

PROCEEDINGS

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, JANUARY 3D, 1870, 7 O'CLOCK P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, Daniel Macauley, in the chair,
and the following members:

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

Absent—Councilman Thalman.

The proceedings of the regular session held December 27, 1869,
were read and approved.

Mr. Brawn moved to take from the table the Water Works ordi-
nance.

Which was adopted.

Mr. Wiles introduced the following ordinance as a substitute for the ordinance under consideration at last meeting:

AN ORDINANCE authorizing the Water Works Company of Indianapolis to construct, maintain and operate water works, and supply water to the city and citizens of Indianapolis; defining their powers and privileges, and prescribing their duties.

SECTION 1. *Be it ordained by the City Council of the City of Indianapolis* That "The Water Works Company of Indianapolis," a corporation organized in the month of October, in the year 1869, under the laws of Indiana, and its successors be, and hereby is authorized and empowered to construct, maintain and operate water works, in the city of Indianapolis, with proper structures, machinery, reservoirs, embankments, aqueducts, pipes and conduits, to supply said city and its citizens with pure and wholesome water; to acquire and hold, as by law authorized, any real estate, easements and water rights necessary to that end and purpose; and to use the streets, avenues, alleys and public grounds of said city, as it is now, or hereafter may be laid out and enlarged, for the purpose of laying therein pipes and conduits necessary to carry water throughout said city. *Provided* The same shall be so laid as not to interfere with or abridge the rights or privileges of the Indianapolis Gas Light and Coke Company, or to interfere with other public works, including other water works built by the city, nor with the present or future drainage of said city, and the Company may establish rules and regulations for and concerning the use of the water from their works, and for and concerning the conduct of such persons as may use the water from their works, so far as respects the preservation and use and restraining the waste thereof, subject to the review of the City Council.

SEC. 2. That before commencing work upon any part of any street, avenue, alley, or any public ground, the Company shall give the Street Commissioner of the city at least three days notice thereof, and during the progress of the work shall not unnecessarily obstruct any street, avenue, alley or public ground, and shall complete each part of the work therein, and restore the same to as good and like condition as before the work was commenced, and upon a failure so to do, or should the same subsequently become out of good condition because of imperfect repairs, then and in that case the city may cause the proper repairs to be made, and may retain the cost thereof out of any moneys then due, or afterwards becoming due to the Company; and the Company shall be liable for any injury to person or property caused by the negligence, mismanagement or fault of itself or any of its employees; and should the city be sued therefor, the Company or some officer thereof shall be notified of such suit, and thereupon it shall be the duty of the Company to defend or settle the same, and should judgment go against the city in any such case, the city shall recover the amount thereof, with all costs from the Company, and the record of the judgment against the city shall be conclusive evidence in the cause to entitle the city to recover in any suit therein against the Company.

SEC. 3 That in the construction of said works the Company shall adopt what is known as "the Holly system," with all its latest improvements, and in its best and most efficient form, with a maximum capacity of at least six

million gallons liquid measure daily, and shall maintain the same in such condition as to be capable of throwing eight streams at once, one hundred feet vertically, through one inch nozzles, and shall apply the same in the extinguishment of fires as emergencies may require, under regulations to be prescribed by the Common Council. The pumps and their machinery shall be erected under the supervision of the Holly Manufacturing Company. The Company shall supply to the city, upon the several streets and avenues in which pipes and conduits may be laid, and in such cisterns and localities off the same as the city may conduct the same to, such quantity of water as may be required by the City Council for public use, drainage and fire purposes, and to that end shall erect and attach as many hydrants or fire plugs as the City Council may direct and furnish, and from the same the city may draw all water necessary for the prevention and extinguishment of fires, and washing, cleansing, cooling, flushing or sprinkling the streets, pavements, gutters, alleys, sewers and public grounds; and the city may attach to each hydrant a cock, faucet or nozzle, from which water may be drawn by citizens and passers by, for persons and animals; and the Company shall furnish to the citizens of the city upon the several streets and avenues in which pipes and water courses may be laid, and in such localities off the same as the citizens may conduct the water to, such quantity of water as they may desire. The Company shall furnish water to the city upon such terms and conditions as may be agreed upon between the City Council and the Company. The Company shall have the right to charge the city and the citizens thereof for such water as may be supplied, as much as the average price paid by other cities of the United States and citizens thereof, of like population, that are supplied with as efficient water works, unless a price may be agreed upon; but the Company may not demand or charge a greater price. In case the Company and City Council fail to agree upon a schedule of prices to be paid by the city and its citizens, then such schedule and rate of charges shall be ascertained and determined by five disinterested persons, non-residents of the city, two of whom shall be chosen by the Company and two by the City Council, and the fifth by the four thus chosen, and the rates so fixed shall remain in force until altered by agreement or arbitration, as aforesaid, and either the city or the Company may demand a re-adjustment of such rates, either by agreement or arbitration as aforesaid, at any time after the expiration of one year from the last preceding adjustment. But in no event shall the city be charged more than fifty dollars per annum for each hydrant or fire-plug. The water to be supplied as in this section provided, shall be taken from wells dug as near White river as practicable, but north of the National road—not connecting with the river or any other open stream or channel, so that the water of the wells shall be derived from the natural filtering or percolation through the gravel in its natural place; provided the same can be so obtained, and the City Council shall have the right to determine when the Company shall have made a sufficient effort so to obtain it.

SEC. 4. That the Company shall, within ninety days from the passage of this ordinance, commence the construction of such Water Works, and shall, within one year and three months from the time the same is commenced, have at least five miles of water-pipes laid down and connected with the Water Works, and at the expiration of two years and three months, at least fifteen miles of pipes so laid and connected; and should the Company, because of any want of care and diligence on its part, fail either in the commencement or prosecution of the work, as in this section provided, or having laid down pipes as above required, shall in like manner fail to furnish the city and citizens pure and wholesome water at the rates in this ordinance provided for, then and in either case the rights and privileges herein granted

shall be forfeited, and shall revert to the city. And should the city or its citizens, at any time, through the wilfulness or carelessness of the Company, be deprived of necessary water for thirty-six consecutive hours, the Company shall be liable to a forfeiture of its rights under this charter, or at the election of the city, the said Company shall forfeit all claim for payment for stipulated price for all hydrants supplying water to the city for a period of one year.

SEC. 5. That after the pipes and mains shall have been laid as in section four provided, the Company shall extend the same along any street, avenue or alley of the city, whenever the City Council shall order the same; *Provided*, The City or Common Council shall furnish at least an average of one hydrant for every one thousand feet of pipe so extended, to be attached by the Company, and the use thereof to be paid for as before in this ordinance provided.

SEC. 6. That if the Company shall erect works to propel the machinery and pumps of said Water Works with water, it shall also provide and keep in constant good condition for immediate use, suitable steam machinery, not less than two engines, to propel such machinery and pumps, so situated as at any time to be attached and used.

SEC. 7. That at any time, on giving six months' notice, the city shall have the right to purchase from the Company all the buildings, machinery and pipes of said Water Works, with all its corporate rights and privileges, (but not including any franchise herein granted or that may hereafter be granted to the Company, nor including any estimated value of this charter), at such price as may be agreed upon by the Common Council and the Board of Directors of the Company.

In case of disagreement between said parties, the price shall be ascertained by five disinterested persons, non-residents of the city, two of whom shall be chosen by the Common Council, and two by the Board of Directors of the Company, and the fifth by the four thus chosen; and the Company shall not be allowed to sell to any person or Company whatsoever, without first giving the City Council the refusal to purchase at the same rates as offered to others: *Provided*, That no purchase shall be made by the City Council until the terms agreed upon, or settled by arbitration, as aforesaid, shall be ratified by a majority of the legal voters of the city.

SEC. 8. Nothing in this ordinance contained shall be so construed as to grant to said company, or its successors, any exclusive privilege of constructing and operating water works in the city of Indianapolis, but the city hereby expressly reserve the right at any and all times, to construct and operate water works for itself, or to charter another company to construct and operate water works in said city.

SEC. 9. That an ordinance authorizing the Water Works Company of Indianapolis to construct, maintain and operate water works, and supply water to the city and citizens of Indianapolis, defining their powers and privileges, and prescribing their duties, ordained and established the fifteenth day of November, 1869, be, and the same is hereby repealed.

SEC. 10. This ordinance shall be in force from and after its passage, *Provided*, there shall be filed with the Mayor of the city within thirty days from

the time of such passage a certified copy, from the records of said Water Works Company, of a resolution of the Board of Directors of said company, accepting the terms and conditions herein recited; and it is hereby made the duty of the Mayor to make proclamation of such acceptance, accompanying such proclamation with a copy of this ordinance; and should the same not be so accepted within thirty days, then this ordinance shall be null and void.

Ordained and established this — day of —.

The ordinance was read the second time, and acted upon section by section.

On motion by Mr. Harrison, the word filtered was ordered to be inserted between the words "pure" and "water," wherever the same occurs in said ordinance.

On motion by Mr. Harrison, the words "and approved" were inserted after the word "review," in the last line of the first section.

The first and second sections were then adopted.

Mr. Whitsit moved to strike out the words "the pumps and their machinery shall be erected under the supervision of the Holly Manufacturing Company," in the third section.

The question being on the adoption of the motion.

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

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

So the motion to strike out was lost.

Mr. Marsee moved to strike out the words, "as the city may conduct the same to," in the third section.

The question being on the adoption of the motion.

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

Those who voted in the negative were Councilmen Brown, Harrison, Heckman, Kahn, Kennington, Locke, Newman, Pyle, Weaver, Wiles and Woodburn—11.

So the motion to strike out was lost.

Mr. Whitsit moved to strike out the words; "and furnish," in the third section.

The question being on the motion to strike out.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Marsee, Shepherd, Pyle, Thoms and Whitsit—11.

Those who voted in the negative were Councilmen Kennington, Locke, Newman, Weaver Wiles and Woodburn—6.

So the motion to strike out was adopted.

Mr. Newman moved to strike out the words, "but north of the National road."

The question being on the motion to strike out.

Those who voted in the affirmative were Councilmen Newman and Whitsit—2.

Those who voted in the negative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Shepherd, Thoms, Weaver, Wiles and Woodburn—15.

So the motion to strike out was lost.

Mr. Cottrell moved to amend section three by requiring the wells to be dug not less than one thousand feet north of the National road.

The question being on the motion.

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Locke, Marsee, Shepherd, Pyle and Whitsit—7.

Those who voted in the negative were Councilmen Brown, Harri-

son, Heckman, Kahn, Kennington, Newman, Thoms, Weaver, Wiles and Woodburn—10.

So the motion was lost.

On motion by Mr. Harrison, the words "said Company" were inserted between the words "end" and "shall," in the third section.

The third and fourth sections were then adopted.

Mr. Marsee moved to amend the fifth section, by striking out the word "furnish," and inserting the word "order."

The question being on the adoption of the motion.

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Harrison, Locke, Marsee, Shepherd, Pyle, Thoms and Whitsit—9.

Those who voted in the negative were Councilmen Brown, Heckman, Kahn, Kennington, Newman, Weaver, Wiles and Woodburn—8.

So the motion was adopted.

Mr. Cottrell moved to reconsider the vote just taken on Mr. Marsee's motion.

The question being on reconsidering.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Shepherd, Newman, Pyle, Weaver, Wiles and Woodburn—14.

Those who voted in the negative were Councilmen Marsee, Thoms and Whitsit—3.

So the motion to reconsider was adopted.

Dr. Woodburn then moved to lay Mr. Marsee's motion—to strike out "furnish" and insert "order"—on the table.

Those who voted in the affirmative were Councilmen Brown, Cot-

Cottrell, Heckman, Kahn, Kennington, Locke, Newman, Pyle, Weaver, Wiles and Woodburn—11.

Those who voted in the negative were Councilmen Gimber, Harrison, Marsee, Shepherd, Thoms and Whitsit—6.

So the motion to lay on the table was adopted.

The fifth and sixth sections were then adopted.

Mr. Marsee offered the following to be inserted after the word charter, in the seventh section :

If said Company shall erect works to propel the machinery and pumps of said Water Works, from surplus water from the Central Canal, they shall not dispense with the steam machinery for the same purpose; nor in case the city shall decide at any time to purchase said Water Works, shall such works constructed to be propelled by such water power from the Canal nor the use of said water from the Canal, be estimated, in making up the valuation of the Water Works, nor shall any interest in the said Canal be so estimated.

The question being on the adoption of the amendment.

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Marsee, Thoms and Whitsit—5.

Those who voted in the negative were Councilmen Brown, Harrison, Heckman, Kahn, Kennington, Locke, Newman, Pyle, Shepherd, Weaver, Wiles and Woodburn—12.

So the motion was lost.

The seventh section was then adopted.

Mr. Cottrell moved to strike out the word "non-residents," in the eighth section, and insert "resident freeholders."

The question being on Mr. Cottrell's motion.

Those who voted in the affirmative were Councilmen Cottrell, Gimber and Marsee—3.

Those who voted in the negative were Councilmen Brown, Harrison, Heckman, Kahn, Kennington, Locke, Newman, Pyle, Shepherd, Thoms, Weaver, Whitsit, Wiles and Woodburn—14.

So the motion was lost.

Mr. Kahn offered the following amendment to the seventh section, to be inserted after the word "chosen."

Said ascertained price shall be subject to the acceptance or rejection of the Common Council.

Which was adopted.

Sections seven, eight and nine were adopted.

Mr. Newman offered the following amendment, to be inserted as the tenth section:

SEC. 10. If said Water Works Company shall not accept this charter as herein provided, then and in that case any other Water Works Company now or hereafter organized may accept (after the expiration of sixty days) the same, with the rights privileges and powers, and under the same restrictions and obligations as the Water Works Company herein first named, so soon as they shall file an acceptance of the provisions of this ordinance.

Which was adopted.

The remainder of the sections were adopted, and the ordinance read the second time and ordered to be engrossed.

On motion, the ordinance was then 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, Harrison, Heckman, Kahn, Kennington, Locke, Newman, Pyle, Shepherd, Thoms, Weaver, Whitsit, Wiles and Woodburn—14.

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

Mr. Marsee moved that the rules be suspended, for the purpose of taking up the reports of city officers.

The question being on a suspension of the rules.

Those who voted in the affirmative were Councilmen Brown, Cot-

trell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Mar-see, Newman, Pyle, Shepherd, Thoms, Weaver Whitsit, Wiles and Woodburn—17.

No Councilman voting in the negative.

So the rules were suspended, and the Civil Engineer made the following reports :

INDIANAPOLIS, Jan. 3, 1870.

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

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

Patterson & Dunning—For grading the street, bouldering the gutters and street and alley crossings on Illinois street, between Ohio and North streets.

Length of gutter on east side, - - -	1965 feet.	
Length of gutter on west side, - - -	1920 feet.	
Total length, - - - - -	3885 feet.	
At 56 cents per lineal foot, - - - - -		\$2175 60
937 square yards bouldering, at 72 cents per yard, - - -		674 64
1956 cubic yards excavation, at 35 cents per yard, - - -		684 60
747 cubic yards of screened gravel, at \$1 35 per yard, - - -		1008 45
280 cubic yards pit gravel, at 95 cents per yard, - - -		266 00
O. Williams, for superintending 57 days, at \$2 75 per day, - - -		156 75
Total estimate, - - - - -		\$4966 04
Deduct former estimate, - - - - -		2864 56
Present payment - - - - -		\$2101 48

Also :

Newton Kowan—For grading and graveling the north sidewalk on North street, between Canal and West street.

Length of sidewalk, - - - - -	342 feet 2 inches.	
At 27 cents per lineal foot, - - - - -		\$92 38

Respectfully submitted,

R. M. PATTERSON, *Civil Engineer.*

INDIANAPOLIS, Jan. 3, 1870.

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

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

Hanway & Lefever—For grading and graveling Maryland street and sidewalks, between West and Helen streets.

Length on north side,	-	-	-	-	803 feet.
Length on south side,	-	-	-	-	803 feet.
Total length,	-	-	-	-	1606 feet.
At 99 cents per lineal foot	-	-	-	-	\$1589 94
18½ cubic yards of earth excavation at mouth of alley, at 40 cents per cubic yard,	-	-	-	-	7 40
Total estimate,	-	-	-	-	\$1597 34

Also :

Feary & Dillon—For grading and paving the east sidewalk on Alabama street, from Market to Massachusetts avenue.

Length of pavement,	-	-	-	1288 feet 2 inches.
At 66 cents per lineal foot,	-	-	-	\$850 19

Respectfully submitted,

R. M. PATTERSON, *Civil Engineer.*

Which were concurred in.

Also :

INDIANAPOLIS, Jan. 3, 1870.

To the Members of the Common Council of the City of Indianapolis :

GENTLEMEN.—In obedience to your order of December 20, I hereby report the following additions, known as West Indianapolis :

- Bell & Anderson's addition.
- French's addition.
- Wood's addition.
- Vanblairgum's addition.

Bounded as follows :

Commencing on the east bank of White river, at the intersection of the west line of the corporation with said river; thence south to the north line of Wood's addition; thence west on the north line of said addition, to the northwest corner; thence south to the southwest corner; thence east to the corporation line, on the east bank of White river.

Respectfully submitted.

R. M. PATTERSON, *Civil Engineer.*

Which was received.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }
Indianapolis, Jan. 3, 1870. }

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

The City Clerk respectfully reports to Council :

First, First and final estimate allowed Feary & Dillon, for grading, paving

with brick and curbing the outside edge with white oak plank, the east sidewalk on Delaware street, from Fort Wayne avenue to St. Clair street.

Second, First and final estimate allowed Hanway & Lefever, for grading and graveling Maryland street and sidewalks, between West and Helen streets.

Third, First and final estimate allowed Feary & Dillon, for grading and paving the east sidewalk on Alabama street, from Market street to Massachusetts Avenue.

Fourth, Contract and bond of Hanway & Lefever, for grading and graveling the alley running north and south through Seidensticker's subdivision of out-lot No. 15, and between South and Garden street.

Fifth, Second and final estimate allowed Dunning & Patterson, for grading and graveling Illinois, from Ohio to North street.

Sixth, Contract and bond of Conrad Neib, for erecting lamp posts, lamps and fixtures on sundry streets.

Respectfully submitted,

D. M. RANDELL, *City Clerk*.

Which was concurred in and the contracts and bonds approved.

Also the following resolution:

Resolved, That the foregoing first and final estimate allowed Feary & Dillon, for grading and paving the east sidewalk on Delaware street, from Fort Wayne avenue to St. Clair street, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the passage of the resolution.

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

No Councilman voting in the negative.

So the resolution passed.

Also the following resolution:

Resolved, That the foregoing first and final estimate allowed Hanway & Lefever, for grading and graveling Maryland street and sidewalks, between West and Helen street, be and the same is hereby adopted as the estimate of

this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the passage of the resolution :

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

No Councilman voting in the negative.

So the resolution passed.

Also the following resolution :

Resolved, That the foregoing first and final estimate allowed Feary & Dillon, for grading and paving with brick the east sidewalk on Alabama street, from Market street to Massachusetts avenue, 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 Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Shepherd, Newman, Pyle, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

No Councilman voting in the negative.

So the resolution passed.

Also the following resolution :

Resolved, That the foregoing second and final estimate allowed Patterson & Dunning, for grading and graveling Illinois street, from the north side of Ohio to the north side of North street, be and the same is hereby adopted as the estimate of this Council, and that the property holders 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 Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Mar-

see, Newman, Pyle, Shepherd, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

No Councilman voting in the negative.

So the resolution passed.

The City Clerk made the following report:

OFFICE OF CITY CLERK, }
Indianapolis, Jan. 3, 1870. }

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

GENTLEMEN:—The City Clerk respectfully reports, that there are on file in his office for the collection of street assessment by precept, the following affidavits:

Charles Roney vs. Mary E. Noble, for \$32 50.
Charles Roney vs. Daniel McClure, for \$32 50.
Daniel Mahoney vs. John B. Stumph, for \$17 92.
Daniel Mahoney vs. John W. Johnson, \$17 92.
Daniel Mahoney vs. H. C. Young, for \$44 80.

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

Respectfully submitted,

D. M. RANSELL, *City Clerk.*

Which was concurred in.

The City Gas Inspector made the following report:

OFFICE OF THE CITY GAS INSPECTOR, }
INDIANAPOLIS, JANUARY 3, 1870. }

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

GENTLEMEN:—With the exception of the glass street signs, to be inserted in the corner lamps, (the slats for which have at last reached me, and will probably be placed in said corner lamps this week,) I would report the following work as finished, in accordance with a contract between Conrad Neab and the city of Indianapolis, viz.:

The erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe.

On North Mississippi street, between Ohio and First streets:

Eleven corner lamps, at \$30 50.....	\$335 50
Seventeen intermediate lamps, at \$29 00.....	493 00
Total.....	\$828 50

On West Pratt street, between Meridian and Illinois streets:

Two intermediate lamps, at \$29 00.....	\$58 00
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On West Michigan street, between Meridian and Illinois streets:

Two intermediate lamps, at \$29 00 ----- \$58 00

On East Michigan street, between Alabama and New Jersey street:

Two intermediate lamp, at \$29 00 ----- \$58 00

On St. Joseph street, between Delaware and Pennsylvania streets:

One corner lamps, at \$30 50 ----- \$30 50

Two intermediate lamps, at \$29 00 ----- 58 00

Total ----- \$88 50

On St. Mary's street, between Delaware and Alabama streets:

One corner lamp, at \$30 50 ----- \$30 50

One intermediate lamp at \$29 00 ----- 29 00

Total ----- \$59 50

On South New Jersey street, between South and Merrill streets:

Three corner lamps, at \$30 50 ----- \$ 91 50

Six intermediate lamps, at \$29 00 ----- 124 00

Total ----- \$265 50

The "corner lamps" on the above-mentioned street include one erected several years ago by Mr. Joseph Marsee, who has made a number of ineffectual attempts to have the expense of the same, by him paid, placed to his credit. With the advice of the City attorney, I now insert this lamp in the present report, and Mr. Marsee will receive a credit of \$30 50, as against his assessment on the front line of his property, between South and Duncan streets. The lamp cost him \$45, but he has stated that he would be satisfied with the allowance above set forth. This settlement is advantageous to the city, generous on the part of Mr. Marsee, and just and equitable as towards the other property owners on the street.

On Vermont street, between East and California streets:

Three corner lamps, at \$30 50 ----- \$ 91 50

Seventeen intermediate lamps, at \$29 00 ----- 493 00

Total ----- \$584 50

On Madison Avenue, between Garden and Phipps streets:

One corner lamp, at \$30 50 ----- \$ 30 50

Three intermediate lamps at \$29 00 ----- 87 00

Total ----- \$117 50

On East Georgia street, between East and Noble streets:

One corner lamp, at \$30 50 ----- \$ 30 50

Four intermediate lamps, at \$29 00 ----- 116 00

Total ----- \$146 50

On East Ohio street, between East and Noble streets:

One corner lamp, at \$30 50 -----	\$ 30 50
Five intermediate lamps, at \$29 00 -----	145 00
Total -----	\$175 50

On South Alabama street, between South and McCarty streets:

Four corner lamps, at \$30 50 -----	\$172 00
Nine intermediate lamps, at \$29 00 -----	261 00
Total -----	\$333 00

I would respectfully ask that the City Clerk be authorized to issue estimates for the above work.

Respectfully submitted,

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

Which was concurred in.

Also the following report:

OFFICE OF CITY GAS INSPECTOR, }
Indianapolis, Jan. 2, 1870. }

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

GENTLEMEN:—I have prepared three time-tables for regulating the lighting and extinguishing of the public gas lamps, during the calendar year 1870.

Table No. 1 uses all the natural light, both moonlight and twilight, and aggregates 1,994½ hours.

Table No. 2 uses the light of the moon, from the second day after the first quarter, until the second day after the last quarter, and aggregates 2,432½ hours.

Table No. 3 only makes use of the moon's light when that luminary is nearest its full, and aggregates 3,000 hours.

We are now entering upon the darkest year, so far as light from the moon is concerned, that has occurred since 1851—nineteen years ago. The moon will be "new" twice in January (1st and 31st), and twice in March (1st and 31st), two of the darkest months in the year. This will increase the number of gas burning hours considerably. The time allowed the city, without extra compensation, by the contract with the Indianapolis Gas Light and Coke Company, is 2,000 hours. Using time-table No. 1 (1,994½ hours), it will be impossible, even with the strictest economy, to avoid the burning of gas in excess of the contract aggregate, as I have remaining an excess of only 5¾ hours, to use on dark and cloudy nights. During the year 1869, now near its end, the exceedingly gloomy and disagreeable weather which has pervaded every season, and not, as is usual, been natural events during the spring and fall, have necessitated considerable extra burning of gas, over the time-table for that period. It cannot be hoped that, in the year to come, with much less of moonlight, the city will be able to keep within the exact limits of the contract.

In most of the largest cities of the country, including Cincinnati, and even

Dayton, Ohio, the public gas lamps are burned all night, without regard to the moon. This seems to me, unless the Gas Companies at such places are exceedingly liberal, and give much of their gas without full compensation therefor, a violation of good common sense. If an all night time-table were decided upon for this city, I feel confident that my No. 3 would be found to give better satisfaction than the one used at Dayton (by which the lamps are extinguished considerably earlier in the morning), and which, in 1869, aggregated 3,095 hours, no allowance being made for light from the moon when at its full. By my table, the lamps would not be burned on three nights during the months of January, February, October, November and December; on four nights during the months of March and September; on five nights during the months of April, June, July and August; and on six nights during the month of May;—total, 49 nights.

It having been indicated to me that the Gas Company would discount its monthly bills if a more liberal time-table was used than is now employed. I would respectfully ask that this communication and my several time-tables be referred to your Committee on Gas Light, with instructions to confer with the Board of Directors of the Gas Company, regarding the discount spoken of.

Respectfully submitted,

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

Which was referred to the Committee on Gas.

On motion the Council adjourned to meet Friday, January 7th, 1870, at 7 o'clock P. M.

Daniel Macauley

DANIEL MACAULEY, *Mayor.*

ATTEST:

Wm. Randall
W. RANDALL, *City Clerk.*