Waters)-----		35
Feb. 18, 1869.	1 tape measure, (Patterson)-----		5 50
March 10, "	1 paper punch, (Waters)-----		85
April 22, "	Hinges, padlock, &c., (Commissioners)-----		95
May 13, "	11 pounds of nails, (Patterson)-----		77
Total-----			\$20 47

INDIANAPOLIS, May 31, 1869.

To order 6,367	\$19 84
To order 6,376	20 00
To order 7,769	11 50
Total	\$51 34

GENTLEMEN:—The above amount is due us as per account on our books. In looking over the Register of Orders we find the above numbers entered, but not receipted, and the orders cannot be found. You will please investigate this matter, and oblige yours, truly,
 J. H. VAJEN & CO.

Which was referred to the Committee on Claims.

Dr. Woodburn introduced general ordinance No. 23—1869, entitled:

AN ORDINANCE establishing Police Districts for the City of Indianapolis.

Which was read the first time.

REPORTS FROM COMMITTEES.

Dr. Woodburn, from the Committee on Claims, introduced special appropriation ordinance No. 19—1869, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis.

Which was read the first time.

Also, special appropriation ordinance No. 20—1869, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis.

Which was read the first time.

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

INDIANAPOLIS, May 31, 1869.

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

GENTLEMEN:—The Committee on Streets and Alleys, to whom was referred the remonstrance against paving with brick the east sidewalk on Delaware street, between Fort Wayne Avenue and St. Clair street, report against having said work done unless petitioned for by a two-third majority of the number of feet of the property holders in front of whose property the said improvement is to be made.

ISAAC THALMAN,
 JOHN L. MARSEE, } Committee.
 C. HECKMAN,

Which was concurred in.

Also, the following report :

INDIANAPOLIS, May 31, 1869.

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

GENTLEMEN:—The Committee on Streets and Alleys, to whom was referred the petition for opening Vermont street through lot 52 (R. T. Fletcher's sub division) from Liberty street west to East street, report in favor of opening said street, and recommend the reference of the petition to the City Commissioners.

Also, report in favor of the petition of Jno. L. Hanna, in regard to John street crossing, and request that the Street Commissioner notify the Bellefontaine Railroad Company to bridge the crossing and make it passable, and if not attended to in due time to have said work done and collect bill from the company.

Also, that the City Marshal order the company to keep said crossing clear of cars.

ISAAC THALMAN, }
JOHN MARSEE, } Committee.
C. HECKMAN, }

Which was concurred in.

Mr. Wiles, from the Committee on Gas Light, made the following report :

INDIANAPOLIS, May 31, 1869.

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

GENTLEMEN:—The Committee on Gas Light, to whom was referred a communication from the City Gas Inspector, dated the 10th inst., would report that we find the unused or dismantled lamps in the city are located as follows :

- 34 on Washington street.
- 10 on Virginia Avenue.
- 10 on North Pennsylvania street.
- 8 on Circle street.
- 7 on Indiana Avenue.
- 6 on South New Jersey street.
- 5 on Massachusetts Avenue.
- 3 on North Meridian street.
- 2 on South Illinois street.
- 1 on North Illinois street.
- 1 on East Market street.
- 1 on East Ohio street.
- 1 on Kentucky Avenue.
- 1 inside of the Circle Park.

Making a total of 90 posts, on upwards of one-half of which still remain the lanterns formerly used.

We would recommend that these discontinued lamps be purchased by the city, as they are needed, from the persons by whom they were erected under the provisions of "An ordinance regulating the lighting of the city," passed May 4, 1864, (which is yet in force and of effect) if those persons are still the rightful owners of such property; that the said posts be used from time to time, as ordinances may be passed for the erection of new public lamps, until the entire ninety, or such of them as can be secured by the city, be exhausted; that immediate measures be taken to fix the valuation and secure prospective possession of the same; that no new post be contracted for until this supply be made use of; and that the old posts be allowed to stand *in loco* until needed for districts or streets to be lighted.

Your committee are of opinion that these old posts can be obtained at a

cost not exceeding an average of \$20 per post, and that it is quite possible there will not, and should not, be more than an equal aggregate of new lamps erected during the present year.

If our recommendations be adopted by the Council, it will hereafter be only necessary for the City Clerk, under ordinances for erecting lamps, &c., to advertise for bids to remove the old posts, to re-set them in new localities, and to supply them with the necessary fixtures and appendages for burning gas. The City Gas Inspector should also be empowered to designate what posts should first be used.

As collateral to this report and recommendations in it contained, we submit that a personal examination has convinced us that the system of erecting street lamps at fixed equal distances from each other, as now required by the ordinance spoken of, is erroneous and unsatisfactory. Now, our idea is that the alley opening into the streets, and railroad tracks laid upon or crossing the same, should also be lighted by lamps set at the corners of the alleys and near the tracks.

There are other important matters not considered in the old ordinance, for which explicit provisions are necessary. We, therefore, herewith report "An ordinance regulating the erection of public lamps and providing for lighting the streets and alleys of the City of Indianapolis." It has been carefully drawn up, will meet all exigencies, and does not contain any "dead letter" sections, like the one passed in 1864, nearly every provision of which has been rendered of no effect or modified by action and practice of Council. We would respectfully urge the prompt enactment of this ordinance.

Regarding the permanent numbering of the public lamps, which subject was also submitted to us through the communication of the City Gas Inspector, it is probable we will be able to report in detail at the next regular meeting of the Council.

Respectfully submitted,

W. A. WILES,
ROB'T. KENNINGTON, } *Committee.*
LEON KAHN,

Which was concurred in.

Mr. Thoms, from the Committee on Printing, introduced special appropriation ordinance No. 21—1869, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis.

Which was read the first time.

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

INDIANAPOLIS, May 31, 1869.

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

GENTLEMEN:—The Committee on Fire Department, to whom was referred the motion of Mr. Kahn, to have the hours of the day struck on the Alarm Fire Tower, believe that it would cause much confusion in the Fire Department, and result disastrously to the city, perhaps in having some large fires, therefore we think it should not be done at the present time.

Respectfully,

JOHN MARSEE, } *Committee.*
ISAAC THALMAN,

Which was concurred in.

Dr. Woodburn, from the Committee on Benevolence, presented the following:

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING MAY 15, 1869.

Number of patients in the Hospital at last report.....	17
Number of patients received in the Hospital since last report.....	7
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report.....	1
Number of patients died in the Hospital since last report.....	0
Number of patients remaining in the Hospital at present.....	24

Also, the following:

RECAPITULATION OF THE WEEKLY REPORT OF THE CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL ENDING MAY 22, 1869.

Number of patients in Hospital at last report.....	24
Number of patients received in Hospital since last report.....	3
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report.....	5
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report.....	23

Also, the following:

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING MAY 29, 1869.

Number of patients in Hospital at last report.....	23
Number of patients received in Hospital since last report.....	3
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	6
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report.....	20

Which were received.

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

INDIANAPOLIS, May 31, 1869.

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

The Committee on Bridges, to whom was referred the prayer of several citizens, residents on New York and Bright streets, respectfully report that they have examined the gutters and crossings at the intersection of New York with Bright streets, together with the Canal, or sewer, along the west side of Bright street, between New York street and the waste way of the Canal, and would recommend that the same be covered with plank from New York st. to the south side of the first alley south of New York street, and that the Street Commissioner be required to perform such work.

ERIE LOCKE,
JOHN MARSEE,
HENRY GIMBER, } *Committee.*

Which was concurred in.

REPORTS FROM CITY OFFICERS.

The Civil Engineer made the following report :

INDIANAPOLIS, May 24, 1869.

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

I hereby report the following work finished according to contract :

D. and J. B. Root for erecting lamp-posts, lamps and fixtures on Ft. Wayne Avenue, between Pennsylvania and Delaware streets. Three intermediate posts at thirty-five dollars per post, \$105.00.

Respectfully, R. M. PATTERSON, *Civil Engineer.*

Which was concurred in.

Also, the following report :

INDIANAPOLIS, May 31, 1869.

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

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

Hiram Seibert for grading and bowldering Wabash alley between Meridian street and west side of first alley west. Length on north side 315 feet, and length on south side 315 feet, making the total length 630 feet, at 65 cents per lineal foot, \$409.50.

Respectfully, R. M. PATTERSON, *Civil Engineer.*

Which was concurred in.

The City Attorney made the following report :

INDIANAPOLIS, May 21, 1869.

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

GENTLEMEN:—The case of Harbison v. City of Indianapolis, was tried by a jury and a verdict rendered against the City. It was appealed to the Supreme Court, and the Court divided in opinion, Judges Ray and Frazer delivering opinions in favor of, and Judges Gregory and Elliott against the City. The effect of this division is to affirm the judgment of the lower Court, and it should therefore be paid.

The judgment is founded on a claim for bounty, and the case is wholly unlike, in many respects, those now pending against the city.

Respectfully, B. K. ELLIOTT, *City Attorney.*

Which was concurred in.

The Market Master made the following report :

INDIANAPOLIS, May 31, 1869.

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

The following are the repairs necessary to be made on the two Market Houses, namely :

East Market House—1,000 bricks for paving -----	\$8 00
Laying the same -----	6 00
Dressing meat benches, turning over and re-arranging the same -----	10 00
Replacing sink to pump -----	1 00

\$25 00

Also, 5 padlocks for West Market House.....	2 50
Total	\$27 50

I would also recommend that both Market Houses be whitewashed.

Respectfully submitted for your consideration.

T. W. PEASE, *Market Master.*

Which was concurred in, with the exception of the recommendation to whitewash the Market Houses.

The City Treasurer made the following report :

INDIANAPOLIS, May 31, 1869.

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

GENTLEMEN:—In answer to your motion concerning the financial condition of the City Treasury, I have the honor to report as follows:

The amount of cash on hand is \$174,295.16. I have no record in my office of the amount or description of the city obligations, and would respectfully refer you to the City Clerk, in whose office a correct record of the liabilities of the city are kept. I also state that no part of the city revenue is being used by the Treasurer for his private or personal business, but is all deposited in what the Treasurer believes to be responsible banks, within the City of Indianapolis, as required by the City Charter. I further state that my deposits are left on call, subject to my check at any moment, when your honorable body shall cause orders to be drawn on the Treasury; and further, that I filed my official bond May 10, 1869, and entered upon my duties on the morning of the 11th instant, since which time I have received no interest whatsoever from any bank or otherwise. For further information, I respectfully refer you to my annual report now in course of preparation, and which, when completed, will be transmitted to you.

I also request that the City Clerk be authorized and directed to make final settlement with the City Treasurer for the term just ended, May 10, 1869, and also report that there is \$50,000 of Coupon Warrants (Bonds) which fall due during the month of June, and respectfully suggest, if the payment of the same is not already provided for, that you make an appropriation to pay the same.

Very respectfully,

ROBT. S. FOSTER, *City Treasurer.*

Which was concurred in.

The City Clerk presented the official bond of Byron K. Elliott as City Attorney, giving as security S. A. Fletcher—penalty of bond \$1,500.

Which was accepted and approved.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }
Indianapolis, May 31, 1869. }

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

The City Clerk respectfully reports to the Common Council the following Contracts and Estimate:

I. Contract and bond of Daniel Mahoney for grading and graveling Washington street and south sidewalk, between the western arm of the Canal and White River, is presented for your approval.

2. Contract and bond of James Mahoney for grading and graveling Blackford street and sidewalks between New York and North streets, is also presented for your approval.

3. Contract and bond of Richard Carr for grading and graveling Meridian street and sidewalks between McCarty and Ray streets, is presented for your approval.

4. Contract and bond of Samuel Lefever to grade and pave with brick and curb the outside edge of the sidewalk with stone the west sidewalk on Alabama street, between Ohio and Mew York streets, is also presented for your approval.

5. Contract and bond of John Scheier for grading and graveling St. Clair street and sidewalks, between Tennessee and Missouri streets, is also presented for your approval.

6. First and final estimate allowed D. and J. B. Root for erecting lamp-posts, lamps and fixtures on Ft. Wayne Avenue, between Pennsylvania and Delaware streets, is also presented for your approval.

Respectfully submitted,

D. M. RANSELL, *City Clerk.*

Which was concurred in, and the contracts and bonds approved.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Deloss and J. B. Root for erecting lamp-posts, lamps and fixtures on Ft. Wayne Avenue, between Delaware and Pennsylvania 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.

The question being on the passage of the resolution,

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

No Councilman voting in the negative.

So the resolution passed.

ORDINANCES ON SECOND READING.

Mr. Locke called up general ordinance No. 16—1869, entitled :

AN ORDINANCE concerning buildings and improvements, and regulating the granting of building permits.

Which was read the second time and ordered to be engrossed.

Mr. Locke moved that the rules be suspended and that the ordinance be read the third time and placed upon its passage.

The question being on a suspension of the rules, those who voted in the affirmative were Councilmen Cottrell, Gimber, Harrison, Heck-

man, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

No Councilman voting in the negative.

So the rules were suspended, and the ordinance read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

No Councilman voting in the negative.

So the ordinance passed.

Dr. Woodburn called up the following ordinance :

AN ORDINANCE establishing Police Districts for the City of Indianapolis.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the portions of the City of Indianapolis hereinafter named, shall constitute the Police Districts of said city.

FIRST DISTRICT.

SEC. 2. All that part of said city bounded on the south by Washington street, on the west by Alabama street, up to Ft. Wayne Avenue, thence north-east on Ft. Wayne Avenue to the donation line, thence on the donation line to Jackson street, thence south on Jackson street to St. Clair street, thence east on St. Clair street to Chatham street, thence south on Chatham street to Massachusetts Avenue, thence south-east across Massachusetts Avenue to Liberty street, thence south on Liberty street to Washington street, shall constitute the First District.

SECOND DISTRICT.

SEC. 3. All that part of said city bounded on the south by Washington street, on the west by Meridian street and Circle street, running east of the Governor's Circle, and by a line dividing out-lots numbered one hundred and seventy-one and one hundred and seventy-two; on the north by said donation line, and on the east by said Ft. Wayne State Road and Alabama street, shall constitute the Second District.

THIRD DISTRICT.

SEC. 4. All that part of said city bounded on the south by Washington street, on the west by Missouri street, on the north by said donation line, and on the east by the western boundary of said Second Ward, shall constitute the Third District.

FOURTH DISTRICT.

SEC. 5. All that part of said city bounded on the south by Washington street, on the west by White River and said donation line, on the north by said donation line, and on the east by the western boundary of said Third District, shall constitute the Fourth District.

FIFTH DISTRICT.

SEC. 6. All that part of said city bounded on the north by Washington street, on the west by White River, on the south by said donation line, and on the east by Tennessee street, shall constitute the Fifth District.

SIXTH DISTRICT.

SEC. 7. All that part of said city bounded on the north by Washington street, on the west by Tennessee street, on the south by said donation line, and on the east by Madison State Road and Delaware street, shall constitute the Sixth District.

SEVENTH DISTRICT.

SEC. 8. All that part of said city bounded on the north by Washington street, on the west by Delaware street and Madison Avenue, on the east by East street, and on the south by the donation line, shall constitute the Seventh District.

EIGHTH DISTRICT.

SEC. 9. All that part of said city bounded on the west by East street, on the north by Washington street, on the east and south by the donation line, shall constitute the Eighth District.

NINTH DISTRICT.

SEC. 10. All that part of said city bounded on the south by Washington street, on the west by Liberty street, up to and across Massachusetts Avenue, north-westerly to Chatham street, thence bounded on the west by said Chatham street to St. Clair street, and thence north-westerly across St. Clair street to Jackson street, and thence bounded on the west by Jackson street to the north donation line, thence east on the donation line to the north-east corner of the donation line, thence south on donation line to Washington street, shall constitute the Ninth District.

SEC. 11. Each of said Districts shall extend to the center of the streets bounding the same.

SEC. 12. All ordinances heretofore passed by this Council defining the boundaries of the Police Districts are hereby repealed.

This ordinance shall be in force from and after its passage and publication one time a week for two successive weeks in the Indianapolis Daily Journal.

Ordained and established this 31st day of May, 1869.

DANIEL MACAULEY, *Mayor*,

ATTEST:

D. M. RANDELL, *City Clerk*.

Which was read the second time and ordered to be engrossed.

Dr. Woodburn moved that the rules be suspended and that the ordinance be placed upon its passage.

The question being on a suspension of the rules,

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsce, Newman, Pyle, Shepherd Thalman, Thoms, Weaver, Whitsit Wiles and Woodburn—17.

No Councilman voting in the negative.

So the rules were suspended and the ordinance read the third time and placed upon its passage.

The question being, shall the ordinance pass?

Those who voted in the affirmative were Councilmen Cottrell, Gim-

ber, Harrison, Heckman, Kahn, Hennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Wiles called up the following ordinance :

AN ORDINANCE regulating the erection of public lamps and providing for lighting the streets and alleys of the City of Indianapolis with gas.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That all public lamps hereafter erected shall be placed so as to assure, as nearly as practicable, the proper lighting of the streets and alleys of said city and the railroad tracks crossing or laid upon such streets and alleys.

SEC. 2. No more than four (4), nor less than three (3), lamps shall be located on any street, within a space equal to one of the original squares of said city, including the longer lines of the Avenues, unless the public safety demands an increase on account of a railroad track or tracks crossing the same.

SEC. 3. Upon the Avenues and other diagonal streets the lamps shall be so distributed as to best light the property fronting thereon; but upon all streets crossing at right angles the lamps shall be so set that two of them, to be known as "corner lamps," shall be at the north-west and south-east corners of the intersecting streets, and the others, not to exceed two (2) in number, except as provided in section 2, and to be known as "intermediate lamps," shall be erected at the corner of each distinct public alley opening into such street; it being hereby declared the duty of the City Gas Inspector to set the stakes for the same. The Common Council may, also, at any time, order the lamps now standing and in use to be re-set, and thus made to conform to the plan above set forth.

SEC. 4. All public lamps hereafter erected upon any street or streets of this city shall be upon petition and bond, as required by the provisions of general ordinance No. 42—1866, "investing the Indianapolis Gas Light and Coke Company with the privilege of furnishing gas to the city and inhabitants of Indianapolis;" and said petition and bond shall be referred to and reported upon by the Committee on Gas Light, which shall prepare the ordinance required therefor; and if the city be unsupplied with posts, &c., said Committee shall direct the City Clerk to advertise for proposals to do the work. All bids hereinafter shall be filed with the City Gas Inspector for said Committee on Gas Light; and said bids shall be opened by said Committee, and the lowest and best bidder for the proposed work reported by them to the Common Council. The contract and bond of the party to whom the contract may be awarded shall be submitted to the Council by the City Clerk; and when the work shall be completed, the City Gas Inspector shall examine the same, accept or reject it, and make report of facts to the Council, in the same manner as is the practice of the City Civil Engineer upon other public improvements; and the expense of the improvement shall be assessed against the property benefited, agreeably to like usage.

SEC. 5. No new public lamp or lamps shall be lighted until the provisions in the latter part of the preceding section have been fully complied with, and the City Gas Inspector has notified, in writing, the Indianapolis Gas Light and Coke Company, and the contracting lamp-lighters through said Company, of the date or dates from which to commence using said lamp or lamps; and the said City Gas Inspector shall duly record this order, and report, monthly, to the Common Council the number and locality of such lamp or lamps, with the date or dates of their acceptance and first employment.

SEC. 6. Whoever shall injure any public lamp, or the post, lantern, fixtures, or any of the appendages thereto, or shall mischievously or unauthorizely light or extinguish said lamp, or turn on or off the gas supplied to the

same, shall be fined for every such offence, on conviction thereof, in any sum not exceeding twenty-five dollars nor less than five dollars, and shall, moreover, be liable to pay twice the amount of damages so done.

SEC. 7. Any person who shall be convicted of having hitched or tied any horse, or other animal liable to do injury thereto, to any lamp-post in said city, shall be fined therefor in the sum of three dollars for each and every such offence.

SEC. 8. All suits for damages to the public lamps, or their appurtenances, shall be brought as actions for debt, in the corporate name of the city; and if the offender be a minor his parent or guardian, if he have any, shall be liable for the fine or fines assessed under the preceding sections, as well as for the damages claimed.

SEC. 9. All ordinances or parts of ordinances in conflict with the provisions in this contained, are hereby repealed; and this ordinance shall take effect and be in force from and after its passage and publication one time a week for two successive weeks in the Indianapolis Daily Journal.

Ordained and established this 31st day of May, 1869.

DANIEL MACAULEY, *Mayor*.

Attest:

D. M. RANDELL, *City Clerk*.

Which was read the second time and ordered to be engrossed.

Mr. Wiles moved that the rules be suspended and that the ordinance be placed upon its passage.

The question being on a suspension of the rules,

Those who voted in the affirmative were Councilmen Gimber, Harrison, Heckman, Kennington, Kahn, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—15.

Those who voted in the negative were Councilmen Cottrell and Shepherd—2.

So the rules were suspended and the ordinance read the third time and placed upon its passage.

The question being, shall the ordinance pass?

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Newman called up special ordinance No. 41—1869, entitled :

AN ORDINANCE to provide for grading, paving, bowldering and curbing the

alley running from Massachusetts Avenue to New York street, across the diagonal square No. 37.

Which was read the second time and ordered to be engrossed.

Mr. Newman moved that the rules be suspended and that the ordinance be read the third time and placed upon its passage.

The question being on a suspension of the rules,

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

No Councilman voting in the negative.

So the rules were suspended and the ordinance read the third time and placed upon its passage.

The question being, shall the ordinance pass?

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Thalman called up special appropriation ordinance No. 17—1869, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis.

Which was read the second time and ordered to be engrossed.

a. Dr. Woodburn called up special appropriation ordinance No. 20—1869, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis.

Which was read the second time and ordered to be engrossed.

Dr. Woodburn moved that the rules be suspended and that the ordinance be placed upon its passage.

The question being on a suspension of the rules,

Those who voted in the affirmative were Councilmen Gimber, Harrison, Heckman, Kahn, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—14.

Those who voted in the negative were Councilmen Cottrell, Kennington and Shepherd—3.

So the rules were suspended and the ordinance read the third time and placed upon its passage.

The question being, shall the ordinance pass?

Those who voted in the affirmative were Councilmen Harrison, Heckman, Kahn, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—13.

Those who voted in the negative were Councilmen Cottrell, Gimber, Kennington and Shepherd—4.

So the ordinance passed.

On motion the Council adjourned.

Daniel Macauley
DANIEL MACAULEY, Mayor.

ATTEST:

D. M. Russell
D. M. RUSSELL, City Clerk.