

PROCEEDINGS

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, MAY 24TH, 1869, 7½ O'CLOCK, P. M. }

The Common Council met as a Board of Equalization, pursuant to the following notice :

NOTICE TO TAX PAYERS.

Notice is hereby given that in pursuance of the provisions of section 59 of the City Charter, the Common Council, together with the City Clerk and City Assessor, will meet at the Council Chamber in said city, on Monday, May the 24th, at 7½ o'clock, P. M., as a Board of Equalization, to hear and decide all complaints, if there be any, in relation to the City Assessment for the year 1869, and equalize the same as right and justice may require.

D. M. RANSELL, *City Clerk.*

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 17th, 1869, were read and approved.

Dr. Woodburn moved that the rules be suspended, and that general ordinance No. 10—1869, providing for the appraisement of real estate in the City of Indianapolis for the purpose of taxation for the year 1869, be taken up and 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 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.

The City Clerk submitted the following from the City Assessor.

INDIANAPOLIS, May 24, 1869.

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

GENTLEMEN:—In accordance with section 24 of the City Charter, I have this day delivered to the City Clerk the return of taxable property for the year 1869, of which the following is a condensed summary—

Value of lots and parcels of land	\$8,525,529
Value of houses and other structures	6,804,185
The amount of personal property	6,010,483
Total amount of taxables	\$21,340,197

Number of polls 5,344.

Respectfully submitted,

WM. HADLEY, *City Assessor.*

Which was received, and, on motion, the Clerk proceeded to call the Wards in their order, commencing with the First Ward, that the Council might hear and decide any complaints in relation to the assessment of 1869.

There being no complaints filed,

On motion by Dr. Woodburn, a Special Committee of three was appointed to act in conjunction with the City Assessor and City Clerk

to receive and consider all complaints that may be filed in regard to the assessment for 1869.

His Honor, the Mayor, appointed as such committee Councilmen Woodburn, Thalman and Gimber.

By unanimous consent the rules were suspended and Dr. Woodburn offered the following preamble and resolutions: H'

WHEREAS, The Governor of the State has advertised for proposals for a site for a Female Prison and for a Reformatory for girls and women, in pursuance of the provisions of an act of the General Assembly authorizing the establishment of such an Institution:

AND WHEREAS, Stoughton A. Fletcher, Sr., Esq, and his wife, by their deed of conveyance, dated the 5th day of July, 1864, and recorded in Record Book No. 23, at page 134, of the Records of Deeds of Marion county, conveyed to the City of Indianapolis eighteen lots mentioned in said deed, to be held in trust for the use and erection thereon of a House of Refuge and Reform for abandoned females, both prostitutes and those given to intoxication, upon the condition that said lots should revert to the donor or his heirs should the same be devoted to a use inconsistent with that mentioned in said deed of conveyance:

AND WHEREAS, The City of Indianapolis, in pursuance of said donation of land made by said deed, erected on said lots at a cost of several thousand dollars, a foundation or basement story of a building intended to be used as and for the Reformatory Institution contemplated by said deed, but the completion of said building was several years ago abandoned by the city, and the work done is being injured by the action of the elements:

AND WHEREAS, Mr. Fletcher has proposed in writing to donate to the State as a site for the said Female Prison and Reformatory Institution contemplated by said act of the General Assembly his interest in the said lots, provided the city will donate to the State its interest in said lots and in the said foundation erected thereon for the same purpose: Therefore,

Resolved by the Common Council of the City of Indianapolis, That the Mayor of the City be, and he is hereby, authorized and empowered for and on behalf of the City, to propose to the Governor in writing to donate to the State as and for a site for the proposed Female Prison and Reformatory Institution for girls and women the said eighteen lots described as lots Nos. 49, 50, 51, 52, 53, 54, 55, 56, 57, 64, 65, 66, 67, 68, 69, 70, 71 and 72, in William Y. Wiley's subdivision of twenty-five acres off of the south end of the east half of the north-east quarter of section thirty-three (33), in township fifteen (15), range three (3) east; and that a certified copy of the foregoing preamble and this resolution shall constitute this proposition.

Resolved, That if this proposition shall be accepted by the Governor on behalf of the State, and if said lots shall be selected as the site of said Prison and Reformatory Institution, according to the provisions of the said act of the General Assembly, then and as soon as the location is made the Mayor of the city is hereby authorized, empowered and instructed for and on behalf of the City of Indianapolis, to join the said Stoughton A. Fletcher, Sr., Esq., in the execution of a deed of conveyance conveying to the State of Indiana eighteen lots and all the interest of the city in said eighteen lots and appurtenances thereunto belonging.

His Excellency, Governor Baker, being present, was requested to speak to the resolution, which he did in a few well-timed remarks.

After which the vote was taken on the resolutions which resulted as follows :

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

No Councilman voting in the negative.

So the resolution passed.

Business was then resumed in the order in which it was left off at adjournment at the last meeting of Council, viz., the consideration of the Police ordinance, which was referred at said meeting to the City Attorney, with instructions to report, which he did, as follows :

INDIANAPOLIS, May 20, 1869.

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

GENTLEMEN:—The first legal question arising upon the ordinance concerning police affairs, is as to the power of Council to impose the duties therein provided upon the City Marshal. I am of opinion that the Council have power to impose the proposed additional duties upon the Marshal, as they are properly within the scope of his official duties as the chief ministerial officer of the corporation.

The 8th subdivision of the 53d section of the Charter contains the following provision: "To establish and regulate the police force of the city, and may, in their discretion, authorize the Mayor, or a Board of Police to be selected by the Common Council, to make all appointments of officers and members of such police, and give such Mayor or Board of Police full power to remove from office any member of such police for neglect of duty or for other good cause."

The power thus conferred, and which may be exercised by a Board of Police, is very broad and comprehensive, and the power of appointing and removing policemen is vested in the Board. Such a Board have the power to remove without the formality of a trial.

The 88th section provides that officers, whether elected or appointed, may be removed by a two-thirds vote of the Council, and that "the Common Council shall make provision in their by-laws or ordinances as to the mode in which charges shall be preferred, and a hearing of the same had." The members of the police force are officers of the city, and if appointed by the Council and not by a Board of Police they cannot be removed from office until charges have been preferred and a trial had. The word "hearing," as used in the Charter's, means a judicial investigation. The Common Council have plenary power over the police affairs of the municipality, and may cause the Board of Police to enforce such regulations as will render the police force effective.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was concurred in.

Dr. Woodburn moved to reconsider the vote taken at last meeting of Council adopting the section requiring a policeman to give a \$1,000 bond for the faithful performance of his duty.

Those who voted in the affirmative were Councilmen Harrison, Kahn, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Wiles and Woodburn—11.

Those who voted in the negative were Councilmen Cottrell, Gimber, Heckman, Kennington, Shepherd and Whitsit—6.

So the motion to reconsider was adopted.

The question then being on the adoption of the section above referred to, the ayes and noes were demanded.

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Heckman, Kennington, Shepherd and Whitsit—6.

Those who voted in the negative were Councilmen Harrison, Kahn, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Wiles and Woodburn—11.

So the motion to adopt the section was lost.

The ordinance was then ordered to be engrossed.

Mr. Cottrell called up special ordinance No. 29—1869, entitled:

AN ORDINANCE to provide for grading and graveling New Jersey street and sidewalks, between McCarty street and the present southern terminus of New Jersey street.

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

Mr. Locke called up general ordinance No. 9—1869, entitled:

AN ORDINANCE for the protection of the public grounds and Parks of the City of Indianapolis.

Mr. Locke offered the following amendment to the ordinance:

Amendment to section 2: "Or who shall throw any stones or other missiles in said grounds, or at any bird or any animals that may be placed thereon by the persons having the same in charge, or in any manner injure the fence."

Which was adopted.

Also, the following:

Sec. 5. The Commissioners having in charge Military Park are authorized to employ a man to take charge of the Governor's Circle, University Square and Military Park, from the first of June to the first of November, at a salary not exceeding ten dollars per week. His duties shall be to keep the walks and drives in order, open and close the gates and perform such other duties as said Commissioners shall direct.

Which was adopted.

The ordinance was then read the second time and ordered to be engrossed.

ORDINANCES ON THIRD READING.

Dr. Woodburn called up special ordinance No. 27—1869, entitled :

B AN ORDINANCE to provide for grading and graveling Roanoke alley, between St. Clair and Pratt streets.

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

The question being on the passage of the ordinance,

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. Shepherd called up special ordinance No. 33—1869, entitled :

2 AN ORDINANCE to provide for the paving with brick the west sidewalk of Illinois street, between South street and Pogue Run.

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, 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. Cottrell called up special ordinance No. 29—1869, entitled :

n AN ORDINANCE to provide for grading and graveling New Jersey street and sidewalks from McCarty street to the present southern terminus of New Jersey street.

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, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, New-

man, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Whitsit called up special ordinance No. 24—1869, entitled :

AN ORDINANCE to provide for grading and graveling Buchanan street and sidewalks from East street to Virginia Avenue. R.

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, 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. Locke called up general ordinance No. 15—1869, entitled :

AN ORDINANCE to provide for the compensation of City officers, and officers and members of the Police Force and Fire Department for the fiscal year ending May 15, 1870. C.

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 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.

Mr. Heckman called up special ordinance No. 25—1869, entitled :

AN ORDINANCE to provide for grading and graveling Bradshaw street from Virginia Avenue to the western terminus of Bradshaw street. B.

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, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, New-

man, Pyle, Shepherd Thalman, Thoms, Weaver, Whitsit Wiles and Woodburn—17.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Whitsit called up special ordinance No. 26—1869, entitled :

AN ORDINANCE to provide for grading and graveling Cady street and sidewalks, between Bates and Harrison street.

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, 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. Gimber called up special ordinance No. 23—1869, entitled :

AN ORDINANCE to provide for grading and graveling Illinois street and sidewalks from Ray street to the Corporation line south.

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, 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.

CALL OF THE ROLL.

Mr. Cottrell offered the following resolution :

Resolved, That the Street Commissioner be, and is hereby, directed to notify all Railroad Companies, owning or controlling the track or tracks across East street, Virginia Avenue, New Jersey and Delaware streets, to properly plank the said tracks where they have not been planked, and to re-plank where it may be deemed necessary by the Street Commissioner. The same to be planked the entire width of said streets, including sidewalks, and that the said work must be completed within 60 days from this date; and if said Railroad Companies refuse or neglect to perform said work in the time given,

then the Street Commissioner shall cause the same to be done, and collect the same from said Railroad Companies.

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. Cottrell introduced special ordinance No. 34—1869, entitled :

AN ORDINANCE to provide for grading and bowldering the gutters and curbing the outside edges of the sidewalk with Flat Rock or Putnamville stone, where not already done, on Alabama street from Washington street to Virginia Avenue.

Which was read the first time.

Mr. Cottrell introduced special ordinance No. 35—1869, entitled :

AN ORDINANCE to provide for grading and bowldering, with bowlder stone, Alabama street, excluding the gutters, from Washington street to Virginia Avenue.

Which was read the first time.

Mr. Gimber presented the following petition :

INDIANAPOLIS, May 24, 1869.

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

The undersigned, citizens of the Sixth Ward, petition your honorable body to order that a bridge shall be made over the Canal on McCarty street.

Respectfully,

Chas. Schwomeyer,
Jacob Grube,
D. J. Thompson,

John Sauer,
Fred. Kissel,
And 8 others.

Which was referred to the Committee on Bridges.

Mr. Gimber offered the following motion :

That the Street Commissioner be directed to fill up the holes on McCarty street, between Delaware street and Madison Avenue, and also to fill up the cross gutters on Union and McCarty streets.

Which was adopted.

Mr. Heckman presented the following petition :

INDIANAPOLIS, May 24, 1869

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

GENTLEMEN:—We, the undersigned property owners on Forest Avenue, would respectfully ask your honorable body to pass an ordinance for the grading and graveling of the above named street.

Patrick Lynch,	Wm. John Wallace,
W. H. Howe,	J. Wittlinger,
Adrien Bourg,	C. & S. A. Fletcher, Jr.
Mathew McCabe,	

Which was referred to the Committee on Streets and Alleys.

Mr. Heckman presented the following petition :

INDIANAPOLIS, May 24, 1869.

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

The undersigned, property holders on East Louisiana street, ask your honorable body to pass the necessary ordinances to compel the Indianapolis and Cincinnati Railroad Company to grade and gravel Louisiana street, between East and Noble streets, on the north side of their track, according to contract with said city, as it is now impassable and has been for several years.

W. A. Cuykendall,	James Murphy,
James B. Hann,	P. Faley,
John Blettner,	And 5 others.

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

Mr. Kennington introduced special ordinance No. 36—1869, entitled :

AN ORDINANCE to provide for grading and graveling Chestnut street and west sidewalk from Ray to Morris streets.

Which was read the first time.

Mr. Kennington offered the following motion :

That the Treasurer be directed to report to this Common Council answers to the following questions :

What amount of cash is now in the Treasury ?

Is it or any part of it in the hands of the Treasurer for his personal use, or is it all deposited in Banks ?

If deposited in Banks, which ones and in what amounts ?

Is interest being paid on these deposits and at what rates ?

What is the total indebtedness of the city ?

State amount in bonds and orders, when are they due and what rate of interest is paid on them ?

Is there any indebtedness except bonds or orders, and if so what is the amount, and is their interest being paid, and at what rate ?

To whom were the bonds and orders given, and who were the holders of them May 1, 1869 ?

Which was referred to the City Treasurer.

Mr. Kahn offered the following motion :

That the Watchman on the Tower be instructed to strike the hours of the day and night instead of half past eight o'clock, A. M., and twelve o'clock, noon.

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

Mr. Locke presented the following petition :

INDIANAPOLIS, May 17, 1869.

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

The undersigned petitioners, property holders on Indiana Avenue, respectfully pray that the sidewalk from the crossing of West street to St. Clair st., on the north side of said Avenue, be laid with a brick pavement of eight (8) feet in width, and that the crossings over the streets and alleys along that portion of the Avenue be graded and graveled; also, to have a three inch oak curb laid the entire length of the walks

Edward Gilbert,
T. V. Kimble,
C. J. Shawver,

C. H. Lintner,
Benjamin Ran,
And 10 others.

Which was referred to the Committee on Streets and Alleys, with instructions to report an ordinance.

Mr. Locke offered the following motion :

That within three days after each meeting of this Common Council, the City Clerk shall be required to furnish to the Chairman of each Standing Committee (through the Post Office) a synopsis of all matters referred to said Committee by the Common Council at its last meeting.

Which was adopted.

Mr. Shepherd offered the following motion :

That the Street Commissioner be directed to notify Messrs. Lieber & Co. that if they do not place the tile drains in the gutters of Pennsylvania street between their Brewery and Pogue Run within forty days from the 25th day of May, that the same will be laid by authority of the Council, and the expense thereof collected of said Lieber & Co.

Which was adopted.

Mr. Shepherd presented the following communication :

INDIANAPOLIS, May 14, 1869.

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

GENTLEMEN:—The undersigned, Committee of the Butcher's Association of the City of Indianapolis are authorized and have the honor to state to your honorable body the following :

Section 18 of the City ordinance regulating the Markets within this city, passed November 30, 1863, provides that the rents of the stalls inside the Market House amount for each \$25, and makes provision for the amount of rent for outside benches, on the south side, at \$6 each, and for those on the north side at \$7 per annum.

It is a well known fact that there are many butchers and other citizens in this city, selling meat and other articles pertaining to this branch of business without having rent, and paid for any stall or bench, or which pay for an outside bench, or of those lower rents, provided by said ordinance, and which do a great amount more business than those butchers occupying and paying for stalls inside the Market House, thereby avoiding and evading the payment of \$25 for a stall inside the Market House to the detriment of the city treasury and the members of the Butcher's Association.

We, the undersigned, respectfully suggest to your honorable body to introduce and enact an amendment to the above ordinance to this effect, that it shall be unlawful for any person to expose and sell meat and other articles pertaining to this branch of the butcher business on any stall, bench or other place outside of the Market House during market hours, except the sale of meat by not less than a quarter.

The members of the Butcher's Association pray your honorable body to enact and enforce said amendment at a most convenient and early day to the benefit of the city treasury; in case the proper legislation for this purpose should fail to reach this point, and to relieve them from said annoyance, then they are determined to quit renting stalls inside the Market House, and will sell on benches outside the Market House, thereby getting the advantage of a cheaper rent and attracting more customers.

The undersigned committee respectfully submits this petition to your honorable body for proper consideration and further action.

Very respectfully,

N. & G. Yorger,
H. Kramer,
Louis Kaufmann,

Fred. Hexgt,
Peter Spitzfaden,
And 22 others.

Which was referred to the Committee on Markets, with instructions to report at the next meeting of Council.

Mr. Newman presented the following petition :

INDIANAPOLIS, May 24, 1869.

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

The undersigned asks permission of your honorable body to pave with brick (under the direction of the City Engineer) the sidewalk on the south side of North street opposite his lot on the corner of North and Delaware streets, extending from the corner west 195 feet. DAVID MACY.

Which was granted.

S' By consent, Mr. Newman made some remarks in reference to the expiration of the term of office of Street Commissioner—Richter—stating that it was his opinion that his time expired at the time of the election, qualification, and approval of the bond of his successor, and, on his motion, the official bond of Augustus Bruner, reported by the Clerk at the last meeting, was taken up and approved, and the new Street Commissioner instructed to take possession of his office.

Mr. Thalman presented the following communication :

INDIANAPOLIS, May 24, 1869.

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

The subscriber would respectfully petition as follows: Having been granted a building permit allowing us to build a dry kiln on our premises on Ells-

worth street, and there having been a remonstrance presented to the Council of sundry parties, against the building of said kiln, we would therefore make the following statement:

In order to carry on our business successfully we require a kiln in which to dry lumber, which kiln we propose to place in the center of a 75 feet lot, and the building being but 16 feet wide we shall not come in close proximity to any building whatever. It will be built by Mr. E. J. Sumner's patent method, of which there is now not less than six in operation in this city. Messrs. McKendry & Lovecraft have a kiln built by this patent, and we propose with their consent and Mr. Sumner's to try said kiln at any time desired; the Council to select firemen who shall fire up the kiln with any wood they choose, putting shavings where the lumber to dry will be placed, thus giving a fair trial. If the building is proved likely to take fire from such use, if allowed to put up the kiln we will not use the building for that purpose, but if the kiln stands the test then we respectfully request the Council to allow us to build and use our kiln for the purpose desired.

If this does not meet the views of the Council, we would propose that we be allowed to build the kiln and on its completion have it tried as before mentioned, and if the building does not stand the test we pledge ourselves not to use it for the purpose proposed, as we should thereby risk the destruction of a large quantity of valuable lumber which will be placed in and around the kiln.

Awaiting the decision of the Council, we remain, gentlemen,

Yours with respect,

CHARLES HELWIG & CO.

By request, the Chief Fire Engineer made the following report:

INDIANAPOLIS, May 24, 1869.

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

GENTLEMEN:—The remonstrance of John Jordan, James Ryan and others, in reference to dry kilns, having been referred to me, I would herewith most respectfully report, that in my opinion all dry kilns are, more or less, dangerous from catching fire, and that the lot on which the kiln referred to in the above named remonstrance is surrounded on each side of said lot, by one story dwelling houses, closely built together, and in the rear by a large stable. Besides the dry kiln, the lot will be used for a lumber yard, and is 75 feet wide by 118 deep. The kiln is to be 18 feet wide, running the whole depth of the lot, and about 8 feet high, and of the latest improved style—Sumner's patent. It is claimed by its patentee, and also other persons that have them now in use, that they cannot catch fire from their own furnace or heating apparatus, provided that the instructions of the patentee are carried out. I would call your attention to sections 8 and 9 of an ordinance concerning the prevention of fires, passed Nov. 30, 1863, on page 149 of the Revised Ordinances, concerning this matter.

All of which is respectfully submitted,

CHAS. RICHMANN, *Chief Fire Engineer.*

Which was concurred in.

The question then being on granting the prayer of the petition of Helwig & Co., the ayes and noes were demanded.

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

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

So the prayer of the petitioners was granted.

Mr. Thoms offered the following motions :

That the Street Commissioner be instructed to properly repair Liberty st., between Washington and Ohio streets soon as possible.

That the Street Commissioner be authorized to clean out the gutter on East and Market streets, the same being absolutely necessary.

That the Street Commissioner be instructed to fill with good gravel that part of the alley crossing the sidewalk on the south side of Market street, between East and New Jersey streets.

Which were adopted.

Mr. Wiles introduced special ordinance No. 37—1869, entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures on St. Mary's street, between Delaware and Alabama streets.

Which was read the first time.

Mr. Wiles offered the following motion :

That the City Marshal be authorized and is hereby instructed to place or fix in a convenient place or places nails, hooks or pins, on which members may hang their hats, caps or coats, as necessity may require.

Which was adopted.

Mr. Whitsit offered the following motion :

That Mr. H. Snyder be allowed to pave with brick the sidewalk in front of his house on lot No. 1, in out-lot 93, and that the Civil Engineer be directed to set the grade stakes for the same.

Which was adopted.

Mr. Weaver offered the following motions :

That the Street Commissioner be instructed to make a gravel walk across Meridian street on the north side of New York street with good river gravel.

That Mr. Meikel be permitted to repair the sidewalk in front of his property corner of Ohio and Mississippi streets.

Which were adopted.

Dr. Woodburn introduced special appropriation ordinance No. 18—1869, entitled :

AN ORDINANCE appropriating money for the payment of sundry claims on account of the City Hospital for the month of April, 1869.

Which was read the first time.

Dr. Woodburn moved that the rules be suspended and that the ordinance be read the second and third times and passed.

The question being on a suspension of the rules,

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

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

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 Cottrell, Gimber, 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.

His Honor, the Mayor, offered the following motion :

That the Committee on Public Buildings be instructed to authorize the proper cleansing and whitewashing of the City Court Room; also, the furnishing of its floor with new matting, if deemed necessary by the committee.

Which was adopted.

His Honor, the Mayor, introduced general ordinance No. 18—1869, entitled :

AN ORDINANCE to prevent loitering on sidewalks, street corners, or near the mouth of alleys in the City of Indianapolis.

Which was read the first time.

Also, general ordinance No. 19—1869, entitled :

AN ORDINANCE to prevent the running at large of certain animals within the limits of the City of Indianapolis during certain hours.

Which was read the first time.

His Honor, the Mayor, presented the following report from the Chief of Police :

OFFICE OF CHIEF OF POLICE, }
Indianapolis, May 24, 1869. }

To the Board of Police, Mayor and Common Council of the City of Indianapolis:

I herewith present my annual report for the year ending May 24, 1869, which, by a careful perusal, shows your police force to be in a healthy, efficient condition, having made during the year one thousand four hundred and sixty-eight (1,468) arrests for violations of National, State and Municipal laws, besides one hundred and eighty-five (185) for minor offences:

Arrests made for grand larceny-----	150
For robbery-----	25
For petit larceny-----	30
For drunk and disorderly-----	641
For assault and battery with intent to commit murder-----	12
For assault and battery-----	150
For confidence game-----	25
For provoking assault and battery-----	10
For disturbing the peace-----	62
For profanity-----	16
For keeping houses of ill-fame-----	5
For visiting houses of ill-fame-----	24
For occupying houses of ill-fame-----	14
For public indecency-----	13
For committing murder-----	6
For prostitution-----	5
For associating with prostitutes-----	8
For driving on improved sidewalks-----	5
For exhibiting shows without license-----	4
For peddling without license-----	9
For desecrating the Sabbath-----	6
For obstructing sidewalks-----	6
For hitching to shade tree-----	1
For hitching to lamp-posts-----	3
For fast riding and driving-----	11
For violating railroad ordinance-----	6
For violating fire ordinance-----	2
For violating dog ordinance-----	2
For committing nuisance-----	5
For carrying concealed weapons-----	32
For passing counterfeit money-----	4
For leaving cellar door open-----	1
For removing earth from the street-----	1
For shooting in the street-----	3
For vagrancy-----	17
For malicious trespass-----	9
For obtaining money under false pretences-----	3
For burglary-----	17
For gambling-----	39
For concealing stolen goods-----	4
For highway robbery-----	5
For committing an abortion-----	1
For committing riot-----	9
For assault and battery with intent to commit rape-----	1
For disturbing religious meeting-----	5
For obtaining goods under false pretences-----	2
For disturbing public schools-----	5
For contempt of Court-----	5
For committing rape-----	2
For cruelty to animals-----	1

For selling unwholesome meat.....	2
For carrying burglarious tools.....	2
For personating officer without authority.....	2
For arson.....	1
Total.....	1,429

The following number have been convicted of the various crimes named :

For grand larceny 40 have been convicted and sent to the Penitentiary from 1 to 6 years.

For highway robbery and burglary 32 have been convicted and sent to the Penitentiary from 2 to 5 years.

For murder three have been convicted and sent to the Penitentiary from 6 years to during life.

For petit larcenies, assault and batteries with intent to kill, 53 have been convicted from 5 days to 6 months.

Obtaining money under false pretences and receiving stolen goods, 10 have been convicted from 2 to 3 years.

For forgery and arson 5 have been convicted from 2 to 4 years.

The two celebrated confidence men, Harvey and Buz, from New York, who swindled Mr. Briggs out of six hundred and twenty dollars, were arrested by officers Duvall and Boardman, gave bail in one thousand dollars each, and left their bail; \$510 recovered and returned to the owner.

The force at present, as instituted by the Board of Police, appears, by the pay roll, to consist of the following named officers and men.

Chief of Police—Thos. S Wilson.

Lieut. of Police—Henry Paul

“ “ —George Taffe.

First Ward—Day Police, George W. Bennett. Night, Thomas Horniday and Robert Barbee.

Second Ward—Day Police, James N. Stevens. Night, Andrew G. Wells and Jacob Busier.

Third Ward—Day Police, Hannibal Taffe. Night, John Cahill and Allen Thornbrough.

Fourth Ward—Day Police, William Boland. Night, William Brennemer and George Busier.

Fifth Ward—Day Police, Samuel Busier. Night, Frederick Sheigart and William Wood (extra).

Sixth Ward—Day Police, J. P. Duvall. Night, Hiram Minnick and Omer R. Boardman.

Seventh Ward—Day Police, William Williams. Night, Hubbard Adams and Francis Otwell.

Eighth Ward—Day Police, L. M. Russell. Night, Abraham H. Catterson and Augustus Reick.

Ninth Ward—Day Police, Jesse T. Murphy. Night, George Thomas and Paulin Lendormi.

The following named officers have resigned : John L. Brown, Fifth Ward ; Augustus Reick, Eighth Ward ; Paulin Lendormi, Ninth Ward. Two have been dismissed from the force.

In conclusion, I would recommend to his Honor the Mayor, and Common Council the uniform system for consideration. I would also recommend, for your consideration, an increase of the officer's salary. At the present salary it is almost impossible for an officer to support his family and uniform himself properly. I would also recommend the districting the day force, running six policemen with uniforms and three without. In all cities where the force is uniformed, they run from one to twenty-five specials, according to the size of the city. In Cincinnati they have a force of over three hundred uniformed men and twenty-five specials. In Dayton, Ohio, they have ten

uniformed men and four specials. And in all other cities where there is a uniformed force.

All of which is respectfully submitted.

THOMAS S. WILSON, *Chief of Police.*

Which was received.

His Honor, the Mayor, presented the following invitation :

INDIANAPOLIS, May 24, 1869.

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

GENTLEMEN:—I am directed by the ladies and gentlemen of the Committee of Arrangements for the annual decoration of our soldiers' graves at Crown Hill Cemetery, on Saturday, the 29th inst., to tender your honorable body an invitation, and earnestly request your presence and participation in paying honors to the memory of those who sacrificed their lives that our country might live.

Experience of last year with the Street Railway has satisfied the Committee that they will be unable to furnish sufficient transportation, and it is requested that all organizations provide their own transportation, if possible.

A programme of arrangements, and all other information desired, will be furnished to you upon application to Colonel Samuel Merrill or Captain C. W. Brouse, on and after Wednesday, the 26th inst.

Very respectfully,

WM. M. WILES, for the Committee.

Which was accepted.

Mr. Locke moved that the Council proceed to the election of a Board of Police.

Which was adopted.

Mr. Cottrell moved that the person receiving the highest number of votes be declared chairman of the Board.

Which motion was adopted.

Mr. Locke then nominated Messrs. J. H. Woodburn, William D. Wiles and John Marsee.

His Honor appointed Councilmen Cottrell and Harrison as tellers.

Whole number of votes cast 17. Necessary to a choice 9.

J. H. Woodburn received.....	11	votes.
Wm. D. Wiles received.....	12	“
John Marsee received.....	15	“
Thomas Cottrell received.....	1	“
Blank.....	1	“

Messrs. Woodburn, Wiles and Marsee each having received a majority of all the votes cast, were duly elected as the Board of Police for one year, and until their successors are elected and qualified.

John Marsee having received the largest number of votes, as per Mr. Cottrell's motion, is constituted the Chairman of said Board.

Mr. Newman offered the following motion :

That we now go into the election of City Gas Inspector.

Which was adopted.

George H. Fleming was then put in nomination.

Whole number of votes cast 17. Necessary to a choice 9.

George H. Fleming received.....	12	votes.
Blank	5	“

Mr. Geo. H. Fleming having received a majority of all the votes cast was declared duly elected City Gas Inspector for the term of one year, and until his successor shall be elected and qualified.

By consent, Dr. Woodburn called up general ordinance No. 14—1869, entitled :

AN ORDINANCE re-organizing the Police Force of the City of Indianapolis, regulating and governing the same, and repealing all ordinances in conflict therewith.

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, 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.

Sealed proposals for the removal of dead animals from the city limits were opened and read, and referred to the Mayor, City Clerk and City Treasurer.

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

INDIANAPOLIS, May 24, 1869.

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

GENTLEMEN:—The Committee on streets and alleys, to whom was referred the bids, would report :

1st. That Richard Carr is the lowest bidder for grading and graveling Meridian street and sidewalks, between McCarty and Ray streets, his bid being \$1.08 per foot on each side of the street.

2nd. That Daniel Mahoney is the lowest bidder for grading and graveling Washington street and the south sidewalk, between the western arm of the canal and White river, his bid being \$1.00 per foot on the south side, and 77 cents per foot on the north side.

3rd. That Feary and Dillon are the lowest bidders for grading and paving the north sidewalk of North street, between Delaware and Pennsylvania streets, their bid being 64 cents per foot.

4th. That James Mahoney is the lowest bidder for grading and graveling Blackford street and sidewalks, between New York and North streets, his bid being 73 cents per foot.

5th. That Feary and Dillon are the lowest bidders for grading and paving the east sidewalk on Meridian street, between Pratt and St. Joseph streets, their bid being 60 cents per foot.

6th. That Hiram Seibert is the lowest bidder for grading and graveling the west sidewalk on Alabama street, between the south side of Duncan and the south side of South street, his bid being 21 cents per foot on each side.

7th. That John Schier is the lowest bidder for grading and graveling St. Clair street and sidewalks, between Missouri and Tennessee streets, his bid being 53½ cents per foot on each side.

8th. That Samuel Lefever is the lowest bidder for grading and paving the east sidewalk on Delaware street, between Fort Wayne avenue and St. Clair street, his bid being 63 cents per foot.

9th. That Samuel Lefever is the lowest bidder for grading, paving and curbing the west sidewalk on Alabama street, between Ohio and New York streets, his bid being for grading and paving 67 cts. per foot, and for curbing 73 cts. per ft.

10th. That D. Root & Co., are the only bidders for erecting lamp posts, lamps and fixtures, on the following streets, to-wit: on New Jersey street, between South and Merrill streets; Michigan street, between Alabama and New Jersey streets; Alabama street, between Virginia avenue and McCarty street; Alabama street, between North and St. Joseph streets; Maryland street, between Meridian and Alabama streets, their bid being for the corner posts \$39 00, for the intermediate posts \$37.00.

We recommend that the contract be awarded said above named parties.

Respectfully,

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

Which was concurred in, and the contracts awarded, except the 8th section—the following remonstrance being filed:

INDIANAPOLIS, May 24, 1869.

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

GENTLEMEN:—The undersigned, residents and property owners on North Delaware street, east side, between Fort Wayne Avenue and St. Clair street, do respectfully protest against the proposed paving with brick of said east side of Delaware street between Fort Wayne Avenue and St. Clair street, for the following, among other reasons: There is already a good gravel walk on said square. North of St. Clair street, on said east side, for at least one square, there are no improvements of any kind. The west side of said Delaware street is paved or being paved throughout, which will afford ample sidewalk conveniences for all north of St. Clair street, and the break of the unimproved square immediately north of St. Clair street, on the east side, does away with the necessity of paving the square immediately south for public benefit. Moreover, one of your protestants is owner of nearly half of said square, and the burden of paying for said improvement at this time would fall very heavily upon her.

We do, therefore, most respectfully protest to your honorable body against any contract being made for said improvement, and respectfully request that proper action to that end be had by you.

ELIZABETH W. MILLER,
L. D. WATERMAN.

On motion, the remonstrance and the paragraph to which it refers were referred back to the Committee on Streets and Alleys.

Also, the 10th section in regard to lamp-posts was stricken out, and the City Clerk directed to re-advertise for proposals in one paper in this city and one in Cincinnati.

By consent, the City Clerk made the following report :

INDIANAPOLIS, May 24, 1869.

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

The City Clerk respectfully reports to the Council ;

1st. Contract and bond of Hiram Seibert for grading and graveling the west sidewalk on Alabama street, between the south side of Duncan and the south side of South streets.

2d. First and final estimate allowed Charles Rooney for grading and paving with brick the west sidewalk on Delaware street, between St. Clair and Pratt sts.

Respectfully submitted,

D. M. RANSELL, *City Clerk.*

Which was concurred in, and the contract and bond approved.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Charles Rooney for grading and paving the west sidewalk on Delaware street, between St. Clair and Pratt 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.

On motion the Council adjourned.

Daniel Macauley
DANIEL MACAULEY, *Mayor.*

ATTEST:

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