

PROCEEDINGS  
OF THE  
COMMON COUNCIL

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
MONDAY, JUNE 8TH, 1868, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

His Honor, the Mayor, being absent, Dr. Woodburn was called to the chair.

Present—Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—16.

Absent—Councilmen Burgess and Colley—2.

REGULAR ORDER OF BUSINESS.

Mr. Brown introduced special ordinance No. 43—1868, entitled :  
AN ORDINANCE to provide for grading and paving with bowlders the alley running east and west through Square No. 76, between Meridian and Pennsylvania streets.

Which was read the first time.

Mr. Brown presented the following remonstrance :

INDIANAPOLIS, May 18, 1868.

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

GENTLEMEN:—We, the undersigned, pray you not to pass the Mayor's cow ordinance, which reads as follows :

“ An ordinance prohibiting the runing at large of certain animals, such as cows, heifers, &c.” We, your petitioner, think had we more of the so forth,

the cows would not run to the annoyance of His Honor. We ought to have one *so forth* to each Ward. In passing this ordinance you deprive the poor of their principal support, and allow Dairymen to extort on the price of milk. Gentlemen, you must bear in mind you have all been dear lovers of milk. I do not wish you to think you are suckers yet.

Signed in behalf of Indianapolis,

ANDREW WALLACE.

Which was referred to the Board of Public Improvements.

Mr. Coburn offered the following motion :

That the City Clerk be directed to pay to George W. Buchanan, late Chief Fire Engineer, and Sampson Barbee, jr., late Market Master, one month's pay from April 1st to 30th of same month inclusive, the Chief Fire Engineer at the rate of \$1,300 per annum, and Market Master at the rate of \$800 per annum.

Which was adopted.

Mr. Coburn presented the following communication :

INDIANAPOLIS, May 25, 1868.

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

GENTLEMEN:—The undersigned respectfully asks leave to represent to your honorable body that, in the discharge of his duties as Chief of Fire Department, he having no means at his control belonging to the city, except through the Auditor's office, he was apparently compelled to pay out of his own private means, at various times, small sums of money for articles for which parties would not go to the office of the Auditor for pay, such as Postage and Revenue Stamps, Expressage, Telegraphing, Drayage, and various other small expenses, a memorandum of which was kept until the night of the first of May, at a fire on Pogue's Run and Market street, during a violent rain storm, said memorandum was so nearly destroyed by getting wet, as to make it impossible to present an itemized account of said expenses; but, to the best of his knowledge, the total amount of the same was a little over fifty dollars, and does, therefore, ask your honorable body to grant him such relief as in your judgment may seem proper and just.

Very respectfully submitted,

GEORGE W. BUCHANAN, Chief Fire Engineer.

Which was referred to the Committee on Claims, with instructions to report the amount in their next ordinance of accounts.

Mr. Cottrell offered the following motion :

That the Street Commissioner be directed to have the "chuck-holes" on South street, between Delaware and Alabama streets, filled. Also, to have the gutter on the east side of Delaware street, between Merrill and McCarty streets, properly cleaned out.

Which was referred to the Councilmen from the 7th Ward, with instructions to have the work done.

Mr. Cottrell offered the following motion :

That the Chief Fire Engineer be instructed to sell all the horses belonging to the Fire Department that are not needed in the service.

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

Mr. Cottrell offered the following motion :

That the Street Commissioner be directed to construct a good crossing at the corner of Virginia avenue and the intersection of Alabama street, so as to conform to the sidewalks of the avenue and the crossing of Alabama street.

Which was adopted.

Mr. Cottrell offered the following resolution :

*Resolved*, That the owners of the following described real estate, to-wit: Lot No. ten (10) of square No. seventy-eight; and the south half of lot No. nine (9) of square No. seventy-eight (78); lot No. seven (7) of square No. seventy-eight (78), 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 or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled: "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to drain or fill said excavation as provided in said ordinance.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Foster, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the resolution was adopted.

Mr. Cottrell introduced special ordinance No. 44—1868, entitled :

AN ORDINANCE to provide for repairing Delaware street and sidewalks, between Duncan and McCarty streets.

Which was read the first time.

Mr. Cottrell introduced special ordinance No. 45—1868, entitled :

AN ORDINANCE to provide for repairing Merrill street and sidewalks, between Alabama and Delaware streets.

Which was read the first time.

Mr. Davis offered the following motion :

That the Street Commissioner be and is hereby directed to repair the bowldering on Illinois street, between Market and Ohio streets.

Which was referred to the Councilmen from the Third Ward.

Mr. Geisel introduced special ordinance No. 46—1868, entitled:

AN ORDINANCE to provide for grading and graveling the first alley east of Liberty street running north and south between Lockerbie and Vermont streets, through out-lot 54.

Which was read the first time.

Mr. Geisel offered the following motion :

That William Otte and Frederick Simon be permitted to improve the alley running alongside of their lots Nos. 35 and 36 in out lot No. 54, and the Civil Engineer be directed to set the grade stakes for the same, the same to be done within sixty days from date.

Which was adopted.

Mr. Henschen presented the following petition :

INDIANAPOLIS, May 27, 1868.

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

GENTLEMEN:—We, the undersigned, property holders, living on Dougherty street, petition your honorable body to cause so much of said Dougherty street as lays between East and Wright streets, to be graded and gravelled—gravel to be of the best quality of creek or river gravel. We here state to your honorable body the reason for not petitioning for the improvement of the whole street from East street to Virginia avenue is, that those living on the east part of said street are not generally in favor of the improvement, as they are on more elevated ground, running the water down upon us of the west end, without an outlet for said water, which buries some of our lots to the depth of from one to two feet under water; and it cannot be otherwise until said Dougherty street is fixed. We therefore pray you will grant the prayer of our petition.

M. A. Huffington,  
B. P. Flinn,  
Nannie E. Carico,

James Templer,  
E. H. Perkins,  
And 6 others.

Also, special ordinance No. 47—1868, entitled:

AN ORDINANCE to provide for grading and graveling Dougherty street and sidewalks between East and Wright streets.

Which was read the first time, and, on motion, both the petition and ordinance were referred to the Board of Public Improvements:

Mr. Henschen presented the following petition :

INDIANAPOLIS, May 26, 1868.

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

GENTLEMEN:—We, the undersigned, property holders on Coburn street, in the City of Indianapolis, would respectfully petition that the above named street be graded and gravelled between East and Wright streets. The water runs from the street on many of the lots and remains all summer. During the summer months the water smells very bad and disagreeable, and will undoubtedly cause a good deal of sickness.

Joseph Soherty,  
Fred. Shoekel,  
Geo. L. Holland,

Charles H. Folkening,  
Joseph McVey,  
And 11 others.

Also, special ordinance No. 48—1863, entitled:

AN ORDINANCE to provide for grading and graveling Coburn street and sidewalks between East and Wright streets.

Which was read the first time, and, on motion, both the petition and ordinance were referred to the Board of Public Improvements.

Mr. Henschen offered the following motion:

That the Board of Public Improvement, with the City Engineer, be and is hereby instructed to report to this Council some plan by which the water now running down the alley between Waters and Greer streets, from McCarty street, and filling up people's cellars, can be conducted across Stevens st., to relieve that neighborhood of this trouble.

Which was adopted.

Dr. Jameson offered the following motion:

That the City Treasurer place in the hands of the City Attorney the amount awarded to J. H. McKernan as damages for straightening Pogue's Run, after subtracting the benefits, and twenty dollars additional, to the sum found to be due him.

Which was adopted.

Dr. Jameson presented the following petition

INDIANAPOLIS, June 8, 1868.

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

GENTLEMEN:—Your petitioner respectfully states that at the proper time for paying, he offered to the City Treasurer the taxes of the year 1865 on his property, 26 feet on Meridian street by 210 feet on the Railroad, in square ninety-seven, but was answered that there was no assessment against said property on the tax duplicate, and no claim for taxes of said year; and the Treasurer failed to receive payment of the same. That afterwards said Treasurer made an assessment of taxes for said year 1865, without notifying your petitioner, and advertised said premises for sale for the taxes for said year 1865; that in consequence of notice by said advertisement, on the 29th of December, 1866, he, by his agent, paid said taxes of said year—\$195—as assessed by the Treasurer, *with ten per cent. penalty* and interest; that the unjust payment of the penalty was made in consequence of the failure of the Treasurer of the city to receive the taxes of said year on said property offered at the proper time, by your petitioner. He therefore, as he believes, with good reason, asks your honorable body to refund him the penalty unjustly claimed and paid as before stated, to-wit: \$19 50. And for this he will ever pray, etc.

M. FITZGIBBON.

Which was referred to the Finance Committee.

Dr. Jameson introduced the following general ordinance No. 145:

AN ORDINANCE amendatory of an ordinance entitled, "An ordinance creating the office of City Gas Inspector, defining his duties, and fixing his salary," passed February 17, 1868.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That all the words and figures of a certain ordinance entitled, "An ordinance creating the office of City Gas Inspector, defining his duties, and fixing his salary," passed February 17th, 1868, from and after the first section thereof,

be stricken out; that said first section is hereby amended by providing that the term of office of said officer shall commence with the first day of June next subsequent to the date of election thereto (fourth regular meeting in May annually), while the liability of said officer to removal at any time within his tenure shall continue of force and effect; and that the duties and powers of said officer are hereby declared to be, and to have been from the creation of said office, as hereinafter detailed.

SEC. 2. It shall be the duty of the City Gas Inspector to guard the interests and to interpret and determine the rights of the City of Indianapolis and the inhabitants thereof, under and by virtue of a certain charter granted the Indianapolis Gas Light and Coke Company, by the Common Council of said city, on the 19th day of March, 1866; and to see that the provisions of the contract between the City of Indianapolis and said Gas Light and Coke Company, made and entered into on the first day of May, 1868, for supplying the public lamps of said city with gas, and for lighting, extinguishing, repairing, and cleaning the same, as well as all other contracts hereafter entered into between the said parties, be faithfully carried out during the continuance thereof.

SEC. 3. The Common Council shall provide the City Gas Inspector with the necessary office and suitable office conveniences, and supply all such apparatus, instruments, and other facilities as may be required in testing the illuminating power and purity of the gas furnished the City of Indianapolis and the inhabitants thereof by the Indianapolis Gas Light and Coke Company, in deciding upon the pressure of the gas in the street mains and at any given point in the city, in proving or inspecting and badging meters, and in testing burners, as well as in discharging such other duties as may devolve upon the City Gas Inspector under this ordinance, or by subsequent enactments of said Council.

SEC. 4. All matters connected with the burning of gas by the City of Indianapolis in her corporate capacity, for the purpose of lighting the streets, alleys, public places and public buildings thereof, including the locating of new street lamps, and changes which the Common Council may order to be made in the positions of those already erected, the preparing and publishing of time tables for lighting and extinguishing said lamps, their regular supply with the full amount of gas contracted for, and the working condition of the same, shall be under the special superintendence of the City Gas Inspector. And to the end that said officer may fully, completely and faithfully supervise the condition and working of the public lamps, the night policemen of the city of Indianapolis are hereby ordered to regularly examine the lamps in their respective wards, and make written reports, each and every morning, to the City Gas Inspector, as to the number and location of all such lamps as are not lighted during the previous night, the particular lamps, if any, which may be lighted after the hour established by the time table, what lamps remained burning after the hours at which they should have been extinguished, and also such as were extinguished before the proper time; and the day policemen shall carefully examine and make written reports, daily, as to the number and location of all lamps, in their respective wards, which may remain lighted during the day, or any portion thereof, together with such lamps as they may have noticed as being out of repair, and the nature of the injuries thereto; and it shall also be competent for any citizen of said city to notify the City Gas Inspector as to the improper condition or working of any such lamp or lamps, which may have come under his observation; and the said City Gas Inspector shall take cognizance of all circumstances thus reported, shall notify the Indianapolis Gas Light and Coke Company of the same, and, in case such contingencies shall have been occasioned by the carelessness or wilfulness of an agent of said Company, said officer shall make the proper deduction from the monthly bills of said Company, if the full amount of gas contracted for and belonging to the public lamps shall, through the fault of said Company, or their agent or agents, not have been supplied thereto.

SEC. 5. It shall be the duty of the City Gas Inspector to ascertain, each

and every night, by photometrical experiments, the illuminating quality, or candle power, of the gas supplied by the Indianapolis Gas Light and Coke Company, and to keep a careful and complete record of such observations, in a register prepared by him for that purpose.

Sec. 6. The City Gas Inspector shall also be provided with the chemical tests for detecting the presence of sulphuric acid, carbonic acid ammonia, and other non-inflammable or poisonous principles, if such there should at any time happen to be, in the gas furnished by said Gas Light and Coke Company, and shall, as often as he may deem proper or necessary, conduct experiments to this end, recording the results of the investigations upon his Register of Photometrical Experiments, and notifying said Gas Light and Coke Company, if the adulteration be detrimental to life or health, or such as to impair the illuminating properties of the gas.

Sec. 7. As soon as provided with a Pressure Register, it shall be the duty of the City Gas Inspector to duly record, for each and every period of twenty-four hours, the minimum, maximum, and average pressure of the gas in the street main nearest his office. He shall also, from time to time, by pressure gauge, take the pressure at each and every street lamp, and he shall compare and adjust such notings with the pressure as shown by the Pressure Register at his office, and make entry thereof in a book which he shall keep especially for the memoranda required by the terms of this section.

Sec. 8. It shall furthermore be the duty of the City Gas Inspector to examine into and prove the accuracy or inaccuracy of each and every meter set up or to be set up, employed or to be employed, by the Indianapolis Gas Light and Coke Company for the measurement and sale of gas to the City of Indianapolis and the inhabitants thereof; and to every meter that shall be by him passed as correct, said City Gas Inspector shall attach securely, and in such a manner that, without destroying the badge or injuring one or both of the impressions in wax of his private seal, which shall constitute a part of the attachment of the badge to the meter, the works of the same can not be gotten at and tampered with, an official Inspection Badge, upon which shall be stamped, printed, or written the title of his office, the date of making the inspection, and the number of said badge; and when any meter shall, by said City Gas Inspector, be proven inaccurate, he shall place the fact of rejection, in characters or marks, understood by himself, upon the same, and it shall, thereafter, be both unlawful and punishable by fine, as provided in section 10 of this ordinance, to use any such meter for the measurement and sale of gas until its works shall have been adjusted and made correct, the said meter re-submitted to proof at the hands of said officer, and by him accepted and properly badged. And it shall be within the power of any citizen whose meter has been proven to have recorded against him in any amount over the standard margin (3 per cent.) allowed by this ordinance, to show, by the bills or by the books of the said Gas Light and Coke Company, the quantity of gas measured to him through such rejected meter, and then to require the City Gas Inspector to compute the overcharge thus made against the consumer, by said Company; and said citizen may then enter a suit against the President, Secretary, Treasurer, and Superintendent of the said Gas Light and Coke Company in the corporate name of the City of Indianapolis, and may summon the City Gas Inspector to testify in such case as an expert, and the testimony of said officer shall be *prima facie* evidence in the case, and so taken and received by the Judge of the City Court, in which Court only such trial shall be had; and the said City Judge shall assess, as a penalty, against either or all of the above named officers of said Gas Light and Coke Company, the amount of overcharge thus proven. But no recovery shall be had, on the part of the Indianapolis Gas Light and Coke Company, for supplying a greater quantity of gas than they shall have received pay for, should the meter used be found, upon proof by the City Gas Inspector, to record against said Company, since, by the terms of their charter, said Company are bounden to correctly measure their gas.

Sec. 9. No meter shall, by said City Gas Inspector, be passed as correct, and have his official inspection badge attached, which varies more than three

(3) per cent. from the standard measure of a cubic foot; or, in other words, is capable of recording more than three (3) cubic feet in one hundred (100) cubic feet against either the consumer or the Gas Company. (The standard cubic foot of illuminating gas is equal to sixty-two and three hundred and twenty-one thousandths (62.321) pounds avordupois of distilled or rain water, weighed in air of the temperature of sixty-two degrees Fahrenheit, the barometer being at twenty-nine and one-half (29½) inches.)

SEC. 10. After the first day of June, 1869, it shall be unlawful for the Indianapolis Gas Light and Coke Company to set, or cause to be set or used, any meter for the measurement and sale of their gas, unless the same shall have been inspected, badged and sealed by the City Gas Inspector in the manner required by this ordinance. Any and every violation of this section by the said Gas Light and Coke Company or her agents, shall subject the President, Secretary, Treasurer, and Superintendent of said Company to prosecution therefor before the City Judge of said city; and on conviction thereof, the City Judge shall assess against said President, Secretary, Treasurer, and Superintendent of said Gas Light and Coke Company, a fine of not less than ten dollars nor more than fifty dollars for each and every such offence.

SEC. 11. All new meters at any time procured by the Indianapolis Gas Light and Coke Company, as well as all meters which they may at any time repair or have repaired, and such meters as may at any time after the passage of this ordinance be in their possession and not in use, shall, before the same are set up and employed for the measurement and sale of their gas, be by them brought to the office of the City Gas Inspector, and there submitted to the personal inspection of said officer; and the said Gas Light and Coke Company shall also, as rapidly as the City Gas Inspector can conveniently dispose of the same, and before the first day of June, 1869, detach from their connections, bring to his office, and have proved by the City Gas Inspector, all meters at this time employed for the measurement and sale of their gas; and the fees allowed the City Gas Inspector by section 19 of this ordinance, for proving, badging and sealing meters, shall be paid to him by said Gas Light and Coke Company.

SEC. 12. If at any time after one year, and within five years, of the date of proving, by the City Gas Inspector, of any meter belonging to and used by the Indianapolis Gas Light and Coke Company, any consumer, or said Company, shall doubt its then accuracy, the said Gas Light and Coke Company shall detach such meter from its connections, and bring the same to the office of the City Gas Inspector, when it shall be the duty of said officer, in the presence of the consumer and an agent of said Company, to re-inspect the same; and if, upon such re-inspection, the meter shall prove to be correct, the party requesting the re-inspection shall pay to the City Gas Inspector the fee allowed for proving, badging, and sealing meters by section 19; but if proven incorrect, the said Gas Light and Coke Company shall pay such fee, and shall furnish and set up for said consumer, without any charge whatever, another meter, which said meter shall have been then recently proved, badged, and sealed by said city officer.

SEC. 13. No charge shall be made by the Indianapolis Gas Light and Coke Company for disconnecting meters, and bringing them to the office of the City Gas Inspector, nor, after they shall have been duly proven, badged, and sealed, for re-setting the same; but, if the said Company shall refuse, upon the written request of any consumer, to detach his (the said consumer's) meter, and deliver the same at the office of the City Gas Inspector, it shall be lawful for said officer to both disconnect and re-adjust said meter, with or without the consent of said Gas Light and Coke Company; and for such extraordinary services by said City Gas Inspector, the said Company shall be liable for and shall pay a fair compensation for the time and labor of said officer, as well as all other expenses thereby incurred.

SEC. 14. The City Gas Inspector shall keep at his office, in a Register specially intended for such purpose, a full and correct record of all meters by him provided, and in which said Register he shall set forth the date of



inspection, the inspection No., the No. of the Inspection Badge attached, the name of the party for whom proved, the maker's name and No., the size in "lights," whether "dry" or "wet," the result of the test in per centage "fast" or "slow," and such other facts as will perfectly identify each meter proved, and give the date and result of the inspection.

SEC. 15. At the first regular meeting of the Common Council in each month, or oftener, if by the Common Council so directed, the City Gas Inspector shall present to said Council a summary statement of the labor performed by him during the period then ended, in which said statement he shall also embody the aggregate deficit in gas supply (see section 4), the average candle power of the gas (see section 5), the minimum, maximum, and average impurity of the gas (see section 6), the minimum, maximum, and average pressure of the gas in the street main nearest his office (see section 7), the total number of meters by him proved and the results of such inspections (see sections 8 *et seq.*), together with such other matters as in his judgment might prove interesting to said Council or of importance to private gas consumers.

SEC. 16. The City Gas Inspector shall, on the first day of each month hereafter, estimate the amount of gas consumed during the previous month by the street lamps, and also in connection with, and accompanied by, an agent of the Indianapolis Gas Light and Coke Company, on the said first day of each month, said officer shall take the statements of all meters used for the measurement of gas burned by the city of Indianapolis in her public offices, engine houses, &c.; and said officer shall compare his estimate and statements, thus made and taken, with the monthly account rendered by said Gas Light and Coke Company, and certify such account as correct, or else report the error or errors in such account; and the certificate of the City Gas Inspector shall be taken by the City Clerk as evidence as to the quantity of gas consumed, from time to time, by the city.

SEC. 17. The City Gas Inspector may also, upon request of any private gas consumer, take the statement of the gas by him (said citizen) consumed from the faces of his (said consumer's) meter; and the figures thus given by said officer shall, at all times, be considered accurate and final, and be evidence as to the correctness or incorrectness of the statement taken by the agent of the Indianapolis Gas Light and Coke Company.

SEC. 18. It shall also be competent for the City of Indianapolis, for its corporate benefit, and for any dealer in gas burners or private citizen, for his individual benefit, to have the City Gas Inspector test the capacity of gas burners by and upon the apparatus furnished by the city for that purpose.

SEC. 19. For and in consideration of all services rendered to the city of Indianapolis in her corporate capacity, the said City Gas Inspector shall receive from the city treasury an annual salary of seven hundred and fifty dollars, payable quarterly as the salary of other city officers; and, in addition to the above declared salary, said officer shall be entitled to the following fees, to be paid by the party for whom such service is rendered, except as hereinbefore provided: for proving, badging, and sealing each meter, the sum of fifty cents; for each meter statement taken, the sum of twenty-five cents; for testing burners, the sum of five cents each: and for any extraordinary service such just compensation as may be decided upon at the time it may be rendered.

Which was read the first time and referred to the City Attorney and Gas Inspector.

Mr. Kappes offered the following motion:

That the Street Commissioner be directed to rebuild the platform crossing he gutter in front of No. 2 Engine House.

Which was adopted.

Mr. Loomis offered the following motion :

That leave of absence be granted to Thomas Cottrell for 10 weeks, dating from his own appointment without further notice.

Which was adopted.

Mr. Loomis presented the following petition :

INDIANAPOLIS, June 8, 1868

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

GENTLEMEN:—Your petitioners, resident property holders and tax payers, having suffered for many years in consequence of the overflow of the so-called "Virginia River," respectfully but earnestly petition your honorable body to take speedy action in the matter of providing adequate means for the passage of the water in the above named stream.

We have heretofore petitioned your Honors for this much needed relief, without avail, and we now hope that this, the prayer of the undersigned, may receive your earliest and effective attention, and as in duty bound we will ever pray.

S. A. Fletcher,	James M. Huffer,
August Richter,	John Lonergan,
Many & Naumes,	Mary R. Gilmore.

Which was referred to the Board of Public Improvements and Civil Engineer.

Mr. Loomis introduced special ordinance No. 49—1868, entitled :

AN ORDINANCE to provide for the building of a brick sewer under Virginia Avenue running east and west in out-lot one hundred and one (101), between Stevens street and Merrill street, from the east side of Virginia Avenue west about five hundred and thirty feet.

Which was read the first time and referred to the Board of Public Improvements.

Mr. Loomis introduced general ordinance No. 146, entitled :

AN ORDINANCE directing the City Clerk to issue an annual license to L. D. Goldsberry & Co., to carry on theatrical performances in the Hall of the Exchange Building on North Illinois street.

Which was read the first time.

Mr. Henschen moved that the rules be suspended and the ordinance be read the second and third times and placed upon its passage.

The question being on a suspension of the rules, those who voted in the affirmative were Councilmen Coburn, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—13.

Those who voted in the negative were Councilmen Brown and Kapes—2.

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

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Coburn, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—72.

Those who voted in the negative were Councilmen Brown and Kappes—2.

So the ordinance passed.

Mr. Loomis introduced special ordinance No. 50—1868, entitled:

AN ORDINANCE to provide for grading and graveling the alley running north and south between Virginia Avenue, Elm and Hosbrook streets, and running from Pine to Grove streets.

Which was read the first time.

Mr. MacArthur offered the following motion:

That the Market Master be authorized to give notice that there will be market held at the West Market on every Saturday evening from 4½ to 8 o'clock. Also, that he (the Market Master) be authorized to rent any of the vacant stalls inside of the West Market House to fish dealers. Also that the Market Master be ordered to properly repair all the benches and stalls at both Market Houses.

Which was adopted.

Mr. MacArthur offered the following motion:

That David Mills be allowed to remove the gas post in front of his property on Washington street, as it interferes with his business; it will only have to be moved five or six feet, and he agrees to pay all the expense.

Which was referred to the Gas Inspector, with instructions to have the post removed if he deem it best.

Mr. Seidensticker presented the following remonstrance:

INDIANAPOLIS, June 8, 1868.

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

We, the undersigned, holding and owning a large portion of the property on East Ohio street, between Winston street and the Corporation line, would respectfully remonstrate against the passage of an ordinance requiring the grading of that portion of Ohio street. There being no bridge crossing Pogues run at that point, and there being no outlet to the street on the east, would, in the opinion of your remonstrants, render such improvement unnecessary and useless, as a matter of public utility or convenience.

Very respectfully,

WINSTON P. NOBLE,  
E. S. ALVORD.

Which was referred to the Board of Public Improvements.

Mr. Seidensticker offered the following motion :

That the Civil Engineer be requested to report an estimate of the cost of building a bridge across Pogue Run on Ohio street.

Which was adopted.

Mr. Stanton offered the following motion :

That the Street Commissioner be instructed to construct a wooden culvert the full width of the street, across Indiana Avenue, on the east side, at the crossing of said Avenue and Mississippi street.

Which was referred to the Board of Public Improvements.

Mr. Stanton offered the following motion :

That the Street Commissioner be directed to cut the grass in Circle Park immediately.

Which was referred to the Board of Public Improvements.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, June 8, 1868.

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

As I wish to build a house on my lot fronting on St. Joseph street, and said street being very low, I would petition your honorable body to grant me the privilege of grading and graveling one-half ( $\frac{1}{2}$ ) of said street from Illinois street to the alley east of my lot, and the sidewalk also, with a clearance from any expense in the further improvement of St. Joseph street, under the direction of the City Engineer.

H. SMITH.

Which was referred to the Board of Public Improvements.

Sealed proposals for public improvements were referred to the Board without reading.

#### REPORTS FROM BOARDS.

Mr. Davis, from the Board of Public Improvements, made the following report :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }  
Indianapolis, June 8, 1868. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body—

1. That in relation to the motion to allow J. R. Blake & Co. to erect a hay scale on Delaware street in front of their place of business, that in the opinion of the Board said motion should not pass, and would recommend that all scales now upon bouldered streets be removed without delay.

2. That the motion that the City Clerk be directed to advertise for proposals to construct a sewer of 42, 48 and 60 inches in internal diameter from Delaware street, thence running west along Ray street, a distance of 2,500 feet, to Pogue's run, should be passed.

3. That the report of the Civil Engineer, giving the estimated cost of a sewer from the East end of Fletcher Avenue to Pogue's run, the Board are of the opinion that further action on said report should be postponed for the present, and would recommend that the Engineer be directed to make a survey, beginning on the east side of the grounds known as Fletcher's Pasture, thence southeast along the line of the Indianapolis and Cincinnati Railroad track to Pleasant run, and to report to this Council the distance, fall, and the estimated cost of a sewer on that line.

4. That for the grading and paving of Market street, north side, between New Jersey and Noble streets, James Mahoney is the lowest bidder, his bid being 64 cents per lineal foot.

5. The Board would recommend that the petition of Peter Routier, Wm. Smith, Henry Walker and others, for the grading and graveling of the alley running North and South from Pine to Grove streets, be accepted, and that said improvement be made.

6. That the remonstrance of Philip Magel, Fred. Vogal and others against the improvement of the alley running north and south through out-lot No. 50, be accepted.

7. That in relation to the petition of Isiah Mansur, C. C. Williams, David Macy and others, praying that such steps be taken to reduce the quantity of water which runs down Illinois street, so as to prevent their property from being overflowed in times of heavy rains, would recommend that a culvert be constructed across Illinois street on the south side of North street, thence to the canal.

8. The Board would recommend that the motion to remove all the trees on the corners of streets that obstruct the light from the public lamps be not adopted, but would offer the following amendment:

"That all old and partially dead locust trees on the corners of streets be removed, and that all trees between the intersections that obstruct the light from the lamps be properly trimmed."

Respectfully submitted,

J. W. DAVIS, President.

Which was acted on section by section.

The first part of the first paragraph, in reference to Blake & Co. erecting hay scales, was concurred in. The latter portion of said paragraph, recommending that all hay scales upon bowldered streets be removed, was not concurred in.

The second paragraph was concurred in.

The third was concurred in.

The fourth was concurred in, and the contract awarded.

The fifth and sixth were concurred in.

The seventh paragraph was not concurred in.

The eighth paragraph was concurred in.

Mr. Goddard presented the following communication :

INDIANAPOLIS, June 3, 1868.

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

GENTLEMEN:—The undersigned would represent that at the late election they were elected as members of the Board of Public Improvements, and at the first meeting of the Board no organization was effected, owing to the absence of one of its members, Mr. J. W. Davis. At a subsequent meeting, and in the absence of one of the undersigned, an organization was attempted to be made by drawing cuts for the Presidency of the Board. This the undersigned regards as informal, and not in accordance with the ordinance creating the Board. Mr. J. W. Davis being drawn as President. It is informal, no minutes of the meeting being kept by the Clerk. The Board have had no meeting, and any report coming from its self created Chairman is without any consultation with the undersigned. And we would further represent that none of the papers are in possession of the Clerk or Board, but are held by J. W. Davis, the self-created President. As the Board is at present constituted, we are satisfied that it contains material that cannot harmonize. We would therefore ask that the Council accept our resignation as members of the Board of Public Improvements.

HENRY COBURN.  
SAMUEL GODDARD.

Dr. Jameson moved that the whole Board be requested to resign

Which motion was lost.

Mr. Cottrell offered the following motion :

That the resignations of Messrs. Coburn and Goddard, as members of the Board of Public Improvements, be accepted.

Mr. Seidensticker offered the following amendment to Mr. Cottrell's motion :

To amend by inserting the word "not" before the word "accepted."

Which was adopted.

Mr. Brown offered the following amendment :

And that no reports shall hereafter be received by the Council from the Board of Public Improvements, Board of Police, or from any Committee, unless the same is signed by at least two members of the same.

Which was adopted.

The original motion as amended was then adopted.

By unanimous consent, the ex-Chief Fire Engineer submitted his annual report.

Which was received and referred to the Committee on Printing.

By consent the Street Commissioner made the following report:

INDIANAPOLIS, June 8, 1868.

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

The following is a statement of all the work done since May 4th, 1868:

- 1—Built a culvert on Bluff Road and Ray street.
- 2—Built a culvert on East and South streets.
- 3—Repaired culvert on Market and Alabama streets.
- 4—Repaired the bridge on Market street and Pogue's Run.
- 5—Repaired the crossings on Washington and Missouri streets.
- 6—Repaired a culvert on Washington and Missouri streets.
- 7—Built a culvert on Kentucky Avenue and West street.
- 8—Built a culvert on Liberty and Georgia streets.
- 9—Opened the gutter on East street, between Pogue's Run and the corporation line east.
- 10—Opened the gutter on Liberty street, between Pogue's Run and Georgia street.
- 11—Opened the gutter on Georgia street, between East and Noble street.
- 12—Opened the gutter on McCarty street, between Water and Delaware streets.
- 13—Opened gutter on Vermont street, between Canal and West street.
- 14—Opened the gutter on Michigan street, between Canal and Blackford streets.
- 15—Opened the gutter on Alabama street, between Pogue's Run and McCarty street.
- 16—Opened the gutter on Noble street, between Washington street and Virginia Avenue.
- 17—Opened the culvert on Bates street, between Noble street and the corporation line east.
- 18—Opened the gutter on Georgia street, between Noble street and the corporation line east.
- 19—Opened the gutter on Meek street, between Noble street and the corporation line east.
- 20—Opened the gutter on Cady street, between Bates and Georgia streets.
- 21—Opened the gutter on Benton street, between Bates and Washington
- 22—Opened the gutter on Liberty street, between Washington street and Massachusetts Avenue.
- 23—Opened the gutter on Massachusetts Avenue, between Liberty and Ash streets.
- 24—Opened the gutter on Maryland street, between Tennessee street and the Canal.
- 25—Opened the gutter on Pennsylvania street, between Michigan street and the corporation line north.
- 26—Opened the gutter on Georgia street, between Meridian and Tennessee streets.
- 27—Opened the gutter on Tennessee street, between Washington and South streets.
- 28—Opened the gutter on North street, between Meridian and Alabama streets.
- 29—Opened the gutter on St. Joseph street, between Meridian and Delaware streets.
- 30—Opened the gutter on Pratt street, between Delaware and Meridian streets.
- 31—Opened the gutter on St. Clair street, between Alabama and Meridian streets.
- 32—Opened the gutter on Michigan street, between Pennsylvania and Delaware streets.
- 33—Opened the gutter on Vermont street, between Pennsylvania and Delaware streets.

- 34—Opened the gutter on Delaware street, between Wabash street and the corporation line north.
- 35—Laid down 7 foot bridges on West and New York streets.
- 36—Laid down 1 foot bridge on Washington and Mississippi streets.
- 37—Laid down 4 foot bridges on Fort Wayne Avenue and St. Clair street.
- 38—Laid down 2 foot bridges on Alabama and St. Clair streets.
- 39—Laid down 1 foot bridge on Ohio and Illinois streets.
- 40—Cleaned the culvert on Ohio and Illinois street.
- 41—Repaired the bowldering on Market street, between Delaware and Alabama streets.
- 42—Sowed two bushels of bluegrass seed on Governor's Circle.
- 43—Took up and rebuilt the gutter on Pennsylvania street, in front of Odd Fellows Hall.
- 44—Built a stone abutment on Washington street at the arm of the Canal, and hauled 180 yards of dirt at the same place.
- 45—Built a culvert on Railroad street, near Michigan street.
- 46—Built a culvert in front of the alley running east and west on Virginia Avenue, between Georgia and Cedar streets.
- 47—Built a bridge on Fletcher Avenue across the Virginia River.
- 48—Cleaned Illinois street, between Market and Louisiana streets.
- 49—Cleaned Meridian street, between Circle and Louisiana streets.
- 50—Cleaned Washington street, between Alabama and Illinois street.
- 51—Filled the deep gutter on the south side of South street, between Pogue's Run and Meridian street.
- 52—Cleaned Tennessee street, between Market and Washington streets.
- 53—Cleaned the Eastern Market Square.
- 54—Put three new stringers at the bridge on Washington street across the Canal, and laid new flooring at the same place.
- 55—Filled the crossings on Vermont and Illinois streets with gravel.
- 56—Repaired the sidewalks on the west side of Virginia Avenue, between McCarty and Stevens streets.
- 57—Filled the brick holes on Virginia Avenue, between Noble street and the corporation line, with gravel.
- 58—Filled the crossings on Alabama and Michigan streets with gravel.
- 59—Hauled 202 yards of gravel on Pennsylvania street, between Michigan street and the corporation line north.
- 60—Filled up the ends of the bridge on Liberty street and Pogue's Run with spaulds and gravel.
- 61—Filled up the ends of the bridge on Winston street and Pogue's Run with spoulds and gravel.
- 62—Filled the holes on Alabama street, between Merrill and Duncan street, with gravel.
- 63—Filled the mouth of the alley between Cedar and Grove streets with gravel.
- 64—Repaired the sidewalks on the north side of South street, between Noble and East streets.
- 65—Filled the mouth of the alley on Wyoming street, the second alley east of Delaware street, with gravel.
- 66—Filled the holes on Noble street, between North street and Massachusetts Avenue, with gravel.
- 67—Filled the crossings on Massachusettes Avenue and St. Clair street with gravel.
- 68—Filled the crossings on South and West streets with gravel.
- 69—Filled the crossings on Indiana Avenue and Tennessee street with gravel.
- 70—Filled the brick holes on Maryland street, between Mississippi and Tennessee streets, with dirt and gravel.
- 71—Filled the hollow on West street, between Georgia street and the Terre Haute Railroad.
- 72—Repaired the sidewalks on East street, between Pogue's Run and Louisiana street.
- 73—Built a wooden wall on Vermont street and the Canal.



The following statement shows the expenses for work done in the different wards since May 4th, 1868, and the balance of credit to each ward:

	Bal. Cr. to each Ward on May 4, 1868.	Expenses since since May 4, 1868.	Bal. Cr. on bal. trans. from old Acc't.
1st Ward.....	\$773 90.....	\$131 00.....	\$642 90
2d Ward.....	647 61.....	393 86.....	253 75
3d Ward.....	609 30.....	93 00.....	516 30
4th Ward.....	693 39.....	139 00.....	554 39
5th Ward.....	480 52.....	131 00.....	349 52
6th Ward.....	307 13.....	84 50.....	222 63
7th Ward.....	634 91.....	154 50.....	480 41
8th Ward.....	647 29.....	283 00.....	364 29
9th Ward.....	538 68.....	172 60.....	366 08

Respectfully submitted,

AUGUST RICHTER, *Street Commissioner.*

Which was received.

On motion the Council adjourned to meet on Friday evening, June 12, 1868, at 7½ o'clock.

DANIEL MACAULEY, *Mayor.*

ATTEST:

D. M. RANDELL, *City Clerk.*