

PROCEEDINGS  
OF THE  
COMMON COUNCIL

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS,  
MONDAY, OCTOBER 21ST, 1867, 7 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 Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—16.

Absent—Councilmen Burgess and Colley—2.

The proceedings of the regular session held October 14th, 1867, and of the adjourned session held October 17th, 1867, were read and approved.

His Honor, the Mayor, announced that the special order for the session was the consideration of the Junction Railroad matter.

Mr. Cottrell presented the following remonstrances :

INDIANAPOLIS, Oct. 21, 1867.

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

The undersigned, citizens of Indianapolis, represent that they are informed that the Junction Railroad Company are asking permission to locate their main track south of Pogue's Run, crossing New Jersey street and Virginia Avenue, and also for side tracks.

The undersigned respectfully remonstrate against said location, and ask that they be compelled to locate their track or tracks on the north side, with the tracks of other roads already located, and not to permit any side tracks west of New Jersey street.

Geo. P. Anderson,  
Rufus Swain,  
J. Williams,

F. Shoemaker,  
Sam'l Merrill,  
And 25 others.

INDIANAPOLIS, Oct. 21, 1867.

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

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The undersigned respectfully remonstrate against said location, and ask that they be compelled to locate their track or tracks on the north side, with the tracks of other roads already located, and not to permit any side tracks west of New Jersey street.

Thos. S. Wilson,  
Elizabeth Kemper,  
George F. Muller,

Margaret Daninburg,  
Anthony Bade,  
And 21 others.

INDIANAPOLIS, Oct. 21, 1867.

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

The undersigned, citizens of Indianapolis, represent that they are informed that the Junction Railroad Company are asking permission to locate their main track south of Pogue's Run, crossing New Jersey street and Virginia Avenue, and also for side tracks.

The undersigned respectfully remonstrate against said location, and ask that they be compelled to locate their track or tracks on the north side, with the tracks of other roads already located, and not to permit any side tracks west of New Jersey street.

S. A. Fletcher, Jr.,  
William Allen,  
E. Browning,

Val. Jacobs,  
Max Imelli,  
And 12 others.

Mr. Coburn, also, presented the following remonstrance :

INDIANAPOLIS, Oct. 21, 1867.

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

The undersigned, citizens of Indianapolis, represent that they are informed that the Junction Railroad Company are asking permission to locate their main track south of Pogue's Run, crossing New Jersey street and Virginia Avenue, and also for side tracks.

The undersigned respectfully remonstrate against said location, and ask that they be compelled to locate their track or tracks on the north side, with the tracks of other roads already located, and not to permit any side tracks west of New Jersey street.

S. A. Fletcher,  
J. F. Wingate,  
E. C. Hagar,

F. L. Ritzinger,  
J. B. Ritzinger,  
And 7 others.

Which were laid over temporarily.

Mr. Brown offered the following motion :

That the ordinance be referred to the Committee on Revision of Ordinances, with instructions to report the same back amended as follows :

1. Strike out of the third line of section 1 of the printed ordinance, the words "or double," after the word "single."

2. Strike out of the sixth line of same section, after the word "track," the words "or tracks."

3. Add the following proviso at the end of section 1 :

"*Provided*, That such track shall be laid and maintained on that part of said Maryland street lying within a space of ten feet in width immediately south of the tracks of the Indiana Central Railway."

4. Strike out section 2.

5. Strike out in the first line of section 3, after the word "track," the words "or tracks."

6. Strike out of section 3 all after the words "and shall," in second line, and insert the following:

"Plank the said track with good three-inch oak plank; and shall plank the entire width and the sidewalk of said street occupied by said track of all streets crossed by said track, and shall keep constantly in good repair all such plank crossings."

7. Insert the following in lieu of section 4 :

Sec. —. Said Railroad Company shall, at the point where said Railroad crosses Pogue's Run, construct a good and substantial stone arched bridge, with arches of sufficient capacity to allow a free passage of the water underneath such bridge, to be acceptable to the Common Council and the City Civil Engineer.

Mr. Brown moved to refer the ordinance, along with the amendments, to the Committee on Revision of Ordinances.

Mr. Davis called for the ayes and noes.

The question being on the reference, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—16.

No Councilman voting in the negative.

So the motion to refer was adopted.

Business was then resumed in the order in which it was left off at last meeting.

Mr. Loomis offered the following motion :

That there be added to the Committee on Revision of Ordinances, to consider the Junction Railroad matter, one member of Council, City Civil Engineer, and City Attorney.

Mr. Davis called for the ayes and noes.

The question being on the passage of the motion, those who voted in the affirmative were Councilmen Coburn, Geisel, Goddard, Henschen, Jameson, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—10.

Those who voted in the negative were Councilmen Brown, Davis, Foster, Kappes and Schmidt—5:

So the motion was adopted.

His Honor, the Mayor, appointed as additional to the committee Councilman Wm. H. Loomis.

Mr. Loomis offered the following motion :

That Marsee & Son be permitted to dig a well in front of their property corner of Washington and Liberty streets, under the required regulations; also, to curb and gravel east sidewalk on Liberty street, between Washington street and Pogue's Run, under the direction of the City Civil Engineer.

Which was adopted.

Mr. Seidensticker presented the following petition :

INDIANAPOLIS, Oct. 21, 1867.

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

GENTLEMEN:—The undersigned, who is crippled and not able to earn a livelihood by ordinary labor, desires to enlarge his stand on the north side of the East Market House, said stand being used for the sale of coffee, &c. He trusts your honorable body will grant him the privilege, as he cannot conduct his present business without inconvenience to himself and his customers.

Very respectfully,

WILHELM ———.

Which was referred to the Committee on Markets, with instructions to report favorably if possible.

Mr. Seidensticker introduced special appropriation ordinance No. 62, 1867—entitled :

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

Which was read the first time by its title.

#### REPORTS FROM BOARDS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }  
Indianapolis, Oct. 21, 1867. }

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

GENTLEMEN:—The Board of Public Improvements, to whom was referred the matter of constructing bridges across the ditch on Railroad street for the accommodation of the citizens in having access to their lots, respectfully report that, as directed by your honorable body, we have examined the premises, and it will require at least 42 bridges, each 18 feet long, placed at regular distances 50 feet apart; said bridges will cost at least \$500 when completed. but, in our opinion, we believe the plan to be impracticable, owing to the nature of the ground, it being mostly composed of sand and loose gravel



which will wash out at every freshet, thereby rendering the bridges useless and a constant expense to the city in repairing.

We would respectfully recommend to your honorable body that all of that part of said ditch south of the third alley south of St. Clair street be filled up, and the water north of that point be drained into the old Bellefontaine Railroad gravel pit; this, we believe to be the most feasible plan, will cost less to the city and be of no inconvenience to property owners in that vicinity, as we think it better that the gravel pit be kept half full of water rather than be in its present condition.

Respectfully submitted,

JNO. B. MACARTHUR, }  
W. H. LOOMIS, } *Board.*  
SAMUEL GODDARD, }

On motion by Mr. Seidensticker, the report was referred back to the Board, with instructions to carry out former orders.

#### REPORTS FROM COMMITTEES.

Dr. Jameson, from the Finance Committee, made the following report:

INDIANAPOLIS, Oct. 21, 1867.

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

GENTLEMEN:—The Committee on Finance beg leave to report, in relation to the petition of Thomas Wren, with the opinion of the City Attorney, and respectfully recommend that the Auditor and Attorney be directed to tender to J. H. McKernan the amount assessed in his favor above his assessed benefits, with the costs of his injunction suit, and that the Auditor be directed to ascertain said amounts and report an ordinance for the appropriation of the same.

P. H. JAMESON, }  
THOS. COTTRELL, } *Committee.*  
C. F. SCHMIDT, }

INDIANAPOLIS, Oct. 21, 1867.

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

GENTLEMEN:—I have examined the petition of Thomas Wren and respectfully report that the Rolling Mill Company enjoined Wren from proceeding with his contract, that this caused great delay but was finally dissolved, and the Company defeated. That subsequently Mr. McKernan obtained an injunction restraining the proceedings for the straightening of Pogue's Run, which is still pending. Until this is disposed of the contractor cannot proceed with the contract.

The only suggestion that I can make for the present is, that the Auditor or other proper officer be directed to ascertain the amount assessed in favor of Mr. McKernan, and that this with costs be tendered him. I am satisfied that the injunction cannot be dissolved until this is done.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was concurred in.

By unanimous consent, Mr. Brown called up special ordinance No. 98—1867, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures, complete to burn gas, except the service pipe, on Illinois street, between South and Garden streets.

Which was read the third time, and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

By unanimous consent, Dr. Woodburn offered the following motion :

That the City Marshal be, and is hereby, directed to notify the Citizens' Street Railroad Company to lower their track on Illinois street, between Market and Ohio streets, so as to conform to the established grade of said street.

Which was adopted.

Mr. Kappes, from the Committee on Benevolence and Hospitals, made the following report :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING OCTOBER 5, 1867.

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

Which was concurred in.

Dr. Jameson moved to suspend the rules in order to pass an account ordinance.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Brown, Coburn, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—14.

Councilman Davis voting in the negative—1.

So the rules were suspended.

Dr. Jameson then called up special appropriation ordinance No. 62—1867, entitled:

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

Which was read the second time, and, on motion, considered engrossed, read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

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

INDIANAPOLIS, Oct. 21, 1867

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

GENTLEMEN:—Your Committee on Bridges, to whom was referred a motion to present to this Council an estimate of the cost of culverts under the Canal, would beg leave to present the following report.

J. W. DAVIS,  
HENRY GEISEL, } *Committee.*

Estimated cost of stone culvert under Canal at Pogue's Run:

One arch, 16 feet span,	-	-	-	-	-	-	\$3,479 00
Second arch, 16 feet span,	-	-	-	-	-	-	1,830 00
Total for two span,	-	-	-	-	-	-	\$5,309 00

Which was concurred in.

On motion by Mr. Davis, the City Clerk was requested to report at the next meeting of Council whether or not the Canal Company have been notified to enlarge the culvert where Pogue's Run passes under the Canal.

#### REPORTS FROM CITY OFFICERS.

The City Attorney made the following report:

INDIANAPOLIS, Oct. 21, 1867.

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

GENTLEMEN:—I have examined the matter involved in the ordinances for the improvement of Harrison street, and respectfully submit the following:

Of the thoroughfare known as Harrison street a small space has never been regularly dedicated to the public as a street, but has, however, been used for more than ten years as a public street. These are said to be the

facts in relation to this matter, so far as diligent inquiry has enabled me to ascertain them.

It has been repeatedly decided by our Supreme Court that use will dedicate a public highway. *Hays v. State*, 8 Ind. 425; *State v. Hill*, 10 Ind. 219. If the facts should be as I have stated, I think that the whole width of Harrison street may be legally considered a public street and improved as such.

Respectfully,

B. K. ELLIOTT, *City Attorney*.

Which was concurred in.

The City Auditor made the following report:

INDIANAPOLIS, Oct. 21, 1867.

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

The City Auditor respectfully reports:

1. The contract and bond of Joseph Bernauer, for grading and graveling Muskingum street and sidewalks, between Vermont and Michigan street.
2. The contract and bond of Aaron Frazee, for grading and paving the sidewalk on the south-west side of Indiana Avenue, between Illinois and Mississippi streets.
3. The contract and bond of Aaron Frazee, for grading and paving the north-east sidewalk on Indiana Avenue, between Illinois and Mississippi sts.
4. The contract and bond of James Mahoney, for grading the alley running east and west through out-lot 46, between Liberty and Noble streets, and graveling the sidewalks.
5. The contract and bond of James Mahoney, for grading and graveling West street and sidewalks, between the north side of Merrill street and the south side of Root street.
6. The first and final estimate of Richard Carr, for grading and graveling Winston street and sidewalks, between Ohio and Washington streets.
7. The first and final estimate of Samuel Hanway, for grading and graveling Wabash street and sidewalks, between Illinois and Tennessee streets.
8. The first and final estimate of Daniel Mahoney, for grading and graveling Charles street and sidewalks, between Peru Railroad street and St. Clair street.
9. The first and final estimate of the Indianapolis Gas Light and Coke Company, for erecting lamps, lamp-posts and fixtures on Mississippi street, between Washington and Georgia streets.
10. The first and final estimate of Charles Rooney, for curbing the north side of Louisiana street, between Meridian and Illinois streets, where the same has not before been curbed.

Respectfully submitted,

JOHN G. WATERS, *City Auditor*,

Which was concurred in.

Also, the following resolution:

*Resolved*, That a first and final estimate allowed Charles Rooney, for curbing the north side of Louisiana street, between Meridian and Illinois streets, where the same has not before been curbed, 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 adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Foster, Da-



vis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Stanton—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed Richard Carr for grading and graveling Winston street and sidewalks, between Washington and Ohio streets, at 49 cents per lineal foot, on each side of the line improved, 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 adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Stanton—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed the Indianapolis Gas Light and Coke Company for erecting lamps, lamp-posts and fixtures on Mississippi street, between Washington and Georgia 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 adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Stanton—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed Daniel Mahoney, for grading and graveling Charles street and sidewalks, between Peru Railroad street and St. Clair street, at 62 cents per lineal foot on each side of street, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Stanton—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed Samuel Hanway, for grading and graveling Wabash street and sidewalks, between Illinois and Tennessee streets, at 25 cents per lineal foot on each side of the street, be, and the same is, hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Davis, Foster, Geisel, Goddard, Henschen, Sameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Stanton—14.

No Councilman voting in the negative.

So the resolution was adopted.

On motion, the contracts and bonds were approved.

The Market Master made the following report :

INDIANAPOLIS, Oct. 21, 1867.

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

Common Council,	To Sampson Barbee (Market Master,)	Dr.
To work done on the well at East Market House, - - -	- - -	\$23 50
To 1,000 brick to wall the well, and sink and fixtures for the same,	- - -	9 00
To a one pump 24 feet long, at fifty cents per foot, the same including pump and stock, - - -	- - -	12 00
To one water box for same, - - -	- - -	2 00
To lead pipe for sink, - - -	- - -	1 20
Total amount, - - -	- - -	\$47 70

The same all having been done by order of said Council.

All of which is respectfully submitted.

SAMPSON BARBEE, *Market Master.*

Which was referred to the City Auditor, with instructions to embody the accounts in an ordinance.

The City Judge made the following report :

INDIANAPOLIS, Oct. 21, 1867.

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

GENTLEMEN:—I have the honor to report that I collected, during the month of September, on account of forfeits to the city for violations of the city ordinances, the sum of two hundred and nineteen dollars and twenty-nine cts., which amount has been turned over to the City Treasurer, as will appear by the accompanying voucher. I am, gentlemen,

Very respectfully,  
Your ob't ser't,

JOHN N. SCOTT, *City Judge.*

Which was received.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }  
Indianapolis, Oct. 21, 1867. }

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

GENTLEMEN—The City Clerk would respectfully report the following affidavits on file in his office for the collection of street assessment by precept, as follows:

John Scheier against John B. Stumph, for \$28.18.

John Scheier against S. L. Corwine, for \$209.76.

Thomas Griffin against Theo. F. Turner, for \$8.32.

And would recommend that you order the precepts to issue.

Respectfully, D. M. RANSELL, *City Clerk.*

On motion, the report was not concurred in, for the reason that the time was too short between the issuing of the estimates and the affidavits.

The Street Commissioner made the following report :

INDIANAPOLIS, Oct. 21, 1867.

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

Report of the Street Commissioner, showing the work done from September 23 to date, and the money expended in the different Wards. Work done as follows :

1. Repaired a culvert on Kentucky Avenue and Washington street.
2. Repaired a culvert on Noble and Market streets.
3. Opened the ditch from Bluff Road up to Lake McCarty.
4. Straightened Pogue's Run and built stone abutments, put on a wooden bridge the full width of street on Winston street.
5. Opened the gutters on East street, between South st. and Pogue's Run.
6. Opened the gutters on East st., between Washington and St. Clair sts.
7. Opened the gutters on Alabama st., between Ohio st. and Fort Wayne Avenue.
8. Opened the gutters on Delaware st., between Ft. Wayne Avenue and St. Clair street.
9. Opened the gutters on Massachusetts Ave., between East and Noble sts.
10. Opened the gutters on St. Clair st., between New Jersey and Alabama streets.
11. Opened the gutters on Chatham st., between Massachusetts Avenue and St. Clair street.
12. Opened the gutters on Vermont st., between East st. and Central Canal.
13. Opened the gutters on Tennessee street, between Indiana Avenue and
14. Opened the gutters on New York st., between Illinois street and the Canal.
15. Cleaned Delaware street, between Maryland street and Pogue's Run.
16. Built a culvert on Tennessee and South sts. the full width of said street.
17. Built a culvert on Georgia and West streets.
18. Built a culvert on Railroad st., between New York and Vermont sts.
19. Built a culvert on Railroad st., between Ohio and New York sts.
20. Built a culvert on Railroad st., between Vermont and Michigan sts.
21. Built a culvert on Railroad st., between North and Michigan sts.
22. Built a culvert on Alabama and New York streets.
23. Repaired the culverts on Alabama st and Massachusetts Avenue.
24. Repaired the culverts on Massachusetts Avenue and Delaware st.
25. Put down 4 foot bridges on New Jersey and North streets.



26. Put down 1 foot bridge on Delaware and North streets.
27. Put down 2 foot bridges on East and Gregg streett.
28. Put down 2 foot bridges on New Jersey and St. Clair streets.
29. Put down 2 foot bridges on Tennessee and Pratt streets.
30. Put down 2 foot bridges on Washington and Delaware streets.
31. Put down 2 foot bridges on Delaware and Merrill streets.
32. Put down 2 foot bridges on Indiana Avenue and California street.
33. Put down 4 foot bridges on Louisiana and East streets.
34. Built a small culvert on Market street with the intersection of the eastern Market Square.
35. Laid forty yards of bowldering at the Hay Scales on the East Market Square.
36. Filled the holes on East street, between Washington street and Massachusetts Avenue, with gravel.
37. Filled the holes on Alabama street, between Vermont and Walnut sts., with gravel.
38. Filled the holes on New Jersey street, between Washington street and Massachusetts Avenue, with gravel.
39. Filled the crossings on South and Tennessee streets with gravel.
40. Filled the crossings on New Jersey and New York streets with gravel.
41. Filled the crossings on Alabama and New York streets with gravel.

Money expended as follows in the different Wards of the City of Indianapolis :

Expended from Sept. 23 to Oct. 21, '67.	Expended from the middle of May to Sept. 23, '67.	Total expense from the middle of May to Oct. 21, '67.	Bal. of \$1,000 which is to be expended in each Ward during the year.	Deficit. Expended over \$1,000.
1st Ward..... \$366 90	\$413 32	\$780 22	\$219 78	
2d Ward..... 99 00	585 64	684 64	315 36	
3d Ward..... 19 e0	507 80	526 80	473 20	
4th Ward..... 24 00	528 65	552 65	447 35	
5th Ward..... 214 80	566 68	781 48	218 52	
6th Ward..... 33 00	1,103 99	1,136 99	.....	\$136 99
7th Ward..... 12 00	908 05	920 05	79 95	
8th Ward..... 42 00	299 95	341 95	658 05	
9th Ward..... 122 00	337 90	459 90	540 10	
Total..... \$932 70	\$5,251 98	\$6,184 68	\$2,952 31	\$136 99

I also have on hand to day about 18,000 feet of lumber.

Respectfully submitted,

AUGUST RICHTER, *Street Commissioner.*

Which was concurred in.

Also, the following report :

INDIANAPOLIS, Oct. 21, 1867.

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

GENTLEMEN:—I have the honor to make the following report :

I have sold sundry articles, such as brick from the old Hook and Ladder House, old lumber from bridges, and have had extra work done for Mr. English on Noble street amounting to \$98.80 cents, which I have this day turned over to the City Treasurer, and have taken his receipt for the same.

Very respectfully,

Your obedient servant,

AUGUST RICHTER, *Street Commissioner.*

Which was concurred in.



## ORDINANCES ON SECOND READING.

Mr. Cottrell called up general ordinance No. 98, entitled :

AN ORDINANCE establishing a Board of Public Improvements for the city of Indianapolis, defining its powers and duties, and regulating the construction of buildings within the city limits, and repealing conflicting ordinances.

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

## ORDINANCES ON THIRD READING.

Dr. Jameson called up special appropriation ordinance No. 60—1867, entitled :

AN ORDINANCE appropriating moneys to the Ladies' Orphan Asylum.

Which was read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Davis, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Stanton—12.

Those who voted in the negative were Councilmen Cottrell, Foster and Geisel—3.

So the ordinance passed.

Mr. Seidensticker called up general ordinance No. 98, establishing a Board of Public Improvements.

Which was read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Stanton—14.

Councilman Davis voting in the negative—1.

So the ordinance passed.

Mr. Henschen called up special ordinance No. 60—1867, entitled :

AN ORDINANCE to provide for grading and graveling Harrison street and sidewalks, between Noble street and the west line of Coe's subdivision.

Which was 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, Davis, Foster, Goddard, Henschen, Kappes, Loomis, MacArthur, Schmidt and Stanton—10.

Those who voted in the negative were Councilmen Brown, Coburn, Geisel, Jameson, and Seidensticker—5.

So the ordinance did not pass, there not being a two-thirds vote.

By consent, Mr. Brown offered the following motion :

That all pending ordinances for street improvements and for lighting streets where no mains are laid, be referred to the Board of Public Improvements, with instructions to report thereon on the first Monday in February next.

Which was adopted.

By consent, Mr. Davis offered the following motion :

That before any contractor having the contract for the improvement of any street in which there are service pipes laid, that before he or they shall begin work on said street the City Marshal shall give at least three days notice of such improvement to the Gas Company, so that said service pipes may be protected.

Which was adopted.

Mr. Cottrell presented the following petition :

INDIANAPOLIS, Oct. 21, 1867.

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

GENTLEMEN:—We, the undersigned citizens of Indianapolis, and owning property facing on Alabama street, between Maryland street and Virginia Avenue, have the honor to address your honorable body, respectfully asking that you grant no petition for the bowldering and curbing on said street, between the streets specified, unless the owner of Mause's brewery, or other parties concerned, (for whose benefit it appears that a petition is about to be granted) are willing to bear the expense of said bowldering and curbing. And thus we will ever pray, &c., &c.

William Dell,  
James Mahoney,  
Jeremiah Werren.

Which was referred to the Board of Public Improvements.

Mr. Davis presented the following petition :

INDIANAPOLIS, Oct. 21, 1867.

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

We, the undersigned, residents in the neighborhood of the Bates House on Illinois street, respectfully ask that the pump removed from in front of Talbott's building, opposite the Bates House, be immediately replaced for the benefit of residents in that vicinity and the citizens generally.

Jacob Huben, W. W. Callin,  
Frank A. Reitz, Hay & Co.,  
O. B. Stout & Bros., And 9 others.

Which was referred to the Board of Public Improvements.

Mr. Geisel offered the following motion :

That Deloss Root is not to have any more contracts for one year, unless he finish his present contract on Massachusetts Avenue in time, according to his contract.

Which was adopted.

Mr. Coburn presented the following communication :

INDIANAPOLIS, Oct. 21, 1867.

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

GENTLEMEN:—Allow me to call your early attention to a matter of importance to the city in regard to the hydrants and fire-plugs to be erected in your city. Our Company are ready and intend to commence at once the laying of water pipes, and it is highly important that the Council should determine where they should make the connections, as it will save a great expense to the city by having them made at the time the pipe is being laid.

Yours very respectfully,

R. B. CATHERWOOD,  
President Indianapolis Water Works.

In reference to which, Mr. Coburn offered the following motion :

That all questions pertaining to the kind and location of fire-plugs be referred to the Chief Fire Engineer and the Committee on Fire Department, with instructions to report as soon as practicable.

Which was adopted.

Mr. Loomis offered the following motion :

That the Street Commissioner be directed to include the within bill in his next Pay Roll on Monday next, and that the same be deducted from the appropriation due the 5th, 3d and 6th Wards, made on the 10th day of June, 1867.

Samuel Lefever, for raising and re-bowldering the gutter on west side of Illinois street, between first alley north of Washington and Louisiana streets.

649.9 yards at thirty cents per yard	- - - - -	\$194 97
Nine yards of bowlders, furnished at \$2.25 per yard,	- - - - -	20 25
108 6 yards bowldering on east end of McNabb st. at 75 cts. per yd,	- - - - -	81 45
Thirty feet of curbing at eighty-five cents per lineal foot,	- - - - -	25 50

Total,	- - - - -	\$332 17
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Respectfully,

R. M. PATTERSON, *Civil Engineer.*

Certified by the Civil Engineer on the 2e day of September, 1867.

Mr. Seidensticker offered the following amendment :

That the Committee of Accounts be instructed to include these items in the next general ordinance of appropriation,

Which was adopted.

The original motion, as amended, was then adopted.

On motion by Mr. Brown, the Council adjourned.

DANIEL MACAULEY, *Mayor*.

ATTEST:

D. M. RANDELL, *City Clerk*.