

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, OCTOBER 19TH, 1868, 7 O'CLOCK, P. M. }

The Common Council met in regular session.

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

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

Absent—Councilmen Burgess and Colley—2.

The proceedings of the regular session held October 12th, 1868, were read and approved.

REGULAR ORDER OF BUSINESS.

Mr. Cottrell offered the following motion :

That the Street Commissioner be instructed to have the gutter on the west side of New Jersey street, between South and Duncan streets, properly cleaned out.

Which was adopted.

Also, the following :

That the City Marshal notify the property holders to remove the fence from the alley running north and south through out-lots Nos. 103 and 104, in accordance with a dedication made to the city of a 15 foot alley, made and received in June, 1868.

Which was adopted.

Also, the following resolution :

Resolved, That the owners of the following described real estate, to-wit: Lot "C" of Seidensticker, Kappes & Lingenfelter's subdivision of lot No. one (1) in Square No. sixty-two (62) of the City of Indianapolis, be, and they are hereby, required to fill and drain the same, as, in the opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stagnant 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 fill or drain 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 passage of the resolution, those who voted in the affirmative were Councilmen Cottrell, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Stanton and Woodburn—12.

No Councilman voting in the negative.

So the resolution passed.

Mr. Cottrell introduced special ordinance No. 100—1868, entitled :
AN ORDINANCE to provide for repairing Delaware street, between Wyoming street and Madison Road.

Which was read the first time.

Mr. Cottrell introduced special ordinance No. 101—1868, entitled :
AN ORDINANCE to provide for grading and bowldering Delaware street, between the south side of Pogue Run and the south side of South street, and curbing the outside edge with White Oak plank.

Which was read the first time.

Mr. Cottrell introduced special ordinance No. 102—1868, entitled :
AN ORDINANCE to provide for graveling the west sidewalk of Alabama st., between Duncan and Merrill streets.

Which was read the first time.

Mr. Geisel introduced special ordinance No. 103—1868, entitled :

AN ORDINANCE to provide for grading and graveling Vine street and sidewalks, between Jackson and Ash streets, and to repeal an ordinance to grade said Vine street and sidewalks, between Jackson street and the first alley east of Ash street.

Which was read the first time.

Mr. Goddard offered the following motions :

That the Market Master rent the benches in the east end of the East Market House for the use of fish men.

That Mr. Parry be allowed to grade and gravel his sidewalk on Missouri street, between South and Henry streets, according to the stakes and directions of the Civil Engineer, at his own expense.

That E. C. Atkins & Co. be allowed to pave with brick the entire sidewalk in front of their saw works, together with curbing the outer edge of said sidewalk with curb-stone, and that the Civil Engineer be directed to set the necessary grade stakes

Which were adopted.

Mr. Goddard presented the following petition :

INDIANAPOLIS, Sept. 28, 1868

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

We, the undersigned, property owners on Kentucky Avenue, between Tennessee and Missouri streets, and bordering on the line of improvement contracted for by William Kown, respectfully represent, that said contractor has duly performed his contract, and is justly entitled to an estimate and pay therefor, except the sidewalk on the south side of Kentucky Avenue, which has not been improved because of the expressed wish of the property owners, and we respectfully ask that said sidewalk be not improved, and that the contractor be relieved therefrom, but the contract, with that exception, shall be and remain in force, and subject to be legally enforced against us.

Respectfully.

Wm. Gulliver,
W. Bradley, Ag't,
T. P. V. Flowers,
William Roll.

John Truksess,
Sarah T. Bolton Reeve,
Margaret McGill,

I agree to a modification of contract, as above prayed for.

WM. KOWN, Contractor.

I am of the opinion that if the above petition and agreement are properly signed the Council can legally grant the prayer of petitioner.

B. K. ELLIOTT, City Attorney.

Which was granted.

Mr. Henschen presented the following petition :

INDIANAPOLIS, Oct. 19, 1868.

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

The undersigned citizens would respectfully petition His Honor, the Mayor, and Common Council of the City of Indianapolis to take the necessary steps to have removed a certain pond now existing on lot No. 45, in out-lot No.

160 of Greer & Walters' Subdivision, and the adjoining alleys. This large body of water, impregnated with filth, renders the air impure and unhealthful, and, by reason of its extent and depth, is a thing of inconvenience, endangering property, personal safety and human life. It is a nuisance to those affected thereby, and they respectfully ask that the same be filled up and removed, and the nuisance abated. We believe the said lot belongs to W. W. Walters.

C. H. Folkening,
Fred. Krome,
August Leseman,

Christ. Kruger,
Christ. Schrader,
And 19 others.

Which was received.

Also, the following resolution :

Resolved, That the owners of the following described real estate, to-wit: lot No. forty-five (45), in out-lot No. one hundred (100), Greer & Walters' Subdivision, in the City of Indianapolis, be and they are hereby required to fill and drain the same, as, in the opinion of this Council, there is a hole or excavation thereon in which water has or may become so stagnant 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 23, 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 passage of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the resolution passed.

Mr. Henschen offered the following motion :

That the Street Commissioner be instructed to build a bridge over the gutter, on the east side of Virginia Avenue, on the crossing of Noble and Pine streets, and the same be done under the direction of the City Engineer.

Which was referred to the Board of Public Improvements.

Dr. Jameson offered the following motions :

That David S. Beatty be permitted to grade and pave the sidewalk in front of his property on North New Jersey street, and that the Engineer be directed to set the proper stakes.

That Conrad Schuslor be permitted to grade and pave the sidewalk in front of his property on North New Jersey street, and that the Engineer be directed to set the proper stakes.

That Stoughton A. Fletcher, Sr., be permitted to grade and pave the sidewalk in front of his residence on Ohio street, and that the Engineer be directed to set the proper stakes.

That the Gas Inspector be directed to make a schedule for lighting the city, for one year, including the time, since going into effect, of the late contract with the Gas Company; and that said schedule should approximate, as nearly as practicable, 1,900 hours, and that the remaining hours, up to 2,000, be expended by the lamp lighter, under the direction of said Gas Inspector, the same if dark nights, before the hours of 10 o'clock p. m.; and that it shall be the duty of the Gas Inspector to leave written instructions with the Gas Company, on or before 5 o'clock p. m., on such evenings as it may be necessary to do extra lighting, and to see that all such extra hours are fully expended during the year.

Which were adopted.

Mr. Kappes offered the following motions :

That Everett Everts and Ludwig Sahn be allowed to pave with brick the sidewalk in front of their respective property, on Fort Wayne Avenue, and that the Civil Engineer be directed to set the necessary grade stakes. The whole work to be done under the direction of the City Engineer.

That James Brown be allowed to pave with brick the sidewalk in front of his property, on North Meridian street, between Ohio and New York streets, and that the City Engineer be directed to set the necessary grade stakes.

Which were adopted.

Mr. Kappes presented the following petition :

INDIANAPOLIS, Oct. 19, 1868.

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

The undersigned, owners of property along the route herein described, having frontage according to the number of feet affixed opposite our names, would respectfully petition your honorable body for the passage of an ordinance to pave with brick, eight feet wide, the sidewalk commencing at Pennsylvania street; thence on the northwest side of Fort Wayne Avenue to Delaware street; thence on the west side of Delaware street to Pratt street.

C. H. Peckham, J. P. Harper,
Jacob Barr, E. T. Fletcher,
Isa Hunt, And 6 others.

Which was received.

Also, special ordinance No. 104—1868, entitled :

AN ORDINANCE to provide for paving with brick the west sidewalk of Delaware street, between Walnut and Pratt streets.

Which was read the first time.

Also, special ordinance No. 105—1868, entitled :

AN ORDINANCE to provide for paving with brick the north-west sidewalk of Fort Wayne Avenue, between Pennsylvania and Delaware streets.

Which was read the first time.

Mr. Loomis offered the following motion :

That the Street Commissioner be directed to build a wooden culvert under Stevens street, at the intersection of Greer street.

Which was adopted.

Mr. MacArthur introduced special ordinance No. 106—1868, entitled :

AN ORDINANCE to provide for grading and graveling the second alley west of Market street, running north and south from Market street to Wabash street.

Which was read the first time.

Mr. MacArthur offered the following motion :

That the Committee on Revision of Ordinances be instructed to report an amendment to an ordinance entitled an ordinance Regulating the Markets within the City of Indianapolis, and defining the duties of Market Master, &c., so as to prevent the sale of fresh cut meats outside of the Market Houses, so long as there are stalls to be rented inside.

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

Those who voted in the affirmative were Councilmen Geisel, Goddard, Loomis, MacArthur and Woodburn—5.

Those who voted in the negative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Henschen, Jameson, Kappes, Schmidt, Seidensticker and Stanton—11.

So the motion was lost.

Mr. MacArthur presented the following petition :

INDIANAPOLIS, Sept. 7, 1868.

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

GENTLEMEN:—The undersigned, contractor for building the fence around Military Park, would respectfully state to your honorable body that I have lost on the fence built for your honorable body near three hundred dollars, not including my own labor. As I am a poor man, and have a debt yet unpaid on the fence, I respectfully ask you to make me an appropriation of three hundred dollars, and, as in duty bound, your petitioner will ever pray, &c.

THOMAS NAVIN.

Which was respectfully laid on the table.

Mr. Seidensticker presented the following from the City Treasurer:

OFFICE OF CITY TREASURER, }
Indianapolis, Oct. 16, 1868. }

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

GENTLEMEN:—I have the honor to report that I have collected the sum of five hundred and twenty-five dollars, being in full of the assessment made

against the residents of Blackford street for the widening and opening of said street. Very respectfully, &c.,

ROBT. S. FOSTER, *City Treasurer.*

Which was received.

Mr. Seidensticker offered the following motion :

That the City Clerk be authorized and directed to withhold from Thomas Wren, from the money due him from city for the improvements on Tennessee street, the sum of one hundred and thirty-six dollars and twenty-one cents (\$136.21), being for printing and costs on precepts issued on the 14th day of August, 1867.

(The property described in said precepts was sold to said Wren on the 2d of November, 1867, and the costs made on account of such sale have not yet been paid.)

Which was referred to the Committee on Finance, with instructions to ascertain the facts in the case, and that the Clerk retain the amount until said Committee reports.

Mr. Stanton offered the following motion :

That the Street Commissioner be directed to place a suitable wooden culvert, the full width of Vermont street, on the east side, at the crossing of said Vermont, Mississippi streets and Indiana Avenue.

A consideration of which was postponed one week.

Dr. Woodburn offered the following motion :

That Nelson Trusler be permitted to place a wooden bridge from his stable door to the ground on Muskingum alley.

Which was adopted.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Oct. 19, 1868.

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

The undersigned residents of said city would respectfully represent that they are the sole owners of lots Nos. 3, 4 and 5, in square 6, Coe's Subdivision, in said city; that said lots are divided by an alley running east and west through the same; and for the following reasons the undersigned respectfully ask your honorable body to vacate said alley, between Meridian street and west line of said lots, if no good reasons are shown to the contrary, after due and legal notice shall have been given in the premises: It is but twelve feet wide, and its use for the passage of hay, wood and other wagons causes a constant and costly destruction of fences; that we are unable to enter into or pass out of our stables through said alley, and the fact that in the same square there are two north and south alleys, each twenty feet wide, dispenses with the further use of said alley.

They further represent that said alley is of no value whatever to the property of any other person than the undersigned, and it is intended, if such vacation is ordered, to erect such ornamental improvements as will benefit and beautify what is now but an useless and unsightly waste of ground.

Respectfully submitted,

H. G. CAREY,
J. S. TARKINGTON.

The undersigned, owning property in square six (6), Coe's Subdivision of Indianapolis, in view of the foregoing petition for the vacation of a part of the twelve foot alley running east and west through lots 3, 4 and 5, respectfully recommend the granting of said petition, believing that it will not be detrimental to any other property in the square, and that it will prove a sanitary benefit and ornament instead.

ALFRED HARRISON,
JOHN C. S. HARRISON,
A. W. HENDRICKS.

Which was referred to the Committee on Streets and Alleys.

His Honor, the Mayor, presented the following invitation :

INDIANAPOLIS, Oct. 19, 1868

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

The undersigned, in behalf of the committee of arrangements on dedication of new Temple on East Market street, takes pleasure in extending to your honorable body an invitation to be present at the dedication ceremonies of the new Temple of the Indianapolis Hebrew Congregation, on Friday, October 30, 1868, at two o'clock P. M. Place of meeting, old Synagogue, opposite court house. Please signify your acceptance of the above as early as possible, and oblige,

Very respectfully,

H. BAMBERGER,
Chairman Committee of Arrangements.

Which was accepted, and the Clerk directed to notify the parties of the acceptance.

His Honor, the Mayor, introduced general ordinance No. 162—1868, entitled :

AN ORDINANCE protecting public morality, decency and order.

Which was read the first time.

Mr. Davis introduced special ordinance No. 107—1868, entitled :

AN ORDINANCE to provide for grading and graveling Wabash street, between Meridian and Illinois streets.

Which was read the first time.

Mr. Davis offered the following motion :

That the Street Commissioner be and is hereby directed to properly repair the gutter on the west side of Illinois street, between Washington street and Potomac alley.

Which was adopted.

Mr. Coburn presented the following remonstrance :

INDIANAPOLIS, Oct. 19, 1868.

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

The undersigned, property owners upon Washington street and the alley running north thereof, between Meridian and Pennsylvania streets, respect

fully and most earnestly protest and remonstrate against the permission to Mrs. Rhodius, or other person, to obstruct said alley by the erection of a stairway in the same. The said alley is a narrow one, being only fifteen feet in width, and is in constant use by a very large number of our citizens, and the Express Companies, and the erection of said stairway would so obstruct the roadway as to greatly interfere with the business of the public, and greatly damage our property.

David Macy,	James C. Yohn,
G. Schurmann,	Adam Knodle,
Matthew Long,	And 10 others.

In reference to which Mr. Brown offered the following motion :

That the action of the Council heretofore taken granting Mrs. Rhodius the privilege of erecting a stairway in an alley running east and west, between Market and Circle streets and Washington street, and between Pennsylvania and Meridian streets, be rescinded.

The ayes and noes being demanded, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Kappes, Seidensticker, Stanton and Woodburn—10.

Those who voted in the negative were Councilmen Goddard, Henschen, Loomis, MacArthur, Schmidt and Seidensticker—6.

So the motion was adopted.

Mr. Davis gave notice that at the next meeting of Council he would introduce a resolution requiring all stairways erected in alleys to be removed.

Mr. Coburn presented the following petition :

INDIANAPOLIS, Oct. 19, 1868.

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

I respectfully request permission to pave with brick, eight feet in width of the sidewalk in front of my lot, No. 434, North Delaware street.

J. P. HARPER.

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

That the request of J. P. Harper be granted, if done under the direction of the Civil Engineer, and within thirty days.

Which was adopted.

Sealed proposals for public work were referred to the Board of Public Improvements without reading.

REPORTS FROM BOARDS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Oct. 19, 1868. }

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

GENTLEMEN:—The Board of Public Improvements, to whom was referred the several matters, would respectfully report :

1. That Samuel Lefever is the lowest bidder for grading and bowldering Virginia Avenue, and curbing the outside edges with white oak plank, from the south side of Pogue Run to the south side of Louisiana street, his bid being, for bowldering, \$2.40 per lineal foot, and for curbing, 18 cents per lineal foot.

2. That Samuel Hanway is the lowest bidder for grading and graveling Muskingum alley, between St. Clair and Pratt streets, his bid being 27 cents per lineal foot front on each side.

3. That D. Root & Co. are the lowest bidders for the erection of lamp-posts, lamps and fixtures on St. Joseph street, between Delaware and Alabama streets, their bid being, for corner posts, \$37, and for intermediate posts, \$35.

4. That Samuel Lefever is the lowest bidder for building a brick sewer on Ray street, from Delaware street to Pogue Run, his bid being, for sewer,
36 inches, internal diameter, \$4.50 per lineal foot.
42 inches, internal diameter, \$4.95 per lineal foot.
48 inches, internal diameter, \$5.25 per lineal foot.
60 inches, internal diameter, \$6.00 per lineal foot.

We respectfully recommend that the contracts be awarded said parties.

5. That the petition of A. D. Wood, asking the privilege of erecting an office adjoining his foundry on South Delaware street, be granted, on condition that he place no post in the creek.

All of which is respectfully submitted.

J. W. DAVIS,
SAM'L GODDARD, } Board.

Mr. Cottrell moved that the contract for building a sewer 48 inches internal diameter be awarded to Samuel Lefever.

Mr. Kappes called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—13.

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

So the motion to award was adopted.

On motion, the remainder of the report was concurred in and the contracts awarded.

REPORTS FROM COMMITTEES.

Mr. Coburn, from the Committee on Claims, reported back special appropriation ordinance No. 48—1868, for the payment of sundry claims.

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

Mr. Seidensticker moved that the rules be suspended, and that the ordinance be placed upon its passage.

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

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 Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the ordinance passed.

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

INDIANAPOLIS, Sept. 28, 1868.

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

The Committee on Streets and Alleys, to whom was referred the petition of Kasimir Seiter, Herman Korst, Louis Budenz and Peter Kirsberg, Trustees of the German Catholic Church, asking for the vacation of an alley running through the north half of square seventy-seven (77), along the west side of lots number nine (9) and ten (10), in St. Palais' Subdivision in said square, and proposing, in case such vacation is ordered, to convey twelve (12) feet off of the east side of lots numbered nine (9) and eleven (11), in the above mentioned subdivision to the City of Indianapolis, to enlarge the alley running in the rear of lots numbered one (1), two (2), three (3), four (4), five (5), six (6), seven (7) and eight (8) of said subdivision, have had the subject under consideration, and report that they find the petitioners have given the requisite notice, and that no objection, by remonstrance or otherwise, has been made, but that the written consent of property owners in the immediate vicinity has been given and presented to the Council. Your committee, therefore, recommend that an order of vacation be made by the Common Council, in pursuance of the prayer of the petitioners, provided that they convey to the city fifteen feet of ground instead of twelve feet, as proposed.

AUSTIN H. BROWN, }
J. W. DAVIS, } Committee.

Which was concurred in.

Also, the following :

VACATION OF ALLEY.

Notice is hereby given that the undersigned have filed a petition with the Common Council of Indianapolis, for the vacation of the alley running through the north half of square number seventy-seven (77), along the west side of lots numbers 9 and 10 in St. Palais' subdivision, in said square number 77, in the city of Indianapolis, Indiana.

P. GERMAN,
KASIMIR SEITER,
HERMAN HORST,
LOUIS BUDENZ,
PETER KAESBERGER,

Trustees of the German Catholic Church.

STATE OF INDIANA, }
MARION COUNTY, } ss:

James Frank, upon his oath says, that on the 27th day of October, A. D., 1868, he posted copies of the above notice in three of the most public places in the neighborhood of the alley proposed to be vacated.

Witness his hand and seal this 21st day of September, 1868.

JAMES FRANK.

Subscribed and sworn to before the undersigned, a Notary Public, this 21st day of September, A. D. 1868.

JOHN W. COONS, Notary Public.

STATE OF INDIANA, }
MARION COUNTY, } ss:

Personally appeared before the undersigned, Henry A. Loudon, clerk for Douglass & Conner, publishers of the Weekly Indiana State Journal, a newspaper of general circulation, printed and published in the City of 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 (3) weeks successively, the first of which publication was on the fourth (4th) day of September, 1868, and the last on the eighteenth (18th) day of September, 1868.

HENRY A. LOUDON.

Subscribed and sworn to before me this twenty-first day of September, 1868.

JAMES FRANK, Notary Public.

VACATION OF ALLEY.

Notice is hereby given that the undersigned have filed a petition with the Common Council of Indianapolis for the vacation of the alley running through the north half of square number seventy seven, along the west side of lots numbers 9 and 10, in St. Palais' Subdivision, in said square number seventy-seven, in the City of Indianapolis, Indiana.

P. GERMAN,
KASIMIR SEITER,
HERMAN HORST,
LOUIS BUDENZ,
PETER KAESBERGER,

Trustees of the German Catholic Church.

Ordered, That the alley running north and south through the north half of square number seventy-seven, along the west side of lots numbers nine and ten, in St. Palais' Subdivision, in said square, be, and the same hereby is vacated: *Provided, however,* That the petitioners, Trustees of the German

Catholic Church, in compensation for said vacation, convey to the City of Indianapolis fifteen feet of the east side of lots numbers nine and eleven, in the above mentioned subdivision, to enlarge the alley running in the rear of lots numbers one, two, three, four, five, six, seven and eight, in said square and subdivision.

The question being on ordering the vacation, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—13.

Councilman Henschen voting in the negative.

So the vacation was ordered.

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

INDIANAPOLIS, Oct. 7, 1868.

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

Your committee, to whom was referred the petition of Messrs. Werbe & Co., for affixing advertising columns to gas posts throughout the city, have had the same under consideration, and would respectfully suggest that the same be not granted.

Respectfully,

C. F. SCHMIDT, }
J. H. KAPPES, } Committee.
A. GODDARD. }

Which was concurred in.

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

INDIANAPOLIS, Oct. 19, 1868.

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

Your committee beg leave to present the monthly report of the Superintendent of City Hospital, together with an ordinance appropriating \$417.47 on account of City Hospital.

Respectfully,

J. HENRY KAPPES, }
W. H. LOOMIS, } Committee.
HENRY GEISEL, }

Which was received.

Also, the following:

RECAPITULATION OF THE MONTHLY REPORT OF THE CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL ENDING SEPTEMBER 30, 1868.

Number of patients in Hospital at last report	25
Number of patients received in Hospital since last report.....	15
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report.....	18
Number of patients died in Hospital since last report	1
Number of patients remaining in Hospital at present report.....	22

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING OCTOBER 3, 1868.

Number of patients in Hospital at last report.....	21
Number of patients received in Hospital since last report.....	4
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report.....	4
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report.....	22

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING OCTOBER 10, 1868.

Number of patients in the Hospital at last report.....	22
Number of patients received in the Hospital since last report.....	8
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	2
Number of patients died in the Hospital since last report.....	0
Number of patients remaining in the Hospital at present.....	28

Also the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING OCTOBER 19, 1868.

Number of patients in Hospital at last report.....	28
Number of patients received in Hospital since last report.....	5
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report.....	15
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report.....	19

Also, the following :

RECAPITULATION OF THE MONTHLY REPORT OF EXPENDITURES OF THE CITY HOSPITAL, ENDING SEPTEMBER 30, 1868.

Total expenditures for the month.....	\$428 97
Aggregate number of days for which subsistence, etc., was furnished.....	707
Average expense per capita per diem.....	\$0 60

Which were received.

Also, special appropriation ordinance No. 49—1868, entitled :

AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital, for the month of September, 1868.

Which was read the first time.

REPORTS FROM CITY OFFICERS.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }
Indianapolis, Oct. 5, 1868. }

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

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

James Mahoney vs. William Y. Wiley, for \$39.39.
 Hiram Seibert vs. McKernan & Pierce, for \$20 70.
 Hiram Seibert vs. McKernan & Pierce, for \$20 70.
 Hiram Seibert vs. Rilla Toon, for \$62.10.
 Hiram Seibert vs. Jacob Ante, for \$36.48.
 Hiram Seibert vs. John A. Unversaw, for \$7.67.
 Hiram Seibert vs. Elizabeth Unversaw, for \$7.67.

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, Oct. 5, 1868.

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

I hereby report the following work finished according to contract :

Richard Carr, for grading and graveling Railroad Avenue, from the north side of the first alley north of the Union Railway Company's track to south side of Chesapeake street.

Length on east side, - - - - -	195 feet.	
Length on west side, - - - - -	195 "	
Total length, - - - - -	390 "	
At 44 cents per lineal foot, - - - - -		\$171 60
Also, amount retained from Feary & Dillon, contractors for building a cistern at the corner of North and Winston streets, - - -		\$191 53
Also, amount retained from same contractors for building cistern at the corner of Alabama and Cumberland streets, - - -		190 39
Total amount retained, - - - - -		\$381 92

Also, that I have required Feary & Dillon to readjust the pavement on North street, between Delaware and Alabama streets. So that I now recommend that they be allowed their estimate.

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

Which was concurred in.

The Civil Engineer, also, made the following report :

INDIANAPOLIS, Oct. 12, 1868.

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

I hereby report the following work finished according to contract :

Anthony Richter, for building a bridge over Pogue Run, on Ohio street, 121.99 cubic yards of masonry, at \$6.05 per cubic yard, - - -	\$738 03
150 feet of covering for drain at 40 cents per square foot, - - -	60 24
10,669.5 feet of timber in superstructure, at \$3.25 per 100 feet, - - -	346 75
Total, - - - - -	\$1,145 02

Also, James Mahoney, for paving the north sidewalk on Market street, between New Jersey and Noble streets.

Length of sidewalk 879 feet 9 inches, at 64 cents per foot, - - - \$563 04

Also, Charles Rooney, for grading and paving the east sidewalk on Alabama street, between North and Walnut streets.

Length of sidewalk 415 feet, at 48 cents per foot, - - - \$199 20

Also, Samuel Hanway, for grading and graveling the west alley running north and south through square 41.

Length of east side	-	-	-	-	-	-	-	420 feet,
Length of west side,	-	-	-	-	-	-	-	420 "
Total length,	-	-	-	-	-	-	-	840 feet.
At 23 cents per foot,	-	-	-	-	-	-	-	\$193 20

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

Which was concurred in.

The Civil Engineer, also, made the following report:

INDIANAPOLIS, Oct. 19, 1868.

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

I hereby report the following work finished according to contract:

Charles Rooney, for grading, paving and curbing the west sidewalk on Mississippi street, between Wabash and Market streets.

Length of pavement, 183 feet, at 69 cents per lineal foot,	-	-	-	\$126 27
Length of curb, 176 feet, 3 inches, at 24 cents per foot,	-	-	-	42 30

Total estimate,	-	-	-	-	-	-	-	\$168 57
-----------------	---	---	---	---	---	---	---	----------

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

Which was concurred in.

The City Clerk made the following report:

INDIANAPOLIS, Oct. 12, 1868.

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

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

1. First and final estimate allowed Samuel Hanway for grading and graveling the west alley running north and south through square 41.
2. First and final estimate allowed James Mahoney for grading and paving the sidewalk on the north side of Market street, between New Jersey and Noble streets.
3. First and final estimate allowed Charles Rooney for grading and paving the east sidewalk on Alabama street, between Walnut and North streets.
4. First and final estimate allowed Richard Carr for repairing Delaware street, from the south side of South street to the north side of Wyoming street, is presented for your approval.
5. First and final estimate allowed Richard Carr for grading and graveling Railroad Avenue, from the west side of the first alley north of the Union Railway Company's track and the south side of Chesapeake street, is also presented for your approval.
6. First and final estimate allowed Feary & Dillon for grading and paving the sidewalk on the north side of North street, between Delaware and Alabama streets, is presented for your approval.
7. First and final estimate allowed Charles Rooney for grading and paving the sidewalk and curbing the outside edge with white oak plank on the west side of Mississippi street, between Market and Wabash streets.

8. First and final estimate allowed Wm. Kowan for grading and graveling Kentucky Avenue, from Tennessee to Missouri streets, is presented for your approval.

Respectfully submitted,

DAN. M. RANSELL, City Clerk.

Per JOHN G. WATERS, Deputy.

Which was concurred in.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Wm. Kowan for grading and graveling Kentucky Avenue, between Tennessee and Missouri 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 Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Schmidt, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the resolution passed.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed James Mahoney for grading and paving the north sidewalk on Market street, between New Jersey and Noble 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 Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Schmidt, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the resolution passed.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Charles Rooney for grading, paving and curbing the sidewalk on the west side of Mississippi street, between Wabash and Market 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 Brown, Coburn, Cottrell,

Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Schmidt, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the resolution passed.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Charles Rooney for grading and paving the east sidewalk on Alabama street, between Walnut and North 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 Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Schmidt, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the resolution passed.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Samuel Hanway for grading and graveling the west alley running north and south between Market and Ohio 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 Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Schmidt, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the resolution passed.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Richard Carr for repairing Delaware street, from the south side of South street to the north side of Wyoming street, and, also, first and final estimate allowed Richard Carr for grading and graveling Railroad Avenue from the north side of the first alley north of the Union Railway Company's track, and, also, first and final estimate allowed Feary & Dillon for paving north sidewalk on North street, between Delaware and Alabama 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 Brown, Coburn, Cottrell,

Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Schmidt, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the resolution passed.

The Street Commissioner submitted the following communication :

INDIANAPOLIS, Sept. 23, 1868.

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

GENTLEMEN:—Your honorable body has recently passed ordinances for re-graveling Virginia Avenue, from South street to the Corporation line. Said ordinances make it my duty to have said avenue leveled and re-graded to a depth of 10 inches in the center, sloping to 3 inches at the sides. To carry out the provisions of said ordinance it will be necessary to raise the Street Railway Company's track some 8 or 9 inches. According to an ordinance passed on the 4th day of November, 1867, said railroad company is released from the responsibility of raising their track in case of a change of grade, and it is made the duty of the contractor or corporation requiring said work to be done. I respectfully ask your honorable body for instructions what to do in this matter.

Very respectfully,

AUGUST RICHTER, *Street Commissioner.*

Which was received, and in reference to which Mr. Brown offered the following motion :

That the Street Commissioner be directed to notify the Citizens' Street Railway Co. to raise their track on Virginia Avenue so as to conform to the new grade.

Which was adopted.

The Street Commissioner made the following report :

INDIANAPOLIS, Oct. 15, 1868.

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

The following is the report of the work done by the Street Commissioner from September 7th up to October 19th, 1868, to-wit:

1. Filled the crossings on Illinois and Russell streets with gravel.
2. Laid two foot bridges on Broadway and Vine streets.
3. Laid two foot bridges on Blume and Vine streets.
4. Laid one foot bridge on Broadway and Cherry streets.
5. Laid two foot bridges on Broadway and St. Clair streets.
6. Laid two foot bridges on St. Clair and Jackson streets.
7. Laid two foot bridges on Illinois and Market streets.
8. Laid one foot bridge on Mississippi and Market streets.
9. Laid one foot bridge on Davidson and Michigan streets.
10. Laid two foot bridges on Illinois and Washington streets.
11. Graded and bowldered the crossings on Ohio and Tennessee streets, which took two hundred yards of bowlders.
12. Built two culverts on Ohio street; took up and re-bowldered 717 yards of bowldering on the same place, and hauled 45 yards of gravel at said place.
13. Built a culvert on Madison Avenue and Madison Railroad.
14. Built a culvert on Illinois and North streets.
15. Built a culvert on Tennessee and Wabash streets.

16. Cleaned the gutters on New Jersey street, between Washington street and Pogue Run.
17. Rebuilt the culvert on Cumberland and New Jersey streets.
18. Repaired the culvert on West and Market streets.
19. Repaired the culvert on Ohio and Mississippi streets.
20. Repaired the culvert on Market and Mississippi streets.
21. Repaired the culverts on Massachusetts Avenue, between Pennsylvania and New Jersey streets.
22. Dug a ditch on Tennessee street, between Market and Ohio streets, east side.
23. Dug a ditch on Ohio street, between Tennessee and Illinois streets, north side.
24. Dug a ditch on West street, between Georgia street and Kentucky Avenue, on the east side; graded the gutter and repaired the sidewalk on the west side.
25. Put 17 feet of stone curbing with the intersection of Washington and Tennessee streets, and put $33\frac{3}{4}$ yards of ash wood pavement on the northeast corner of Washington and Tennessee streets.
26. Put $23\frac{2}{3}$ yards of ash wood pavement on the southeast corner of Ohio and Illinois streets.
27. Opened the gutters on Massachusetts Avenue, between Ash and St. Clair streets.
28. Filled the crossings on Elm and Pine streets with gravel.
29. Cleaned Washington street, between Delaware and Tennessee streets.
30. Filled the crossings on Market and East streets, with gravel.

The following statement shows the balance of credits in the different Wards, and also the deficit of cash overdrawn:

WARDS.	Expenditures from Sept. 7, till Oct. 19, 1868.	Balance of credits.	Deficits.
1st Ward	-----	\$30 02	-----
2d Ward	\$12 00	-----	\$169 25
3d Ward	38 00	-----	211 70
4th Ward	-----	367 39	-----
5th Ward	35 00	-----	3 48
6th Ward	-----	-----	74 37
7th Ward	-----	67 91	-----
8th Ward	8 00	189 69	-----
9th Ward	59 00	59 08	-----

Respectfully submitted,

AUGUST RICHTER, *Street Commissioner.*

Which was received.

The Chief Fire Engineer made the following report :

INDIANAPOLIS, Oct. 12, 1868.

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

GENTLEMEN:—I would herewith most respectfully report the condition of the two cisterns built by Messrs. Feary & Dillon. The one on the corner of Alabama and Cumberland streets has been filled since the fire at Mr. Tate's dry-kiln, some three weeks since, and has not leaked since that time. The one on the corner of North and Winston streets was filled two months ago and has leaked out some two feet and ten inches. I am not able to state whether it will hold at that point.

All of which is respectfully submitted.

CHARLES RICHMANN, *Chief Fire Engineer.*

Which was received.

ORDINANCES ON SECOND READING.

On motion the following entitled ordinances were read the second time and ordered to be engrossed :

- Special ordinance No. 97—1868.
- Special ordinance No. 100—1868.
- Special ordinance No. 103—1868.
- General ordinance No. 162—1868.

On motion by Mr. Brown, special ordinance No. 96—1868, providing for lighting Madison Avenue, between Meridian and Pennsylvania streets, was stricken from the files.

Dr. Woodburn called up special appropriation ordinance No. 49—1868, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims on account of the City Hospital for the month of September, 1868.

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

Dr. Woodburn moved that the rules be suspended, and that the ordinance be placed upon its passage.

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

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 Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Schmidt, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the ordinance passed.

ORDINANCES ON THIRD READING.

Mr. Loomis called up general ordinance No. 160—1868, entitled:

AN ORDINANCE to repeal an ordinance, entitled "An ordinance preventing the firing of cannons, burning of fireworks," &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 Coburn, Cottrell, Davis, Goddard, Loomis, Stanton and Woodburn—7.

Those who voted in the negative were Councilmen Brown, Foster, Geisel, Henschen, Kappes and Schmidt—6.

Se the ordinance passed.

Mr. Stanton called up special ordinance No. 95—1868, entitled :

AN ORDINANCE to provide for grading and graveling the west sidewalk of Blackford street from New York to Michigan streets.

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

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Schmidt, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Brown called up special ordinance No. 88—1868, entitled :

AN ORDINANCE to provide for repairing South street, between Pennsylvania and Delaware streets.

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

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Schmidt, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the ordinance passed.

On motion, the Council adjourned.

DANIEL MACAULEY, *Mayor.*

ATTEST :

D. M. RANDELL, *City Clerk.*