

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, MAY 27TH, 1867, 7½ O'CLOCK, P. M. }

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

OFFICE OF CITY AUDITOR, }
Indianapolis, May 9, 1867. }

Notice is hereby given that in pursuance of the provision of section 59 of the City Charter, the Common Council, together with the City Clerk, Auditor and Assessor, will meet at the Council Chamber in said City, on Monday evening, May 27th, 1867, at 7½ o'clock, P. M., as a Board of Equalization, to hear and decide all complaints, if there be any, in relation to the City Assessment for the year 1867, and to equalize the same as right and justice may require.

By order of the Common Council,

JOHN G. WATERS, *City Auditor.*

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

Councilmen Brown, Burgess Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—17.

Absent—Councilmen Grosvenor—1.

The proceedings of the regular session held May 20th, 1867, and of the adjourned sessions held May 22d and 23d, 1867, were read and approved.

His Honor, the Mayor, announced that the first business in order was receiving, and the consideration of the City Assessment and Appraisal Lists for the year 1867.

The City Assessor presented the Assessment List for the year 1867.

On motion by Mr. Brown, the City Clerk proceeded to call the Wards for complaints as to the assessment.

No complaints being filed,

Dr. Jameson offered the following motion :

That His Honor, the Mayor, be instructed to appoint a Select Committee to receive and consider all complaints that have or hereafter may be filed as to the assessment of 1867, such committee to act and report in accordance with the revised City Charter.

Which was adopted.

His Honor, the Mayor, appointed as such committee the Finance Committee, Dr. Woodburn, City Attorney, and City Assessor.

On motion by Dr. Jameson the Board adjourned.

Mr. MacArthur called for the drawing for choice of seats, which was made the special order of business for this meeting at the meeting held May 23, 1867.

On motion by Mr. Brown, the Clerk wrote the number of each Ward on a separate slip of paper and deposited the same in a hat, and the Auditor drew them out one at a time, with the following result :

First choice—	1st Ward—	First Ward seats.
Second	“ 2d Ward—	Ninth Ward seats.
Third	“ 3d Ward—	Third Ward seats.
Fourth	“ 8th Ward—	Seventh Ward seats.
Fifth	“ 9th Ward—	Sixth Ward seats.
Sixth	“ 4th Ward—	Fourth Ward seats.
Seventh	“ 6th Ward—	Eighth Ward seats.
Eighth	“ 7th Ward—	Second Ward seats.
Ninth	“ 5th Ward—	Fifth Ward seats.

On motion by Mr. Seidensticker, the special order of business, which was the appointment of Registers for the different Wards of the City, under the Registry Law, was deferred until the next regular meeting.

REGULAR ORDER OF BUSINESS.

Mr. Brown presented the following petition :

INDIANAPOLIS, May 27, 1867.

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

The undersigned would respectfully represent that the Directors of the Indianapolis and Vincennes Railroad Company are desirous of entering the corporate limits of the City of Indianapolis at the southern terminus of West street, and to place upon it their track or tracks northward to Kentucky Avenue, thence north-east upon said Avenue to Louisiana street, thence along Louisiana street to where a junction can be made with the tracks of the Union Railway Company ; and respectfully ask your honorable body to grant the said Company the right of way upon and along the streets, alleys, and public grounds of the said city for the purpose of laying the rails and tracks thereon, as aforesaid. By order of the Board of Directors,

CALVIN FLETCHER, JR., Sect. *pro tem.*,
Ind'p'lis and Vincennes R. R. Co.

Which was granted.

Mr. Brown then introduced general ordinance No. 85, entitled :

AN ORDINANCE authorizing the Indianapolis and Vincennes Railroad Company to construct a tract within and through the City of Indianapolis, and prescribing the terms thereof,

Which was read the first time by its title.

Dr. Jameson moved that the rules be suspended and the ordinance read the second time.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—17. Noes, none.

So the rules were suspended, and the ordinance was read the second time and considered engrossed.

Mr. Geisel offered the following amendment :

That the following words be added to the 1st section of the ordinance: "*Provided*, That said Railroad Company establish their principal shops within the limits of the City of Indianapolis."

And called for the ayes and noes.

Those who voted in the affirmative were Councilmen Colley, Geisel, Henschen, Schmidt, Seidensticker and Stanton—6.

Those who voted in the negative were Councilmen Brown, Burgess, Coburn, Cottrell, Davis, Goddard, Jameson, Kappes, Loomis, MacArthur and Woodburn—11.

So the amendment was not adopted.

Mr. Brown then moved that the rules be suspended and the ordinance put upon its third reading.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—17. Noes, none.

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, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—17. Noes, none.

So the ordinance passed.

Mr. Brown offered the following motion :

That the Jeffersonville and Indianapolis and Madison Railroad Companies be notified by the City Marshal to change the location of the gutter or gutters running along their tracks on the west side of the Depot Building, and to cover the same where necessary, so as to throw the flow of water nearer the said Depot Building, and from the vicinity of the walls of the new building now in course of construction by John H. Greinert. And that, in case the agents of such Companies shall fail to comply with such notice within five days from the date of service of the same, the Street Commissioner is hereby instructed to have the gutters changed, and assess the cost of such work to such Company.

Which was adopted.

Mr. Brown, also, offered the following motion :

That the Finance Committee be instructed, in making up the annual estimates on which to base the annual tax levy, to include in such estimates a sum equal to not less than fifteen cents on the one hundred dollars, to be appropriated and expended for sewerage: *Provided*, that the aggregate when made shall not exceed one dollar and twenty-five cents.

Which was referred to the Finance Committee.

Mr. Burgess offered the following resolution :

Resolved, That the owners of the following described real estate, to-wit: Out-Lot numbered 118, on which is located a pond, known as Lake McCarty, be, and they are hereby, required to fill and drain the same, as, in the opinion of this Council, there is a hole or excavation thereon in which water has or may become so stagnant and noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby, required to notify the owners thereof, as provided by an ordinance passed April 23d, 1866, entitled

"An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to drain or fill said excavation, as provided in said ordinance.

In relation to which Mr. Seidensticker offered the following motion :

That the resolution be referred to the City Engineer and Auditor, with instructions to report whether the estimated cost of the proposed filling will exceed 10 per cent. of the taxable value of said lot.

Which was adopted.

Mr. Burgess offered the following motion :

That the owner of the lot fronting on the east side of Meridian street and on the south side of Maryland street, be directed to remove the building stones in front of said lot on Meridian street, and to enclose with a good, stout fence said lot; and the City Marshal is hereby directed to serve notice of this order on the owners of said lot.

Which was adopted.

Mr. Cottrell offered the following motion :

That the assessment made on Mrs. James Smith's house and lot, in square 100, be referred to the Finance Committee, to ascertain whether she has not paid a higher rate of taxes than other property holders have paid on their lots within the same square.

Which was referred to the Finance Committee.

Mr. Geisel offered the following motion :

That the City Marshal be directed to notify the Union Railway Company to place a flagman on the corner of Noble and Washington streets.

Which was adopted.

Mr. Geisel, also, offered the following motion :

That the Street Commissioner be directed to place tilings in the gutter that carries the water from Massachusetts Avenue to Pogue's Run.

Which was referred to the Board of Public Improvements.

Mr. Geisel, also, offered the following motion :

That the City Marshal be instructed to notify the Bellefontaine Railroad Company to plank the crossing where the said road crosses New York street.

Which was adopted.

Mr. Goddard presented the following petition :

INDIANAPOLIS, May 23, 1867.

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

The undersigned, citizens of the Fifth Ward of the City of Indianapolis, would respectfully recommend the reinstatement of John Buser as Policeman of the Fifth Ward of said city.

E. Holmes,	J. R. Burk,
C. A. McNeeley,	T. M. Brown,
W. S. Woollen,	And 111 others.

Which was referred to the Board of Police.

Mr. Goddard presented the following petition :

INDIANAPOLIS, May 25, 1867.

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

GENTLEMEN:—Your petitioners represent the necessity for raising or moving the railroad track which runs on Tennessee street from Louisiana street to the Rolling Mill. The aforesaid railroad track is an obstruction and a perfect nuisance to property owners and tax payers on said street. They also want that portion of the street graded and graveled from Garden street to McCarty street. They have already paid a partial estimate for the work done on said Tennessee street, therefore they want it finished as soon as practicable. And for which your petitioners and property owners on said street will ever pray.

Patrick G. Hanrahan,	Peter Lamb,
Mrs. Monihan,	Catharine Ready,
Frank Hanrahan,	And 11 others.

Which was referred to the Board of Public Improvements.

Dr. Jameson offered the following motion :

That the several Committees of the Common Council, in whose departments it is proposed to expend moneys of the City, be directed to furnish the Finance Committee with detailed estimates of expenses for the year ending March 20th, 1868.

Which was adopted.

Dr. Jameson, also, offered the following motion :

That the City Auditor be directed to pay all City Officers who went out of office, the amount due them from the 1st of May to the time the new officers elect took their places, at the rates regulated by the ordinances in force.

Which was adopted.

Dr. Jameson, also, offered the following motion :

That the Committee on Streets and Alleys be directed to inquire into the expediency and best mode of removing dead and dying locust trees from our streets.

Which was adopted.

Dr. Jameson, also, offered the following motion :

That the Auditor be directed to advertise for proposals for grading and graveling the alley running through out-lot No. 40.

Which was adopted.

Dr. Jameson offered the following resolution :

Resolved, That the City Treasurer be directed to advertise the property delinquent for city taxes on Thursday, August 15, A. D., 1867, and to make sale of the same on Thursday, September 5, A. D., 1867.

Which was referred to the City Attorney.

Dr. Jameson introduced special ordinance No. 37—1867, entitled :

AN ORDINANCE to provide for leveling and graveling Massachusetts Avenue, between the east side of New Jersey street and the east side of Liberty street,

Which was read the first time by its title, and passed to a second reading.

Mr. Loomis introduced general ordinance No. 86, entitled :

AN ORDINANCE to amend section 2 of an ordinance authorizing the Indianapolis Furnace Company and the Indianapolis Rolling Mill Company to construct a railroad track or tracks in the City of Indianapolis, passed and approved February 25, 1867,

Which was read the first time by its title, and passed to a second reading.

Mr. Loomis introduced special ordinance No. 38—1867, entitled :

AN ORDINANCE to provide for the building of a brick sewer through the alley running east and west in out-lot number one hundred and one (101), between Stevens and Merrill streets, from Virginia Avenue, being in length about 430 feet,

Which was read the first time by its title, and passed to a second reading.

Mr. Loomis presented the following account :

City of Indianapolis, Ind.,	To Robert McKean,	Dr.
To damage to his cellar wall, occasioned by the September flood, in 1866—to wall	- - - - -	\$20 00
To provisions spoiled by water,	- - - - -	30 00
Total,	- - - - -	\$50 00

Property located corner of Elm and Pine streets, near Virginia Avenue.

INDIANAPOLIS, May 27, 1867.

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

GENTLEMEN:—The undersigned respectfully prays your honorable body to pay the foregoing bill, the same being just and equitable. And as in duty bound your petitioner will ever pray.

ROBERT MCKEAN.

Which was laid on the table.

Mr. Schmidt offered the following motion :

That the Street Commissioner is hereby instructed to lay down a new culvert on Union street, between McCarty street and first street south. The culvert has fallen in and the water cannot run off, and backs into the gardens and yards.

Which was referred to the Board of Public Improvements.

Mr. Schmidt, also, offered the following motion :

That the Street Commissioner is hereby instructed to clean the gutters on McCarty street, between East and Delaware streets, and construct a culvert on the crossings of Delaware and McCarty streets.

Which was referred to the Board of Public Improvements.

Mr. Stanton presented the following communication :

INDIANAPOLIS, May 27, 1867.

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

The undersigned, residents of the City of Indianapolis, respectfully represent to your honorable body that they have charge of the building known as the "Sisters' School," in said City, which building was erected for and is now used as a "Literary and Scientific Institution." That said building is by law exempt from taxation, see 1 G. & H., sec. 44, page 228. That they have been compelled to pay taxes on said building and the personal property therein for a number of years, to-wit :

For the year 1860,	-	-	-	-	-	-	-	\$32 50
For the year 1861,	-	-	-	-	-	-	-	36 30
For the year 1862,	-	-	-	-	-	-	-	68 25
Total amount,	-	-	-	-	-	-	-	\$137 05

They, therefore, respectfully ask your honorable body that the same be refunded to them, with interest from the dates of payment.

SISTERS OF PROVIDENCE.

Which was referred to the City Attorney and Finance Committee.

Dr. Woodburn offered the following motion :

That the Committee on Revision of Ordinances be directed to present to this Council an ordinance defining the proper duties of the Board of Police and Board of Public Improvements.

Mr. Brown offered the following amendment :

That the Committee on Revision of Ordinances be instructed to inquire if any amendments are necessary to more clearly define the ordinances regulating the duties of the Boards of Police and Public Improvements.

And called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Burgess, Cottrell, Davis, Geisel, Henschen, Kappes, Loomis, Schmidt, Stanton and Woodburn—11.

Those who voted in the negative were Councilmen Coburn, Colley, Goddard, Jameson, MacArthur and Seidensticker—6.

So the amendment, was adopted.

His Honor, the Mayor, presented the following communication :

INDIANAPOLIS, May 20, 1867.

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

GENTLEMEN:—I respectfully decline the honor of serving as a member of the Committee on Gas, and herewith tender my resignation on said Committee.

Very respectfully,

JOHN B. MACARTHUR.

Which was referred to His Honor, the Mayor.

Sealed proposals were then opened and read, and referred to the Board of Public Improvements.

REPORTS FROM BOARDS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, May 27, 1867.

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that special ordinance No. 30, in reference to bouldering the gutters on Alabama street, between Virginia avenue and Maryland street, be passed; and would respectfully recommend that said Alabama street be graded and bouldered from Washington street to Virginia avenue.

Respectfully,

JNO. B. MACARTHUR, }
C. F. SCHMIDT, } *Board.*
SAMUEL GODDARD, }

Which was concurred in.

Also, the following report :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, May 27, 1867. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that the whole subject in regard to the opening and improvement of Broadway street being in the hands of the Commissioners, we would respectfully recommend that the remonstrance of Max. G. J. Stern and others be referred to them.

JNO. B. MACARTHUR, }
C. F. SCHMIDT, } *Board.*
SAMUEL GODDARD, }

Which was concurred in.

Also, the following report :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, May 27, 1867. }

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

GENTLEMEN:—The Board of Public Improvements to whom the matter was referred, would respectfully report to your honorable body, that in company with the Chief Fire Engineer we have examined the different localities suggested by the late Chief Fire Engineer, and would respectfully recommend that cisterns be built at the following points, viz :

- 1st. At the intersection of Cumberland and Alabama streets.
- 2d. At the corner of South street and Fletcher Avenue.
- 3d. At the corner of North and Winston streets.
- 4th. At the intersection of Fort Wayne Avenue and Delaware street.
- 5th. At the corner of Meridian and Vermont streets.
- 6th. At the corner of Tennessee and Walnut streets.

Also, that the location of the cistern proposed to be located on Illinois street, one square south of Meridian street, be changed to the corner of McCarty and Illinois streets.

Also, that the location of the cistern be changed from the corner of Vine and East streets, to the corner of St. Clair and East streets.

Also, that that part of the communication in reference to locating cisterns along the line of the canal and Pogue's run be referred to the Chief Fire Engineer with the Committee on Fire Department and Cisterns.

All of which is respectfully submitted.

JNO. B. MACARTHUR, }
C. F. SCHMIDT, } *Board.*
SAMUEL GODDARD, }

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

Also, from the same the following report :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, May 27, 1867. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that the remonstrance of Frederick Ruschaupt et al, against bouldering Pennsylvania street, between Michigan and North streets, be rejected, on the grounds that said improvement is very necessary, owing to the extremely bad condition of said street.

Respectfully,

JNO. B. MACARTHUR, }
C. F. SCHMIDT, } *Board.*
SAMUEL GODDARD, }

Which was laid upon the table.

REPORTS FROM COMMITTEES.

Mr. Coburn, from the Committee on Accounts and Claims, made the following report:

INDIANAPOLIS, May 27, 1867.

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

The Committee on Accounts and Claims beg leave to report that the City Auditor reports the following ordinance allowing accounts, which we have examined and find to be correct.

HENRY COBURN, }
 J. H. KAPPES, } Committee.
 J. H. WOODBURN, }

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

Which was read the first time by its title, and passed to a second reading.

Dr. Jameson, from the Committee on Finance, made the following report:

INDIANAPOLIS, May 27, 1867.

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

GENTLEMEN:—The Finance Committee would respectfully report that the Gas Company has paid over to the City Treasurer the sum of seventy-two hundred and one dollars and seventy-two cents, for loan made to said Company on the 1st day of October, 1866. They have also agreed to pay over to the City Treasurer the sum of forty dollars, for lamps that were not lighted in the month of February, 1867. They have also agreed to pay the sum of two hundred and sixty-one dollars and forty-seven cents for gas charged for in over count on lamps. The basis upon which the settlement was made with the Gas Company was as agreed upon by the Finance Committee and Gas Company at the time the loan was made.

Respectfully,

P. H. JAMESON, *Chairman.*

Which was concurred in.

Dr. Jameson, from the Committee on Finance, made the following report:

INDIANAPOLIS, May 6, 1867.

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

Memorandum of settlement between the City of Indianapolis and the Indianapolis Gas Light and Coke Company on account of overcharges for eighteen public lamps from October 1, 1866, to February 1, 1867, the date of correction of the number of lamps in use, also for lamps not lighted in January and February, 1867, to-wit:

For Oct.	Average consumption per lamp	- - -	812½ feet	14,625 feet
For Nov.	Average consumption per lamp	- - -	941 feet	16,938 feet
For Dec.	Average consumption per lamp	-	1,040 feet	18,720 feet
For Jan.	Average consumption per lamp	- -	1,051½ feet	18,927 feet
Total - - - - -				69,210 feet

Indianapolis Gas Light and Coke Company, to City of Indianapolis, Dr.		
To overcharges on 18 public lamps, 69,210 cubic feet, at \$3.20 per 1,000 feet	- - - - -	\$221 47
To lamps not lighted in January and February	- - - - -	40 00
Total	- - - - -	\$261 47

The Indianapolis Gas Light and Coke Company,
In account with the City of Indianapolis.

		Dr.	Cr.
1866			
Oct. 1.	To 10 per cent. interest bearing bonds advanced	\$7,000 00	
Dec. 1.	To 10 per cent. interest on same for 2 months,	116 67	
1867			
Jan. 1.	To 10 per cent. interest on \$5,084.30 for 1 month,	42 37	
Feb. 1.	To 10 per cent. interest on \$2,974 for 1 month,	24 78	
April 1.	To 10 per cent. interest on \$1,074 for 2 months,	17 90	
1866			
Dec. 1.	By warrants due for November	- - -	\$1,915 70
1867			
Jan. 1.	By warrants due for December, '66	- - -	2,110 30
Feb. 1.	By warrants due for January, '67, in part	- - -	1,900 00
April 1.	By warrants due for March, '67, in part	- - -	1,275 72
			<u>\$7,201 72</u> <u>\$7,201 72</u>

Settlement April 1, 1867.

Which was received and ordered to be spread upon the minutes.

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

INDIANAPOLIS, May 27, 1867.

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

The Committee on Streets and Alleys, to whom was referred special ordinance No. 32, beg leave to report the same back, with the recommendation that the usual notice of pendency be given.

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

Which was concurred in.

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

INDIANAPOLIS, May 27, 1867.

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

GENTLEMEN:—The Committee on Fire Department, to whom was referred the motion of Mr. Cottrell to have the No. 3 Engine house plastered and new bedding purchased for the men, have had the same under consideration, and in company with the Chief Fire Engineer have examined all the Engine Houses, and find each of them in poor condition to accommodate the men in this respect. All the buildings were erected for the old system of the Fire Department (by the Volunteer), and were built partly by the City and partly by subscription, and consequently are built in a very poor and temporary manner. The second story of all the houses were built for a Hall to accommodate the members of the old volunteer companies. A stud partition, well

braced and plastered, put up across the center of the upper rooms would greatly add to the strength of the buildings and divide the houses into two very good rooms. There are no curtains at any of the houses, and the men who are on duty at night cannot sleep with comfort during the summer months in a light room. A greater part of the bedding are worn, and new will have to be refurnished. The platforms of two of the houses are rotten and unsafe, and should be replaced by new ones.

The new hose, purchased of J. H. Vajen & Co., has been received and distributed to the different houses. Also, the new hose reel, purchased of the Seneca Falls Engine Company, has arrived, and is now ready to go into service. By remodeling the stalls at the No. 2 Engine House, on Massachusetts Avenue, there is room for another horse and the reel. This reel should be put into service at once and run regularly.

We would recommend the following, an estimate of the cost being furnished by the Chief Fire Engineer:

1st. Stud and plastered partitions in all the houses, estimated to cost	\$116 30
2d. 12 iron bedsteads and bed clothing, and mattresses complete, at	
\$3.25 each, - - - - -	99 00
3d. 6 iron bedsteads, &c., at \$8.25, for hosemen, - - - - -	49 50
4th. 18 window shades, - - - - -	25 20
5th. 2 new platforms, - - - - -	83 00
6th. Rebuilding stalls at Engine House No. 2 for extra hose reel, -	20 00
Total, - - - - -	\$393 00

The carpenter work will be done by the men at the houses, under the direction of the Chief Fire Engineer.

We would call the attention of the Council to the necessity of the early purchase of another Engine. All the Engineers report their Engines as wanting repairs, and one or two a general overhauling. They are liable to give down at any fire. If a new Engine is purchased one after another of our present Engines should go to the shop and be thoroughly repaired.

All of which is respectfully submitted.

HENRY COBURN, }
J. H. KAPPES, } *Committee*

Which was concurred in, and the City Auditor directed to prepare an ordinance.

Mr. Colley asked and obtained leave of absence.

Mr. Kappes, from select committee, made the following report:

INDIANAPOLIS, May 27, 1867.

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

GENTLEMEN:—Your Committee, to whom was referred sundry charges against August Richter, Street Commissioner, after five meetings, would respectfully present the following report:

Charge First.—That of paying his men habitually on Sunday. This charge we find to be true at times.

Charge Second.—Taking receipts in blank, which we find to be true in some cases.

Charge Third.—Charging him with paying Michael M. Sullivan fifteen dollars, and taking a receipt for fifty-five dollars from him, which we find to be unfounded.

1st. We further find, upon examination, that hands in his employ as

Street Commissioner, occasionally worked for him, on his private property, and for other parties, for which they gave him their receipts as though they worked for the city. They testified that they did not know whether they were paid by the city, or out of his private funds. This practice leads necessarily to a great deal of complication, and we therefore deprecate this practice.

2d. We also find that the Street Commissioner did grade and gravel certain public alleys, without any order from the Common Council, and the city never received any pay for the same from the owners of the adjoining lots, and in so doing he acted without any authority.

3d. We also find that he had in his employ one David Gilchrist, who says that he was employed by the Street Commissioner during one week in the month of August, 1866, and during that week he only worked one-half day for the city, and the balance of the time on Richter's private property, cleaning out the cellar of his new building on Virginia Avenue, for which he received from the city the sum of eleven dollars and thirty-seven cents, as shown by receipt No. 578, now on file in the City Clerk's office. It is further proven that he has been in the habit of having the teams working for the city hauling dirt on his own private property, which dirt was the property of the city, but the dirt was hauled after working hours, at noon and evenings, for which dirt the city has never received any compensation as we can find, which we find was in violation of an ordinance passed December 28, 1863, section 12, page 170 of Revised Ordinances.

4th. We also find that he has been in the habit of selling material, such as stone, lumber, iron, etc., and we cannot find that the Council ever authorized him to do so, but as far as we know he has accounted for the articles so sold.

5th. We also find that the said August Richter was directed by the Common Council to boulder the gutter on Pratt street, between Meridian and Illinois streets, and he employed to do so one R. P. Dunning, and to whom he paid for the said work one hundred and seventy-five dollars in money and twenty-three dollars in boulders, and for which boulders he has never accounted to the city, and taking the receipt from the said R. P. Dunning for one hundred and ninety-eight dollars, as per receipt numbered 762 on file with City Clerk.

Respectfully submitted,

J. H. KAPPES,
THOMAS COTTRELL, } Committee.
JAMES BURGESS,

Mr. MacArthur moved a suspension of the rules for the purpose of hearing from Mr. Richter's Attorney, Mr. Ketcham.

Which was taken by consent.

On motion by Mr. Seidensticker, the report of the Committee was referred to a new committee appointed by His Honor, the Mayor, consisting of the following named gentlemen: Councilmen Brown, Coburn and Woodburn.

REPORTS FROM CITY OFFICERS.

The City Clerk submitted the following report from the City Commissioners:

INDIANAPOLIS, May 25, 1867.

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

The Commissioners of Streets and Alleys respectfully submit the following report in the matter of the opening of Broadway street, running north and south through a five acre piece of ground, being a part of out-lot No. 181,

being two hundred and fifty feet wide, and running across said out-lot, in parallel line from the east to the west lines thereof, as designated on the plat of William Young, as an addition to the city of Indianapolis, part of out-lot 181, containing five acres from its terminus north of Arch street to its terminus south of Vine street, in the City of Indianapolis.

That pursuant to the notices issued and served, they met at the office of the City Clerk, on the 25th day of May, 1867, to correct the report made on the 4th, in the above mentioned case, and having before duly examined the real estate through which it is proposed to open said street, and being advised in the premises find that Broadway street, one hundred feet in width, should be opened to the public, to run north and south through a five acre piece of ground in out-lot No. 181, being two hundred and fifty feet wide, and running across said out-lot in parallel lines from the east to the west lines thereof, as designated on the plat of William Young, as an addition to the City of Indianapolis. Part of out-lot No. 181, containing five acres, to make the street continuous from St. Clair street to the Corporation line, as asked for by the petitioners.

That the opening of said street is required for the welfare and convenience of the public.

That the value of the land to be appropriated is four hundred dollars.

That no part of the expense of said opening of such street should be borne by the City of Indianapolis.

That the persons below named are benefitted upon the real estate described in the sums set opposite their respective names.

Stanley F. Tebbs, owner of the five (5) acre piece of ground, being a part of out-lot numbered one hundred and eighty-one (181), being two hundred and fifty (250) feet wide, and running across said out-lot in parallel lines from the east to the west lines thereof, as designated on the plat of William Young as an addition to the City of Indianapolis, \$400.

And we assess the said sum against the person aforesaid.

That the person below named has sustained damages upon upon the following described real estate:

Stanley F. Tebbs, owner of the five (5) acre piece of ground, being a part of out-lot number one hundred and eighty-one (181), being two hundred and fifty (250) feet wide, and running across said out-lot in parallel lines from the east to the west lines thereof, as designated on the plat of William Young as an addition to the City of Indianapolis, \$400.

And we assess the said sum against the person aforesaid.

All of which is respectfully submitted.

SAMUEL M. SEIBERT, JAMES C. YOHN, JAMES N. RUSSELL, THOMAS SCHOOLEY, WILLIAM BRADEN,	}	} <i>Commissioners.</i>
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Which was concurred in.

On motion by Mr. Brown, the City Clerk was directed to make out an assessment list.

The City Auditor made the following report:

INDIANANOLIS, May 27, 1867.

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

GENTLEMEN:—Agreeable to instructions from your honorable body, the City Auditor respectfully reports the following ordinance for payment of Inspectors, Judges and Clerks of the late City election.

JOHN G. WATERS, *City Auditor.*

Which was received.

Also, special appropriation ordinance No. 30—1867, entitled :

AN ORDINANCE, appropriating moneys for the payment of Inspectors, Judges and Clerks of the late City election,

Which was read the first time by its title, and passed to a second reading.

On motion by Mr. MacArthur, the Council adjourned to meet on Wednesday evening May 29th, 1867.

DANIEL MACAULEY, *Mayor*.

ATTEST:

D. M. RANDELL, *City Clerk*.