

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, AUGUST 9TH, 1869, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

Present—Hon. John S. Newman in the chair, and the following members :

Councilmen Brown, Cottrell, Gimber, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Absent—Councilmen Harrison—1.

The proceedings of the regular session held August 2, 1869, were read and approved.

REPORTS FROM COMMITTEES.

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

INDIANAPOLIS, Aug. 9, 1869.

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

GENTLEMEN:—The Committee on Contracts, to whom was referred sundry proposals for various street improvements, have examined the same, and find the persons hereafter named to be the lowest bidders, and recommend that contracts be awarded as follows, to-wit :

1. For grading and graveling the alley running from Delaware street west

to Pennsylvania street, through Danforth & Knox's subdivision of the south part of out-lot 173, to Daniel Mahoney, at 17 cents per lineal foot front on each side of the line improved.

2. For grading and graveling Alabama street, exclusive of sidewalks, from Washington street to Pogue Run, to James Mahoney, at 80 cents per lineal foot front on each side of the line improved.

3. For graveling the east sidewalk on Alabama street from Merrill to South street, to August Richter, at 24 cents per lineal foot front on the line improved.

4. For graveling the south sidewalk on Louisiana street, between Virginia Avenue and East street, to August Richter, at 24 cents per lineal foot front on the line improved.

5. For the construction of a stone culvert two and one-half feet deep, and two feet wide, to be curbed with flagging of stone, on the west side of Delaware street at the intersection of the Central and Union Railway tracks, we would recommend that the same be re-advertised, as both parties bidding made mistakes in their bids.

6. We would also report that we have contracted with William Regenour to act as Janitor for Police Court, Council Chamber, City Offices and Police Room, at \$1.50 per day, and ask your honorable body to confirm our action.

Respectfully submitted,

W. D. WILES, }
HENRY GIMBER, } Committee.

On motion, the 1st, 3d, 4th and 5th paragraphs were concurred in. The 2d paragraph was stricken out. In reference to the 6th paragraph the following report, from the Committee on Public Buildings, was called for :

INDIANAPOLIS, Aug. 9, 1869.

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

GENTLEMEN :—The Building Committee, to whom was referred the question of employing a Janitor for the Council Chamber, Police Court Room, and the City Offices, would respectfully recommend that a competent person be employed for that purpose at the lowest cash price by Committee on Contracts.

WM. W. WEAVER, }
HENRY GIMBER, } Committee.
JOHN PYLE, }

On motion, the subject of procuring a Janitor for the City Building was postponed for one week.

Mr. Newman, from the Committee on Judiciary, made the following report :

INDIANAPOLIS, July 26, 1869

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

The Judiciary Committee, to whom was referred general ordinance No. 41, "compelling the cutting down and eradication of thistles," report that, in the opinion of the committee, such an ordinance would be inexpedient, and if passed would be inoperative and a dead letter. They, therefore, recommend that the ordinance be laid on the table.

JOHN S. NEWMAN, }
AUSTIN H. BROWN, } Committee.

Which was concurred in.

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

INDIANAPOLIS, Aug. 9, 1869.

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

GENTLEMEN:—The Committee on Streets and Alleys respectfully report to your honorable body :

1. A petition was referred to your committee, signed by F. A. Lehr, A. E. Pattison, Jonathan L. Gordon and others, owners of real estate in out-lot 178, from St. Clair to Gregg streets, on New Jersey street, in the City of Indianapolis, stating that John W. Brown, Andrew Turner, Geo. Wilson, and Wm. C. Ewing have, within 18 months last passed, removed their fences out upon the sidewalk, on the east side of said street, so as to enclose 5 feet of the said sidewalk, claiming that they are the owners of the said ground so enclosed, whether they are or not we can't say but believing that the street and sidewalks in the city should be of a uniform width, and in view of that fact we would recommend that the same be referred to the City Commissioners. and that the City Clerk give the required notice to the Commissioners and the property holders interested as required by section 62 of the City Charter.

2. A petition was also referred to your committee, signed by James M. Deenan, owner of lot 67, and Lusetta Hornberger, owner of lot 66. in out-lot 181, in the City of Indianapolis, asking to have Vine street from Jackson street to the first alley west of Vine street vacated, the same being a strip of ground about 60 feet in length and about 40 feet in width, which you can see by referring to the accompanying plat; the portion asked to be vacated is the portion marked across with blue ink. We would recommend that the said portion of Vine street be vacated.

3. A petition was also referred to your committee from Lusetta Hornberger for the opening of Gregg street from the first alley east of East street through the south part of lot No. 66. in out lot No. 181, to Jackson street; we would recommend that the prayer of the petitioner be granted, and that the Clerk be directed to give the requisite notice as required by section 62 of the City Charter. The portion of said street to be opened can be seen by referring to the accompanying plat, which is marked in black.

4. The first and final estimate reported to the Council in favor of Hiram Seibert for grading and graveling Sinker street and sidewalks, between New Jersey and Alabama streets, was withheld from him by the Council at a previous meeting, and the committee to examine the work and report whether he has finished his job according to contract. We find that he has, and recommend that his estimate be approved, and recommend the adoption of the following resolution.

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

Resolved. That the foregoing first and final estimate allowed Hiram Seibert for grading and graveling Sinker street and sidewalks, between New Jersey and Alabama 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 first paragraph was concurred. Action on the second paragraph was postponed. The third paragraph was concurred in, and the fourth paragraph and the resolution was referred to the Civil Engineer along with the following remonstrance :

INDIANAPOLIS, Aug. 9, 1869.

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

(5) GENTLEMEN:—The undersigned, owner of about 240 feet on Sinker street, respectfully represent to your honors that he protests against the acceptance by your honors of the Civil Engineer's estimate for the improvement of Sinker street for the reasons following:

1st. The grade of the street does not correspond with the profile of said street as established at the time of letting the contract.

2d. The street has not been graded and graveled the full width of said street, that is to say, 35 feet.

3d. The gravel in depth is not equal to the requirements of the contract.

4th. The gravel is not all screened as required by the contract.

Trusting your honors will give this matter your attention, and relieve me of the expense of paying for an incomplete improvement, although the same has been accepted by the Civil Engineer.

E. T. SINKER.

Mr. Locke, from the Committee on Bridges, offered the following motion:

That the Street Commissioner be directed to examine the various bridges crossing the Canal and Pogue Run and repair such as may be found defective, provided the cost of repairing each bridge shall not exceed fifty dollars.

Which was adopted.

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

INDIANAPOLIS, Aug. 9, 1869.

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

GENTLEMEN:—The Committee on Fire Department, to whom was referred sundry proposals for building cisterns at certain localities, find that John A. Whitsit is the best bidder, and would recommend that he be awarded the contract for all of them, his bid being 64 cents per barrel.

Respectfully submitted,

JOHN L. MARSEE,
AUSTIN H. BROWN, } Committee.
ISAAC THALMAN,

Which was concurred in, and the contract awarded.

On motion by Mr. Wiles, the Special Committee appointed at a former meeting to visit Peoria and witness a trial of the Holly System of Water Works, were instructed to visit the above named place for the purpose stated, together with the Committee on Sewerage and citizens choosing to go.

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

INDIANAPOLIS, August 9, 1869.

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

a' GENTLEMEN:—The Committee on Streets and Alleys, to whom was referred the petition of A Mayo and others, asking the vacation of an alley on Bright

street, between New York and Vermont streets, recommend that the prayer of the petitioner be granted, he having complied with the law governing the necessary notice, &c.

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

ORDER OF VACATION.

Come now the petitioners and file proof of the publication in the Saturday Evening Mirror, a newspaper of general circulation, printed and published in the City of Indianapolis, of the requisite notice of the pendency of the petition for 20 days prior to the 9th day of August, 1869, which is in the following words and figures, to-wit:

STATE OF INDIANA, }
MARION COUNTY, } ss:

Personally appeared before the undersigned George C. Harding, publisher of the Saturday Evening Mirror, a public Weekly newspaper of general circulation, printed and published in Indianapolis, in the county aforesaid, who, being duly sworn, upon his oath saith that the notice, of which the attached is a true copy, was duly published in said paper for three weeks successively, the first of which publication was on the 17th day of July, 1869, and the last on the 31st day of July, 1869. GEO. C. HARDING.

Notice is hereby given that there is now pending before the Common Council of the City of Indianapolis, and upon which action will be taken at its regular meeting on Monday evening, the 9th day of August, 1869, a petition for the vacation of the alley running east and west between lots Nos. forty-six (46) and forty-seven (47), in Maguire's subdivision of out-lot number one hundred and fifty-one (151), and that the same will be acted upon in due course of law. ALVIN D. MAY.

Subscribed and sworn to before me this 4th day of August, 1869. ALVIN D. MAY, Not. Public.

STATE OF INDIANA, }
MARION COUNTY, } ss:

Personally appeared before the undersigned, David B. May, who, being duly sworn, upon his oath saith that the notice, of which the attached is a true copy, was duly posted by him in three conspicuous places in the vicinity of the property described in said notice on the 20th day of July, 1869. DAVID B. MAY.

Notice is hereby given that there is now pending before the Common Council of the City of Indianapolis, and upon which action will be taken at its regular meeting on Monday evening, the 9th day of August, 1869, a petition for the vacation of the alley running east and west between lots Nos. forty-six (46) and forty-seven (47), in Maguire's subdivision of out-lot number one hundred and fifty-one (151), and that the same will be acted upon in due course of law. ALVIN D. MAY.

Subscribed and sworn to before me, this 4th day of August, 1869. ALVIN D. MAY, Not. Public.

And there being no remonstrance or objection, of which the Common Council has any knowledge, to the vacation of the alley mentioned in said petition, and the Common Council of the City of Indianapolis being fully advised in the premises, do hereby adopt the report of the Committee, and direct that the said alley as described in the said petition be vacated.

On motion, the report was concurred in and the vacation ordered.

Mr. Locke presented the following from the School Trustees :

OFFICE OF TRUSTEES OF PUBLIC SCHOOLS, }
Indianapolis, July 1, 1869. }

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

The undersigned, Trustees of the Public Schools, have to report (as per your resolution of instruction passed April 5, 1869) the following receipts and expenditures to this date, viz :

April 8, '69.	Received from old Board on acc't of Tuition Fund.....	\$13,734 44
June 16, "	Received from Marion County Treasurer on account of Tuition Revenue.....	19,687 65
	Total	\$33,422 09
April 10, '69.	Paid Teachers 80 per cent. roll one month	\$3,769 50
May 8, "	Paid Teachers 80 per cent. roll one month	3,651 32
June 5, "	Paid Teachers 80 per cent. roll one month.....	3,737 00
" 18, "	Paid Teachers roll balance in full for the year.....	11,458 58
July 1, "	Balance on hand	10,805 69
	Total	\$33,422 09
June 29, '69.	Received from Marion County Treasurer on account of Special School Revenue.....	\$20,000 00
April 10, "	Paid G. F. McGinnis, Trustees qualification	\$5 00
" " "	C. Welkening, drayage	5 00
" " "	W. A. Bell, cleaning High School	15 00
" " "	A. Miller, repairs to buildings and furniture.....	75 00
" " "	Janitors' roll for one month	241 50
" " "	Clerk and Messenger	43 10
" " "	J. & W. C. Burk, fuel.....	849 87
May 8, "	A. C. Shortridge, Sup't, salary one month	166 00
" " "	M. Cole, Clerk, one month	25 00
" " "	Janitors' roll one month	161 00
" " "	Miller, carpenter work and materials.....	172 84
" 12 "	Wm. Moore, wood fuel	5 50
" 20 "	J. B. Sheaply, shade trees	40 00
" " "	A. Derby, wells in Ninth Ward	37 75
" 26 "	R. A. Derbin, repairing pump.....	30
" 29 "	Thomas Conner, street improvement	6 50
June 5, "	W. J. Britton, repairing buildings.....	4 50
" " "	Janitors' roll	161 00
" " "	A. C. Shortridge, Sup't, salary one month.....	166 00
" " "	M. Cole, Sup't's Clerk, salary one month	25 00
" " "	A. Miller, material and repairs	89 15
" " "	A. Wallace, shade trees	12 00
" 18 "	Snyder & Hays, insurance	32 50
" " "	W. A. Bell, Chemical Apparatus	14 17
" " "	S. Yandes, material and repairs	8 73
" " "	Indianapolis Gas Co., gas light	22 08
" " "	M. S. Perrott, repairs of clocks	3 75
" " "	H. A. Davis, cleaning after election	75
" " "	Janitors' roll to date	85 50
" " "	M. E. Cole, Sup't's Clerk, salary for half a month.....	12 50
" 19 "	P. Deitz, wood fuel	5 00
July 1, "	Balance on hand	17,508 01
	Total	\$20,000 00

Respectfully,

W. H. L. NOBLE, }
J. C. YOHN, } Trustees.
JOHN R. ELDER, }

Which was concurred in.

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

INDIANAPOLIS, Aug. 3, 1869.

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

GENTLEMEN:—The Committee on Gas Light, to whom the matter was referred, with power, would report that they have accepted the bid of Mr. Conrad Neab for taking down, removing, perfecting, and re-erecting the discontinued public gas lamps, said bid being \$31.50 for corner lamps and \$30 for intermediate lamps.

Mr. Neab's bond will be reported this evening by the City Clerk, and we would respectfully urge its acceptance by the Council.

This contract contemplates the use of the "Miner Patent Street Lamp," adopted by the Council at its last regular meeting. The corner lamps are furnished with four ground glass slides, upon which are to be painted the names of the intersecting streets.

Your Committee would ask that the accompanying ordinance be passed, so that the contractor may be furnished with the necessary materials for completing the lamps.

W. D. WILES,
ROBT. KENNINGTON, } *Committee.*
LEON KAHN,

Which was concurred in.

Dr. Woodburn, from a Special Committee, made the following report:

INDIANAPOLIS, Aug. 9, 1869.

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

GENTLEMEN:—The Special Committee, to whom was referred the majority and minority reports of the Committee on Printing and Stationery, and the bills of Douglass & Conner and the Guttenburg Co., have had them severally under consideration, and would now report.

We find that the account of Douglass & Conner is for the following work:

Council Proceedings, - - - - -	\$130 00
Tax Duplicates, - - - - -	162 00
Other Blank Books, - - - - -	29 00
Advertising, - - - - -	148 89
Posters, - - - - -	22 50
Blanks, - - - - -	116 75
Pamphlet Printing, - - - - -	23 00
Total, - - - - -	<u>\$632 14</u>

Your Committee gave every item of this bill a careful and thorough examination, in which we had the valuable assistance of Mr. C. E. Brigham, Foreman of W. & J. Braden. We only find an overcharge of \$2.75 in advertising, and of \$8.00 in blanks, making a total of \$10.75.

Douglass & Conner deny they ever proposed to charge less than the regular rates for city advertising.

We therefore recommend that the account of Douglass & Conner be allowed, less the total of overcharges we have shown, \$10.75, leaving a balance of \$621.39 as the correct bill.

We see no reason why there should be any complaint against the bill of the Guttenburg Co. It should be remembered that their charges for printing and advertising includes the translation of advertisements and bills from English into German, and therefore their rates are slightly in advance of American printing offices.

In conclusion, we would recommend that the Committee on Printing and Stationery make a contract for plain pamphlet printing at the same prices charged for the Council Proceedings, and that in future the said Committee and the City Officers order a larger number of blanks at a time, which will be a considerable saving in actual cost.

All of which is respectfully submitted.

JAMES H. WOODBURN, }
WILLIAM D. WILES, } Committee.
AUSTIN H. BROWN, }

The question being on concurring in the report, Mr. Shepherd called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Heckman, Kahn, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Wiles and Woodburn—12.

Those who voted in the negative were Councilmen Cottrell, Gimber, Kennington, Shepherd and Whitsit—5.

So the report was concurred in.

Dr. Woodburn presented the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING JULY 31, 1869.

Number of patients in Hospital at last report.....	24
Number of patients received in Hospital since last report	6
Number of patients born in Hospital since last report	0
Number of patients discharged from Hospital since last report.....	4
Number of patients died in Hospital since last report	1
Number of patients remaining in Hospital at present report	25

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING AUGUST 7, 1869.

Number of patients in the Hospital at last report.....	25
Number of patients received in the Hospital since last report.....	6
Number of patients born in Hospital since last report	2
Number of patients discharged from Hospital since last report.....	7
Number of patients died in the Hospital since last report.....	1
Number of patients remaining in the Hospital at present.....	52

Which were received.

Mr. Brown, from the Committee on Judiciary, made the following report :

INDIANAPOLIS, Aug. 9, 1869.

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

The Judiciary Committee, to whom was referred the petition of Michael Maloney, ask leave to report that they can see no reason why the petition should have been referred to this Committee, that there is no question of law involved, so far as they can see, in the matters stated in the petition.

The petitioner claims that he is the owner of lots Nos. 8 and 9 in McKer

nan & Pierce's subdivision, &c., through which it is proposed to straighten Pogue Run, and that such improvement will take all the lots except five feet, and that that part will be wholly valueless, &c. We suppose, if the property shall be taken, as the petitioner represents, that the city will be required to have the damages to him assessed and paid him before taking the property. But as the matter is now in the course of litigation and before the Supreme Court, your Committee think it improper to take further action at this time. They therefore pray to be discharged from the further consideration of said petition.

JOHN S. NEWMAN, } Committee.
AUSTIN H. BROWN, }

Which was concurred in.

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

INDIANAPOLIS, Aug. 9, 1869.

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

Your Committee, to whom was referred the claim of S. T. Hensell for \$150 damage done his property by the grading and graveling of Illinois street and building of the Ray street sewer, would respectfully report that in their opinion the contractors on said work are responsible to Mr. Hensell for the damage done his property.

Respectfully submitted,

JOHN L. MARSEE, } Committee.
ERIE LOCKE, }
C. C. WHITSIT, }

Which was referred to the Committee on Finance and the City Attorney.

REPORTS FROM CITY OFFICERS.

The City Treasurer made the following report:

INDIANAPOLIS, Aug. 9, 1869.

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

GENTLEMEN:—I have the honor to transmit herewith my report for the fiscal year 1868, showing the Receipts and Disbursements from May 14, 1868, to May 10, 1869, inclusive.

This report would have been presented at an earlier day, but on account of the lengthy settlement with the City Clerk has been delayed.

Very respectfully,

Your obedient servant,

ROBT. S. FOSTER, *City Treasurer.*

RECEIPTS.

To balance in Treasury at date of last report, May 14, 1868.....	\$115,094 19
Licenses	1,937 25
Sale of Market Stalls.....	1,228 69
Fines and Fees	3,137 11
Erecting Bridge on Noble street.....	1,050 00
Hospital Fund, (Sup't of Hospital).....	124 00
City Orders, (turned over by ex-Auditor).....	437 80
Crossings made by Street Commissioner.....	461 93
Printing on Precepts.....	368 92

City Orders, or credit on \$30,000 note given by Indianapolis Gas Light and Coke Company	8,649 33
Interest on \$30,000 note	431 95
Widening and Opening of Blackford street	525 00
Sale of coupons on 7-30 Bonds and interest	616 67
Sale of Horses, Hoes, &c., by Fire Engineer	383 33
Articles sold by Street Commissioner	35 00
Hogs sold by Marshal and not redeemed	83 75
Former Committee on Printing	24 90
Taxes	291,726 42
Costs, (advertising Delinquent real estate)	270 50
Total	\$426 586 14

DISBURSEMENTS.

By Gas	\$27,394 67
Police Department	26,694 13
Fire Department	20,592 56
Street Repairs	16,221 93
Loan and interest on the same	31,650 00
Bonds redeemed	23,000 00
Interest on Bonds	15,058 75
Street Improvement	6,017 02
Percentage	5,168 94
Rent	1,217 83
Hospital	5,193 10
Printing and Advertising	4,764 13
Salary	15,183 65
Jail Expenses	2,871 23
State Board of Agriculture	1 000 00
War Fund	115 00
Removing Nuisances	550 00
Stationery	140 31
Pest House	339 72
Costs, (Clerk Smock)	84 72
Assisting Civil Engineer	1,550 00
Fire Alarm Telegraph	2,962 74
Elections	96 00
Markets	436 76
Taxes Refunded	1,000 03
Gas Fixtures	1,858 26
Military Park	3,706 62
Fuel	209 20
Cisterns	771 92
Detective Police	500 00
Bridges	1,199 91
Specific	7,319 14
Artesian Well	1,314 89
Sewers	1,187 54
Seven-thirty Bonds, Coupons and interest	3,616 66
Interest paid on Orders	90 56
Cemetery	53 00
Real Estate	1,493 33
Orphan Asylum	1,000 00
Lighting and Extinguishing Street Lamps	170 20
Board of Health	150 00
Promiscuous	353 85
Error in last Report	110 61
Balance in the Treasury May 11, 1869	192,177 23
Total	\$426,586 14

Respectfully submitted.

ROBT. S. FOSTER, *City Treasurer.*

Which was received.

The City Gas Inspector made the following report :

OFFICE OF CITY GAS INSPECTOR, }
Indianapolis, Aug. 9, 1869. }

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

GENTLEMEN:—I would respectfully report that I have this day accepted and approved the following work, finished according to contract :

Deloss & Jerome B. Root, for erecting public gas lamps on Vermont street between Delaware and Alabama streets :

Two intermediate lamps, at \$37 each, - - - - \$74 00

Deloss & Jerome B. Root, for erecting public gas lamps on South Alabama street, between Washington street and Pogue Run :

Two corner lamps, at \$39 each, - - - - \$78 00

Three intermediate lamps, at \$37 each, - - - - 111 00

Total, - - - - - \$189 00

GEO. H. FLEMING, *City Gas Inspector.*

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, Aug. 9, 1869.

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

GENTLEMEN:—The City Clerk respectfully reports to the Common Council that there are on file in his office the following affidavits for the collection of street assessments by precept, as follows :

Cogill & Hnffington vs. J. Schrivener, for \$11.40.

Michael Shea vs. Conrad Wagner, for \$8.18.

And would respectfully recommend that you order the precepts to issue.

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

Which was concurred in.

The Civil Engineer made the following report :

INDIANAPOLIS, Aug. 9, 1869.

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

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

Daniel Mahoney for grading and graveling the east sidewalk on Ellen st., from North street to Indiana Avenue. Length of sidewalk 687 feet, at 15½ cents per lineal foot, \$108.20.

Also, Feary & Dillon, for grading and paving the north sidewalk on North street, between Delaware and Pennsylvania streets, 342 feet at 64 cents per lineal foot, \$218.88.

Also, Samuel Lefever, for grading, curbing and paving west sidewalk on Alabama street, between Ohio and New York streets :

Total length of pavement 455 lineal feet, at 67 cents per foot, \$304 85

465 lineal feet of curbing, at 73 cents per foot, - - - 339 45

Total estimate, - - - - - \$644 30

n
Also, Hanway & Lefever, for grading and graveling New Jersey street and sidewalks from Merrill street to the north side of the first alley north of Merrill street.

Length on the west side, -	-	-	-	-	206 feet.
Length on the east side, -	-	-	-	-	204 feet.

Total length, -	-	-	-	-	410 "
At 86½ cents per lineal foot, -	-	-	-	-	\$354 65

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

Which was concurred in.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }
Indianapolis, Aug 9, 1869. }

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

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

1st. Contract and bond of John Schier for grading and graveling Blake street and sidewalks from the north side of Rhode Island street to Indiana Avenue, is presented for your approval.

2d. Contract and bond of Michael Foust for grading the alley running north and south through out-lot 104, between Sinker street and the first alley north of said street, is also presented for your approval.

Respectfully submitted,

DANIEL M. RANSELL, *City Clerk.*

Which was concurred in.

The City Attorney made the following report :

INDIANAPOLIS, Aug. 2, 1869.

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

Lo
g.
GENTLEMEN:—Upon the questions submitted to me in the matter of opening Georgia street between Pennsylvania street and Virginia Avenue, I have the honor to report, that the mode of opening streets, prescribed by the Charter, must be strictly followed. In this case the Commissioners, as provided by law, filed their report with the Clerk of the city on the 30th day of June last. The Charter provides that the Common Council shall, within 20 days from such filing, either accept or reject the Commissioners' report. The non-acceptance of the report within the time prescribed by law is an abandonment of all further proceedings in the premises—it, in fact, operates as a rejection of the report. And further, the time (thirty days from the filing of the report as aforesaid) within which property owners, aggrieved by such report, may appeal therefrom, has passed. The Common Council can take no action which will deprive parties of their right of appeal. I am, therefore, of the opinion that any further action by your honorable body in the premises would be irregular, and without warrant in law.

Another question submitted to me is, whether upon the proceedings already had in the premises you are authorized to open Georgia street between Pennsylvania and Delaware streets? That is, whether upon proceedings instituted to open Georgia street between Pennsylvania street and Virginia Avenue, you are authorized to open Georgia street between Pennsylvania and Delaware streets, and abandon that portion lying between Delaware street and Virginia Avenue. As before stated, the lapse of time is a bar to any fur-

ther action in the premises. But, without reference to the question of time, I do not think you would be authorized in making the change suggested.

I am of opinion that Georgia street, between Pennsylvania and Delaware streets, cannot be opened upon the proceedings already had, and if opened at all must be opened upon proceedings *de novo*.

Respectfully submitted,

CHAS. L. HOLSTEIN, Ass't City Att'y.

Which was concurred in.

The City Sexton made the following report :

INDIANAPOLIS, Aug. 9, 1869

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

GENTLEMEN:—Enclosed you will find my monthly report of interments in the City Cemetery for the month ending with July 31, 1869.

Interments under 5 years	-----	33
Between 10 and 20 years	-----	2
" 20 and 30 "	-----	4
" 40 and 50 "	-----	3
" 50 and 60 "	-----	1
" 60 and 70 "	-----	1
" 70 and 80 "	-----	1
" 80 and 90 "	-----	3
Total	-----	48

Respectfully submitted,

JAS. H. HEDGES, *City Sexton.*

Which was received.

ORDINANCES ON SECOND READING.

On motion, the following ordinances were read the second time and ordered to be engrossed.

Special appropriation ordinance No. 31—1869.

Special appropriation ordinance No. 29, "

Special appropriation ordinance No. 28, "

General ordinance No. 46—1869.

ORDINANCES ON THIRD READING.

Special ordinance No. 66—1869, entitled :

AN ORDINANCE to provide for grading and paving with brick the sidewalks on East street, between New York and Washington streets.

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, Cottrell, Gimber, 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.

Special appropriation ordinance No. 31—1869, entitled :

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

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, Cottrell, Gimber, 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.

General ordinance No. 46—1869, entitled :

m AN ORDINANCE concerning the fees of the Market Master.

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 Kahn, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—11.

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

So the ordinance passed.

Special appropriation ordinance No. 28—1869, entitled :

p AN ORDINANCE appropriating money for printing and advertising.

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, Cottrell, Gimber, 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.

Special appropriation ordinance No. 29—1869, entitled :

AN ORDINANCE appropriating money for the purpose of purchasing lamp-posts, lanterns and fixtures for public gas lamps.

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, Cottrell, Gimber, 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 asked permission from Council to record his vote upon the resolution passed by Council at its meeting held on August 2d, 1869, "directing the Mayor to deed back the ground formerly donated by Mr. S. A. Fletcher, with the provision that the same be donated to the Sisters of the Good Shepherd."

Permission being granted, by consent, Mr. Locke voted in the negative.

NEW BUSINESS.

Mr. Brown offered the following motion :

That the officers of the Union Depot be requested to establish a room for local baggage on the South side of the Depot Building, with an entrance from McNabb street.

Which was adopted.

Mr. Brown offered the following resolutions :

Resolved, That it is the sense of this Council that the sum of from one hundred and fifty thousand dollars to two hundred thousand dollars ought to be expended, if the same is necessary, for the construction of Sewers according to some general plan: *Provided*, That ten years' City Bonds can be negotiated at a fair rate of discount to meet such expense.

Resolved, That the question of issuing such bonds be submitted to a vote of the people at a special election to be held for that purpose on the _____ day of _____, 1869, and that in case a majority of ballots shall be cast having thereon the words, "In favor of issuing bonds for Sewers," then the Council shall take steps to issue and negotiate such bonds; and, in case a majority of ballots shall be cast having thereon the words, "Against issuing bonds for Sewers," then the Council shall not issue such bonds.

Which was laid over and made the special order for the next regular meeting.

Mr. Cottrell presented the following petition :

INDIANAPOLIS, Aug. 9, 1869.

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

The undersigned, citizens of the aforesaid city, would respectfully represent that lots, situated on Virginia Avenue and on Alabama street, near the Warehouse of the Messrs. Noel, and owned, as the undersigned are informed, by Dr. Funkhouser and Simon Yandes, Esq., have been made the common receptacle and deposit for a long time of garbage and rubbish of almost every description, that these lots, being considerably below the surface surrounding, become more or less flooded with water during every rain, which remains and becomes stagnant and putrid; and that there now exists thereon a large, disgusting, putrid, reeking pool of decomposing vegetable and animal matters, very prejudicial to the health of the citizens, which ought to be immediately and thoroughly abated.

Very respectfully,

Your obt' servants,

Smith & Goodhart,
Frank Koeler,
J. r. Miller,

A. T. Langhorne,
J. S. Shueherford,
And 52 others.

Which was received.

Also, the following resolution :

Resolved, That the owners of the following described real estate, to-wit: Lot Nos 3 and 7, in Square No. 78, in the City of Ind'p'lis, be, and they are hereby, required to fill and drain the same, as, in the opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stagnant and noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby, required to notify the owners thereof, as provided by an ordinance passed April 23d, 1866, entitled "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to drain or fill said excavation, as provided in said ordinance, and provided that the cost thereof shall not exceed ten per cent of the value of the aforesaid real estate as assessed upon the tax duplicate for city purposes.

The question being on the adoption of the resolution.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit and Wiles—16.

Councilman Woodburn voting in the negative.

So the resolution was adopted.

Mr. Kahn presented the following remonstrance :

INDIANAPOLIS, Aug. 3, 1869.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on east side of Alabama street, between New York street and Massachusetts Ave-

nue, respectfully remonstrate against the passage of an ordinance providing for the grading and paving with brick the east sidewalk of Alabama street, between Market street and Massachusetts Avenue, the same being already a good and substantial gravel walk. And your remonstrants will ever pray, &c.

John N. Scott,	H. F. Barnes,
L. M. Phipps,	T. G. Alford,
Thos. E. Holbrook,	J. E. Robetson,
A. L. Roache,	W. H. Craft.

Which was referred to the Committee on Streets and Alleys.

Mr. Kahn presented the following petition :

INDIANAPOLIS, Aug. 9, 1869.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Liberty street, between Lockerbie and North streets, respectfully petition your honorable body to pass an ordinance providing for the lighting said street with gas between the said points. And your petitioners will ever pray, &c.

James Pierce,	Augustus Spiegel,
Henry Hoffmeyer,	J. H. Osborn,
Andrew Kramer,	And 5 others,

Which was referred to the Committee on Gas.

Mr. Locke presented the following petition :

INDIANAPOLIS, Aug. 9, 1869.

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

GENTLEMEN:—Your petitioners would respectfully ask that main gas pipes be laid on Vermont street, between West street and the Canal, under the provision of the Charter to the Gas Company.

W. C. Frevan,
William H. Russell,
Susana Revels.

Also, special ordinance No. 91 —1869, entitled :

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

Which was read the first time, and, on motion, both the petition and ordinance were referred to the Committee on Gas Light.

Mr. Marsee offered the following motion :

That the Street Commissioner be directed to plank the crossing of Alabama street at the intersection of the same with Wyoming street.

Which was referred to the Committee on Streets and Alleys.

Mr. Shepherd offered the following motion :

That the City Marshal be instructed to open the alley running north and south through the center of Square 87. a

The question being on the adoption of the motion,

Mr. Wiles called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Shepherd, Thalman, Thoms and Weaver—13.

Those who voted in the negative were Councilmen Newman, Whitsit, Wiles and Woodburn—4.

So the motion was adopted.

Mr. Shepherd offered the following motion :

That the Committee on Printing be instructed to contract the job work for the City Printing, to be given to the lowest responsible bidder.

Mr. Marsee moved to postpone one week.

Mr. Shepherd called for the ayes and noes.

Those who voted in the affirmative were Councilmen Kahn, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Wiles and Woodburn—9.

Those who voted in the negative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Locke, Shepherd and Whitsit—8.

So the motion to postpone was adopted.

Mr. Pyle offered the following motion :

That the Street Commissioner be instructed to remove, or cause to be removed within thirty days, at the expense of the owners, all signs and shade trees that are more than 4 feet square, standing on or near the curb stones before business property between Circle and Delaware streets.

Which was referred to the Committee on Streets and Alleys.

Mr. Wiles presented the following petition :

INDIANAPOLIS, Aug. 9, 1869.

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

GENTLEMEN:—I have the honor to petition your honorable body for the privilege of grading and paving with brick the sidewalk in front of my property on the south-west corner of Cherry and Broadway streets. Also, to build a shed over the sidewalk in front of my property at my own expense, and that the Engineer set the necessary stakes.

Most respectfully,

MATHEW LONG.

Which was granted.

Mr. Weaver offered the following motion :

To reconsider the resolution passed at the last meeting of Council by which the Mayor of the City of Indianapolis was directed to make a conveyance to Stoughton A. Fletcher of the seven acres of ground formerly donated by Fletcher to the City for a Home for Friendless Women. H.

Mr. Whitsit moved to postpone the consideration of the motion until the first meeting in September, 1869.

Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Whitsit and Woodburn—3.

Those who voted in the negative were Councilmen Cottrell, Gimber, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver and Wiles—14.

So the motion to postpone was lost.

The question then being on the adoption of the motion,

Those who voted in the affirmative were Councilmen Kahn, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit and Wiles—10.

Those who voted in the negative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Shepherd, and Woodburn—7.

So the motion was adopted.

Mr. Weaver presented the following petition :

INDIANAPOLIS, Aug. 9, 1869.

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

GENTLEMEN:—The undersigned respectfully petitions your honorable body for the privilege of grading and graveling, at her own expense, the alley in the rear of lot No. 2 in Danforth's subdivision of part of out-lot No. 171, being the alley running east from Illinois street to the first alley running north and south between St. Clair and Pratt streets, and respectfully asks that you direct the City Civil Engineer to set the proper grade stakes for the same.

MARY A. HAPENNY.

Which was granted.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Aug. 9, 1869.

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

We, the undersigned, citizens of the Third Ward, in the City of Indianapolis, Indiana, would respectfully represent that Pratt street, running from Illinois to Tennessee street, by reason of its impassability as herein stated, be immediately graded and gravelled. During wet and rainy seasons that

part of Pratt street above referred to becomes so filthy and impassable that no conveyance, however light it may be, can pass over said street. The greater portion of the past winter and spring parties residing in out-lot No. 170, were compelled to pass through the alley running from St. Clair to Pratt sts. in said out lot to reach their barns and stables with their conveyances, which are to them, indispensable for their business.

We are confident that the greater portion of your honorable body is well acquainted with the condition of said street, wherefore we pray your honorable body that the within request be speedily granted.

James Frank,	Deloss Root,
William Hinesley,	J. B. Root,
A. S. Mount,	A. G. Porter.
A. J. Hinesley,	

Which was received.

Also, special ordinance No. 92—1869, entitled :

AN ORDINANCE to provide for grading and graveling Pratt street and sidewalks, between Illinois and Tennessee streets.

Which was read the first time.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Aug. 4, 1869.

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

GENTLEMEN:—We, the undersigned, respectfully petition your honorable body to pass an ordinance to grade and gravel the north sidewalk of North street, between the Canal and West street. And your petitioners will ever pray, &c.

John Scott,	Geo. L. Bushong,
Maria A. Staachan,	S. W. Denny,
Will H. Corbaley,	And 6 others.

Which was received.

Also, special ordinance No. 93—1869, entitled :

AN ORDINANCE to provide for grading and graveling the north sidewalk of North street, between the Canal and West street.

Which was read the first time.

Dr. Woodburn offered the following motion :

That the Street Commissioner be ordered to build the bridge over the Canal on St. Clair street.

Mr. Brown called for the ayes and noes on the motion.

Those who voted in the affirmative were Councilmen Kahn, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Wiles and Woodburn—10.

Those who voted in the negative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Shepherd and Whitsit—7.

So the motion was adopted.

Mr. Brown moved to reconsider the vote taken at the last regular meeting, appropriating \$300 to the Young Men's Christian Association.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Locke, Shepherd and Whitsit—8.

Those who voted in the negative were Councilmen Kahn, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Wiles and Woodburn—9.


So the motion to reconsider was lost.

On motion by Mr. Wiles, special ordinance No. 69—1869, providing for grading and graveling Cherry street, from Ash street to the first alley east, was stricken from the files.

On motion, the Council adjourned until Wednesday, August 11, 1869, at 7½ o'clock, P. M.


DANIEL MACAULEY, Mayor.

ATTEST:


D. M. RUSSELL, City Clerk.