

Council met at 7 P. M. Present the Mayor and all members of the council.

The reading of the minutes were dispensed with
Petitions and Remonstrances

By Mr. Vandegrift.
To the Common Council

The undersigned, proprietiers of lots on Illinois street, between Market and Ohio streets, represent, that some of us signed a petition for graveling Illinois street, between Washington and Ohio streets, with coarsely screened river gravel, which petition was presented to your honorable body the 27th ult. and referred to the appropriate committee. We, the signers in part of said petition, after carefully reviewing and reconsidering the whole matter, hereby withdraw our names from said petition, and now join in protesting and remonstrating against including that portion of Illinois street between Market and Ohio streets, in said proposed improvements for the following reasons, towit:

1. Said graveling for said portion of Illinois street is unnecessary and uncalled for at this time, it being already well graded and graveled, is in an excellent condition, answering all the purposes of a non-business street

2. The gutters are unbouldered, which ought to be done before spreading coarse river gravel over the whole width of the street, as proposed in said petition

3. Because some of your protestants do not wish any part of those means which they are husbanding for comtemplated buildings on their lots, diverted at this time for expensive street improvements

4. Because in common with our fellow citizens, we still feel to sensibly and stringently the effects of the financial crises just passed, to be taxed enormously for said proposed improvement

5. Because it is wrong and oppressive to extend to non-business squares, a street improvement deemed suitable or necessary at present for only a business square, in order to secure said improvement to the latter.

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We therefore earnestly protest and remonstrate against including that portion of Illinois street between Market and Ohio streets, in any order or ordinance, which your honorable body may deem expedient to pass, for graveling Illinois street, between Washinton and Market streets, in obedience to the prayer of the remaining subscribers to the petition aforesaid

Names	No. feet
W. Clinton Thompson	97
Jas. C. Yohn	71
George W. Miller	120
George Bauer	23 $\frac{3}{4}$
Humphrey Griffith	65
J. B. New	32 $\frac{1}{2}$
A. A. Louden	105
Pauline Chapman	55

The above list embraces all the property owners on Illinois street between Market and Ohio streets except Mr. Goepper, who has 23 $\frac{3}{4}$. feet

On Motion by Mr. Vandegrift

The remonstrance was referred to the Judiciary Committee

By Mr. Vandegrift

To the Hon. Common Council

Your undersigned asks the liberty of improving Illinois street by putting down spauls, screened or river gravel, say the half of the street in front of lot 5 in square 55, also in front of lot 1 in square 54, under the direction of the city engineer, and asks that the stakes for said improvement be set.

G. Norwood.

On Motion by Mr. Vandergrift.

The prayer of the petition was granted.

By Mr. Cottrell,

A petition from R. A. Sooker, for an extension of the time fifty days, for paving Kentucky Avenue.

Laid on the table

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By Mr. McNabb,

A petition from Thurlow Haskell, asking the privilege to erect a frame building on the alley end of lot 8 in square sixty eight.

Laid on the table.

Reports

Mr Dunlap, from committee on Education, made the following report.

Your committee to whom was referred the late communication of the school trustees upon the subject of renting the school houses, in the city, report:

That they find upon examining the question, that the public schools of the city, according to the late opinion of the Supreme Court, are to be governed by the provisions of the general school law; and that under those provisions, the same court has decided, in the case of Culver vs. Smart, et. al. 1st Ind. Rep. p. 65, that the school trustees have the charge of the public school houses. They must therefore, act in the matter upon their own judgment and responsibility. There does not seem to be any reason or authority for the interference of the city council

Your committee therefore ask to be discharged from the further consideration of the subject, all of which is respectfully submitted.

L. Dunlap
S. A. Fletcher Jr.
Comte.

On Motion by Mr. North,
The report was concurred in

Mr. Vandegrift, from the Committee on bridges, presented plans and specifications for bridges over Pogues Run on Pennsylvania and Washington streets which were read and laid on the table.

Mr. Hadley, from Committee on Cisterns, made the following report

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Mr. President,

Your committee to whom was referred the bids on cisterns beg leave to report that we find Joseph Kruger's bid to be the lowest, and as he is an experienced cistern builder, we recommend that the Civil Engineer be authorized to contract with him for the building of the three cisterns located as speci-

fied in the ordinance.

Respectfully submitted
Wm. Hadley
G. W. Geisendorff
Geo W. Durham
Com.

On Motion by Mr. Cottrell,

The report was concurred in and the contract to be made at 55¢ per barrel, paid in city orders.

Mr. Hadley, from the committee on Cisterns, also submitted the following report.

Mr. President

Your committee on locating cisterns beg leave to report advising the location of the two cisterns west of the canal, one at the junction of Vermont and California streets, and one at the junction of St. Clair street and Indiana Avenue.

Respectfully submitted
Wm. Hadley
G.W. Geisendorff
Geo. W. Durham
Com.

On Motion by Mr. Cottrell

The report was laid on the table.

Mr. Cottrell, from committee on Streets and Alleys, made the following report.

Mr. President

The committee on Streets and Alleys to whom was referred the bids for grading and graveling the several streets and sidewalks, find that Thomas Wrenn is the lowest bidder on that portion of Delaware street lying between South and McCarty streets, therefore we recommend that he receive the contract for grading and graveling said street

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We also recommend that the contract for grading and graveling Vermont street between California and Mississippi, and the sidewalk on Delaware street between South street and Pogues Run, and Ellsworth street, between New York and Vermont streets be awarded to Jeremiah Shea, he being the lowest bidder on the same.

We have examined the petition from the property holders

on Noble street, asking the Common Council to pass an ordinance to grade and gravel the same, and recommend the passage of the following ordinance.

Thos. Cottrell
E. Locke
S. McNabb

Com'te.

On Motion,
The report was concurred in.

An ordinance to provide for the grading and graveling of Noble street between South and Market streets.

Sect. 1. Be it ordained by the Common Council of the city of Indianapolis, that the whole width of Noble street, between South and Market streets be properly graded, and that twenty five feet in width of the centre of said Noble street, be graveled with coarse pit gravel to the depth of twelve inches in the centre, and sloping to six inches at either edge, and that the sidewalks of said street, between the limits named, be properly graded, and graveled to the depth of eight inches, and the expense of the grading and graveling such street and sidewalks as aforesaid, except so much thereof as is occupied by the crossings of streets and alleys, be assessed against and collected of the owners of the lots bordering on said street, between the limits aforesaid, according to the provisions of sections 66 to 69 inclusive of the city charter.

Sect. 2. The Civil Engineer is hereby directed to set the proper grade stakes, and also to advertise by publication for one week in the Indianapolis Daily Journal, and by posting up printed notices in not less than five public places in the city, that sealed proposals will be received by the common council at their stated meeting on the 24th day of April, for the execution of said work.

Sect. 3. This ordinance shall take effect and be in force from and after its passage.

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The ordinance was read the first and second time, when the rules were suspended by the following vote.

Ayes - Messrs. Cottrell, Dunlap, Durham, English, Fletcher, Greenfield, Geisendorff, Harvey, Hadley, Locke, McNabb, North, Porter and Vandegrift - 14
Noes - None.

The ordinance was then read the third time, and ordained by the following vote.

Ayes - Messrs. Cottrell, Dunlap, Durham, English
 Fletcher, Greenfield, Geisendorff, Harvey, Hadley, Locke,
 McNabb, North, Porter and Vandegrift - 14
 Noes - None.

Mr. English, from committee on Fire Department, made the following report.

Mr. President

Your committee on the Fire Department to whom was referred the Chief Fire Engineers report, submit the following.

It is the opinion of your committee that in order to preserve the prosperity efficiency, and success of the Marion and Relief fire companies the council should purchase a new engine for each of said companies.

We therefore recommend that the council concur in the recommendation of the Chief in reference to said engines

Jos. K. English

J. Vandergrift

Com.

On Motion by Mr. English

The report was referred to the Judiciary committee to report an ordinance at the present meeting.

The Treasurer's monthly report was presented, showing a balance on hand of General fund \$1175.39; and of the School fund \$23.74

Referred to Finance committee.

From the Street Commissioner

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To the Hon. Council

The undersigned respectfully submits the following report. For cleaning gutter on Illinois street between Maryland and Market streets, also for repairing bridges in different parts of the city, and for cleaning gutter on Washington street, between Illinois and Tennessee.

Jerry Shea	hauling	9.25
Mrs. Conway	"	7.50
Thos. Ferriter	"	9.00
Saml. G. Wiles		2.00
Michael Shea		2.25
George Heninger		6.62

Thomas Shea	3.87
Cornelius Shea	2.40
Jno. Shope	5.37
Roger Shea	1.50
Jas. R. Shea	1.50
Wells & Fletcher	167.20
	<hr/>
	\$218.46

Henry Colestock
Street Commissioner

On Motion by Mr. Cottrell,
The report was received and the accounts allowed.

From the Sexton

Report of interments in all the burying grounds of Indianapolis, from the 1st of March to the 1st of April, 1858

There has been interred under 5 years of age	16
between 5 and 10	2
" 10 " 20	3
" 20 " 30	2
" 30 " 40	4
" 50 " 60	2
Over 70	1
	<hr/>
From the city 22, from the country 8, whole No.	30

Eight of the 22 interments in the city were taken from the vaults, that died before the first of March, leaving 14 deaths in the city during the Month of March. No prevailing disease
Jno. Moffitt
Sexton

Laid on the table

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From the Captain of the Watch.

To the Mayor and Common Council.

I herewith submit the following report for the last month ending April 9, 1858

Arrests have been as follows.

For intoxication	4
" prostitution	17
" disturbing the peace	3
" Assault and battery	6
" Grand Larceny	2
Total	<hr/>
	32

The police have served as follows:

Thomas Amos	28 nights	42.00
Halden Davis	28 "	42.00
Samuel Lafever	23 "	34.50
Richard Ware	27 "	40.50
J. K. Lang	28 "	42.00
Chas. Carter	28 "	42.00
Hul. Adams	28 "	42.00
A. D. Rose	28 "	49.00
		<hr/> \$334.00

Police to fill vacancy

Wm. Culbertson	5 nights	7.50
E. S. Meek	1 "	1.50

Respectfully submitted
A. D. Rose
Captain

On Motion,
The report was received and the accounts allowed.

From the Civil Engineer.
To the Common Council

In compliance with a resolution passed at your last meeting, I have made surveys on five different routes, for the purpose of finding a practical out let for the bayou running through the south eastern portion of the city.

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No. 1. Commencing where said bayou crosses under the Cincinnati R.R. at a point a little over half a mile east of the eastern donation line, and running south east with the line of said rail road to Pleasant Run. The length of the cut on this line would be 3500 feet, the deepest cut 18 feet, the average cut 8 feet,; necessary to make this cut, excavation, 11.407 yards, costing at 15 cents per yard, \$1711.05 By this cut about one half the water that now enters the city could be cut off, or if it should be desirable, by cutting a little deeper, Pleasant run could be brought to the city

No. 2. Commencing in the bayou at a point about thirty rods west of the beginning in No. 1, and running south on the line between the lands of Fletcher, Ray, Reed, Dunlap, and the L. & N. M. R. R. Co. The length of this line is 3400 feet, deepest cut 10½ feet, average cut 6½ feet, the cut at the crossing of the road running east from the south east donation corner, would be 6¼ feet, excavation 7776 yards at 15 cts \$1166.40

No. 3. Commencing in bayou on the east donation line, and running south 1980 feet to the south east corner of donation, deepest cut $10\frac{1}{2}$ feet, average cut 6 feet, cut in road at donation corner $4\frac{1}{4}$ feet. Here I halted on this line as it would require a cut still south on the county road about 2000 feet farther, some of which would be about 13 feet deep.

No. 4. Beginning in bayou on east donation line and running north 1600 feet to the Cincinnati Rail Road, then west on line of Rail Road 600 feet, making 2200 feet in all; deepest cut $8\frac{3}{4}$ feet, average cut to Rail Road 6 feet, cut at Rail Road $6\frac{1}{4}$ feet. Excavation 3600 yards at 15 cts \$540.00 By this route we could teach nature a lesson she never thought of, by getting the water into the city on an up grade. I consider this route an up hill business in several respects. I have not ascertained whether the right of way could be procured on any of the above routes, but it is evident to the mind of any man having made the survey, whether he was with Bonaparte crossing the Alps or not, that either of the above routes are practicable. But in my opinion neither of them are expedient at the present time, and it may be proper to state that I would have abandoned each of said routes upon a very temporary examination, had it not been that they were suggested by citizens suffering from the effects of said bayou, since the grading of Virginia Avenue down to South Street.

No. 5. I would recommend that the waters of the bayou be diverted from the natural channel at the crossing of East street. The fill in the bed of the bayou at this point would be two feet, and the deepest cut between that and

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South street 6 feet. The water would back up on out lot 102 for a distance not to exceed 500 feet in the bed of the bayou, and 2000 yards of earth would fill it so that water would not stand at all. I would bring the water on East street to Virginia Avenue, then down the south west gutter of the Avenue to the Creek, which would be but a short digression from the natural channel, and could, I believe, be accomplished at the least expense, and to the least damage to the citizens of the city and environs, of any plan yet proposed. The simple grading of East street for a square or two, would accomplish all except filling the bayou where water would back up, and I believe it to be necessary for present emergencies to open the gutter wider, and repair the embankments along the north side of south street, between East and New Jersey, to avoid all damages until better improvements are made.

I have advertised for proposals to grade and gravel Chatham street and walks, and have received the following bids which are herewith presented.

City of Indianapolis to Geo. Marvel for 16 days work under direction of the city Engineer, making and driving stakes, and acting as rodsman at \$1.50 per day \$24.00, and to Jesse Tomlinson for building a foot bridge over the canal on Merrill street, \$104.00

D. B. Hosbrook
Civil Engineer

Bids on Chatham street

I. Russell	grading	14	graveling	18
Ferdinand Dungan	"	12	"	21
Geo. T. Wiles	"	14	"	20
James Kown	"	13	"	20
Wm. & Robert Johnson	"	14	"	20
Henry Peal	"	15	"	20
Jas. B. Marvin	"	12 $\frac{1}{2}$	"	19 $\frac{1}{2}$

On Motion

The accounts were allowed, the report laid on the table, and the bids referred to the Engineer and Committee on Streets and Alleys.

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Resolutions

By Mr. Cottrell.

Resolved.

That the city Engineer be instructed to advertise for proposals for building two stone arch bridges one across Pogues Run on Pennsylvania street, the other over Pogues Run on Washington street, the arches to be built according to the plans and specifications submitted by the Engineer. The Common Council to reserve the right to reject any or all such bids.

Adopted

Ayes - Messrs. Cottrell, Dunlap, Durham, English, Fletcher, Geisendorff, Locke and North - 8

Noes - Messrs. Greenfield, Harvey, McNabb, Porter and Vendegrift. - 5

By Mr. Locke,

A resolution to the effect that the Civil Engineer advertise for the building of two cisterns, one at the crossing of Vermont and California, and one at the junction of St. Clair street with the north west diagonal

On Motion by Mr. North,

The resolution was amended by locating a cistern at the junction of Delaware and McCarty streets.

When the resolutions, as amended, was lost by the following vote.

Ayes - Messrs. English, Fletcher, Geisendorff, Locke and North - 5

Noes - Messrs. Cottrell, Dunlap, Durham, Greenfield, Harvey, Hadley, McNabb, Porter and Vandegrift - 9.

By Mr. North,
Resolved.

That Yankee Robinson be permitted to show in the city of Indianapolis on the 12th and 13th day of April without paying license, as he claims to be a citizen of this place, and has on two occasions given the fire companies the proceeds of two benefits and offered to give a benefit to the 4th ward fire Co.

Adopted.

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Ayes - Messrs. Durham, Durham, English, Greenfield, Geisendorff Harvey, Locke, McNabb, North and Vandegrift - 10
Noes - Messrs. Cottrell, Fletcher, Hadley and Porter - 4

By Mr. Durham,
Resolved.
That the salary of the city Marshal be made equal to cash.

Not adopted
Ayes - Messrs. Durham North and Vandegrift - 3
Noes. - Messrs. Cottrell, Dunlap, English Fletcher, Greenfield, Geisendorff, Harvey, Hadley, Locke, McNabb, and Porter - 11.

By Mr. Fletcher,
Resolved.
That the city Engineer be and he is hereby directed to advertise for proposals to build a stone culvert across Virginia Avenue near the intersection of Noble street, in order that the water of the bayou may pass under the grade of said Avenue.

Adopted.
Ayes - Messrs. Cottrell, Dunlap Durham, English, Fletcher, Greenfield, Geisendorff, Harvey, Hadley Locke, McNabb, North, Porter and Vandegrift - 14
Noes - None

By Mr. English,
Resolved
That the committee on Streets and Alleys with the Civil Engineer be directed to examine the grade of New York street,

between East and New Jersey streets, to see if the grade cannot be lowered at the crossing of New Jersey and Liberty streets, the examination to be made on Monday next if possible.

Adopted.

Ayes - Messrs. Cottrell, Dunlap Durham, English, Fletcher, Greenfield, Geisendorff, Harvey, Hadley Locke, McNabb, North, Porter and Vandegrift - 14

Noes - None.

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By Mr. English

Resolved.

That the Street Commissioner be directed to improve the gates of Circle square, under the superintendence of Mr. Vandegrift.

Adopted.

Ayes - Messrs. Dunlap, Durham English, Fletcher, Greenfield, Geisendorff, Harvey, Hadley Locke, McNabb, North, Porter and Vandegrift - 13

Noes - Mr. Cottrell.

By Mr. Durham,

A resolution that the Street Commissioner fill mud hole between East street and Liberty street.

Mr. North moved to amend by adding, "the mud hole on McCarty street between Delaware and the Madison R. R. Co's track.

On Motion by Mr. Vandegrift,

The resolution and amendment were referred to the Judiciary Committee.

By Mr. Cottrell,

Resolved, That George Youngerman be permitted to grade and gravel at his own expense, the sidewalk in front of lot 5 in Out lot 83, under the direction of the City Engineer, and the engineer be directed to set the proper grade stakes for the same.

Adopted.

Ayes - Messrs Cottrell, Dunlap Durham, English, Fletcher, Greenfield, Geisendorff, Harvey Hadley, Locke, McNabb, North, Porter and Vandegrift - 14

Noes - None

Miscellaneous Business

His Honor, the Mayor presented the following.

Gentlemen of the City Council

I herewith resign my office of Mayor of the city of Indianapolis. Such resignation to take effect on Monday, May 3d, 1858, at 12 o'clock, M.

W. I. Wallace.

On Motion by Mr. Harvey,
The same was accepted.

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When Mr. Harvey introduced the following resolution.

Resolved, That the voters of the city of Indianapolis at the city election to be held on the first Tuesday in May next, elect a Mayor of said city to fill the vacancy occasioned by the resignation of Wm I. Wallace, the present incumbent, whose resignation takes effect on the 3d day of May, 1858, and that the city clerk prepare the necessary poll books and tally papers, and that the officers of such election cause the intention of this resolution to be carried out in the receiving, counting and returning of such votes for Mayor.

Adopted.

Ayes - Messrs. Cottrell, Dunlap, English, Fletcher, Greenfield, Geisendorff, Harvey, Hadley, Locke, McNabb, North, Porter and Vandegrift - 13

Noes - None.

Mr. Vandegrift presented a communication from Wm. S. Hubbard asking council to pass an ordinance to remove certain fish wagons that locate on the corner of Washington and Meridian streets.

On Motion by Mr. Vandegrift,

The communication was referred to the Judiciary Committee to draft an ordinance.

Mr. North introduced the following,

An ordinance to provide for the grading and graveling of South street and sidewalks thereof between Pennsylvania and Delaware street.

Sect. 1. Be it ordained by the Common Council of the city of Indianapolis, That South street between Pennsylvania and Delaware streets be properly graded, and that twenty feet in width of the centre thereof be graveled with pit gravel to the depth of twelve inches in the centre slop-

ing to nine inches at the edges, and that so much of the sidewalks thereof as are not graded and graveled, or paved, of said South street, shall be properly graded, and graveled to the depth of eight inches; and that the expense of the grading and graveeling of such street and sidewalk as aforesaid (except so much thereof as is occupied by the crossings of streets and alleys) be assessed against and collected from the owners of the lots bordering on said street between the limits aforesaid,

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according to the provisions of sections 66 to 69 inclusive of the city charter.

Sect. 2. The Civil Engineer is hereby directed to set the proper grade stakes, and also to advertise by publication for ten days successively in the Indianapolis Daily Journal, and by posting up printed notices in not less than five of the most public places in the city, that sealed proposals will be received by the Common Council at their next regular meeting for the execution of said work.

Sect. 3. This ordinance shall take effect and be in force from and after its passage.

The ordinance was read the first and second times, when the rules were suspended by the following vote.

Ayes - Messrs. Cottrell, Dunlap, Durham, English, Fletcher, Greenfield, Geisendorff, Harvey, Hadley, Locke, McNabb, North, Porter and Vandegrift - 14
Noes - None.

The ordinance was then read the third time, and ordained by the following vote.

Ayes - Messrs. Cottrell, Dunlap, Durham, Fletcher, Greenfield, Geisendorff, Harvey, Hadley, Locke, McNabb, North, and Vandegrift - 12
Noes - Mr. Porter.

Mr. North presented an ordinance to provide for the paving of the gutters on Illinois street between the North side of Maryland street, and the culverts under the Union Rail Ways Co's tracks.

Which was read the first and second times and referred to the Judiciary Committee.

Mr. Dunlap from Judiciary committee, reported back an ordinance for the grading and graveeling of Maryland street and sidewalks between Alabama and West streets.

The ordinance being then read the third time, was defeat-

ed by the following vote.

Ayes - Messrs. Dunlap, Greenfield Geisendorff, Locke, McNabb and North. - 6

Noes - Messrs. Cottrell, English, Fletcher, Harvey, Hadley, Porter and Vandegrift - 7

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Mr. Locke introduced an ordinance to provide for the grading and graveling of the North west diagonal and a part of the sidewalks thereof between the canal and the corporation line.

Which was read the first time and laid on the table.

Mr. Porter, from Judiciary Committee, to whom was referred the report of the committee on Fire Department, reported an ordinance providing for the purchase of Engines for the Marion and Relief Fire Companies.

Mr. Greenfield moved to lay the ordinance on the table.

Which Motion was agreed to by the following vote.

Ayes - Messrs. Cottrell, Dunlap, Fletcher, Greenfield Geisendorff, Hadley, and Locke. - 7

Noes - Messrs. English, Harvey, McNabb, North Porter and Vandegrift - 6.

When, on Motion by Mr. Cottrell,

The ordinance was taken from the table and referred to the Fire Association.

On Motion by Mr. Porter,

The ordinance providing for the grading and graveling of the North west diagonal and a part of the sidewalks, was taken from the table, read the second time, and again laid on the table.

On Motion by Mr. North,

The subject of disposing of the school lot situated in the 4th ward, was referred to the city Attorney, to report if the School Trustees have the power to sell said lot.

Mr. Porter moved that when council adjourns, it adjourns to meet on Monday, evening, April 19th, to take action in regard to the school affairs, and that no other business be transacted at said meeting.

Which Motion prevailed.

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On Motion by Mr. North,
 Precepts were directed to be issued against property owners on Mississippi street, between Georgia and South streets, in favor of Hugh Slevin; and against owners of property on California street between New York and Vermont streets, in favor of Jno. Kelliher.

The following accounts were allowed.

X	. Roat, Drake & Co. stoves &c. for No. 2 Co.	26.05
1845.	State Sentinel for daily	3.00
X	. WerGen & Chamberlain Books & Stationry	6.95
X	. Geo W. Buchanan repairing No. 5 engine house	58.00
		<u>\$94.00</u>

On Motion
 Council adjourned.

Attest
 Geo. H. West
 City Clerk.

Wm J Wallace Mayor

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Called Meeting

Council Chamber
 April 12, 1858

Council met pursuant to call of the Mayor. Messrs. North and Porter absent.

The Mayor having stated the object of the Meeting to take action in reference to the damage by the recent freshet.

Mr. Harvey introduced the following resolution,

Resolved, That the Street Commissioner, under direction of the Civil Engineer, is directed to cause stone abutments to be erected on each side of Pogues Run at the crossing of Meridian street, and remove the bridge at the crossing of Pogues Run and Noble street, to such crossing at Meridian street, and erect the same thereon in a passable condition.

Mr. Fletcher moved to amend by adding that the Street Commissioner make the necessary repairs to the other bridges, along Pogues Run, so as to make the same in a passable condition.

The amendment being adopted, the resolution as amended was concurred in by the following vote.

Ayes - Messrs. Cottrell, Dunlap, Durham, English, Greenfield, Geisendorff, Harvey, Hadley Locke, McHabb, and