

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, MARCH 9TH, 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, Seidensticker, Stanton and Woodburn—15.

Absent—Councilmen Burgess, Colley and Schmidt—3.

The proceedings of the regular session held March 2d, 1868,
were read and approved.

Mr. Cottrell moved that the rules be suspended and that ordinances
on third reading be taken up.

The question being on a suspension of the rules, those who voted
in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis,
Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur
and Seidensticker—12.

Councilman Foster voting in the negative.

So the rules were suspended.

Mr. Brown called up general ordinance No. 117, entitled :
AN ORDINANCE protecting public morality, decency and order.

Several gentlemen expressed a desire to discuss the ordinance before its passage, but to cut off debate Mr. Cottrell called for the previous question.

The question being on sustaining the demand for the previous question, those who voted in the affirmative were Councilmen Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Loomis and MacArthur—8.

Those who voted in the negative were Councilmen Brown, Coburn, Jameson, Kappes and Seidensticker—5.

So the demand for the previous question was sustained.

The ordinance was then read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Loomis and MacArthur—9.

Those who voted in the negative were Councilmen Coburn, Jameson, Kappes, Seidensticker, Stanton and Woodburn—6.

So the ordinance passed.

Mr. Goddard called up special ordinance No. 94—1867, entitled :
AN ORDINANCE to provide for grading and graveling Tennessee street, between McCarty and Ray streets, including the sidewalks.

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, Jameson, Kappes, Loomis, MacArthur and Stanton—13.

No Councilman voting in the negative.

So the ordinance passed.

REGULAR ORDER OF BUSINESS.

Mr. Brown presented the following petition :

INDIANAPOLIS, March 9, 1868.

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

GENTLEMEN:—We, the undersigned property holders on South Meridian street, or Bluff Road, between Ray and Morris streets, petition your honor-

able body to light the said street with gas between the said points. And as in duty bound your petitioners will ever pray, &c.

Frederick Klau,	David Voight,
W. & D. Mussmunn,	John G. Goebel,
V. Reinhart,	And 10 others.

Which was referred to the City Clerk.

Mr. Coburn offered the following motion :

That E. H. Furgeson be allowed to pave in front of his property on Meridian street, between Pratt and St. Joseph streets, provided the same be done within sixty days, and under the approval of the Civil Engineer.

Which was adopted.

Mr. Davis offered the following motion :

That Mr. Samuel Beck be permitted to erect a powder magazine south-west of the City Cemetery.

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

Those who voted in the affirmative were Councilmen Cottrell, Davis, Geisel, Henschen, Jameson, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—10.

Those who voted in the negative were Councilmen Brown, Coburn, Foster, Goddard and Kappes—5.

So the motion was adopted.

Mr. Foster presented the following petition :

INDIANAPOLIS, March 9, 1868.

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

Your petitioners respectfully ask the passage of an ordinance for grading and graveling Merrill street and sidewalks, between West street and Kentucky Avenue, for the reasons that such improvement is needed by your petitioners and by the public, especially since the railroad has been built on Kentucky Avenue; and there are low places which injure the street, and the proposed improvement will be of small cost.

McKernan & Pierce and Yandes,
Winslow S. Pierce.

Which was referred to the Board of Public Improvements, with instructions to report an ordinance.

Mr. Foster presented the following petition :

INDIANAPOLIS, March 2, 1868.

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

GENTLEMEN:—Your petitioner would very respectfully represent to your honorable body, that whereas a private thoroughfare, or alley, the common property of several parties, all of whom contribute more or less of filth, thereby rendering noisome and unhealthy the general condition of the said

alley; and whereas, no organization usually exists among such associated parties, whereby it becomes the duty of any particular person or persons to take care of, and preserve in good healthful condition, said alley way, and that such is now, and very frequently is, the condition of a way, alley or thoroughfare running nearly parallel with Illinois street, connecting Maryland street with Kentucky Avenue.

Therefore your petitioner prays that you will take some action in the premises, if possible, to establish the said alley as a public highway, to be regarded as such in the ordinances of this city, or otherwise, to record the same as a private alley, with the conditions that said alley shall be paved or bowldered throughout, and kept hereafter in a cleanly, sanitary condition—which with all other general relief, your petitioner humbly prays for her own protection as a tax-payer and resident citizen.

Very respectfully,

MARY ACHEY.

Which was referred to the Committee on Streets and Alleys.

Mr. Foster presented the following petition :

INDIANAPOLIS, March 2, 1867.

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

GENTLEMEN:—Some time since I was awarded a contract by the Common Council of the City of Indianapolis for grading and graveling on Tennessee street and sidewalks, between Garden and McCarty streets.

There remains due and unpaid for work done on said street "for all of the street crossing," Garden and McCarty streets included.

The stakes on said street were set by the late James Wood, Esq., at that time Civil Engineer of the City of Indianapolis, and by him I was ordered to gravel and grade the street crossings the same as the other part of the street. Not having received my pay as aforesaid, I pray your honorable body to make some provisions whereby I may be enabled to obtain my pay, and thus I will ever pray, &c.

Respectfully,

THOMAS WREN, Contractor.

Which was referred to the Committee on Streets and Alleys.

Mr. Foster offered the following motion :

That the Street Commissioner be, and is hereby, directed to open the gutter at the crossing of Tennessee and Louisiana streets, so as to take the water off the sidewalks at that point.

Which was adopted.

Mr. Foster offered the following resolution :

Resolved, That the City Marshal notify all persons to remove all powder houses to some point outside of the city limits.

Dr. Jameson moved to lay the resolution on the table, and called for the ayes and noes.

Those who voted in the affirmative were Councilmen Jameson, MacArthur, Seidensticker, and Woodburn—4.

Those who voted in the negative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis and Stanton—11.

So the motion to lay on the table was not adopted.

Mr. Stanton moved that the resolution be referred to a committee of three.

Which was lost.

The question then being on the adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, MacArthur and Stanton—12.

Those who voted in the negative were Councilmen Jameson, Seidensticker and Woodburn—3.

So the resolution passed.

Mr. Foster introduced special ordinance No. 4—1868, entitled :

AN ORDINANCE to provide for grading and graveling Merrill street and sidewalks, between the west side of West street and the east side of Kentucky Avenue.

Which was read the first time.

Mr. Geisel presented the following petition :

INDIANAPOLIS, Feb. 25, 1868.

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

GENTLEMEN:—We, the undersigned, residents and property holders on Broadway street, in the city of Indianapolis, would petition your honorable body that the above named street be graded and gravelled with river gravel from its intersection with Cherry street to St. Clair street. The sanitary condition of this part of the city demands that the above improvement be made before the warm season ensues, there being a pond in the midst of this street which is very detrimental to the health of this part of the city during the warm season.

Thomas Fugate,
C. A. Elliott,
M. G. I. Kern,
E. B. Dill,

A. L. Wright,
Geo. B. Loomis,
Charles Rosener,
G. Pantner.

Which was received.

Also, special ordinance No. 5—1868, entitled :

AN ORDINANCE to provide for grading and graveling Broadway street and sidewalks, between St. Clair street and the Corporation line.

Which was read the first time.

Mr. Geisel introduced special ordinance No. 6—1868, entitled :

AN ORDINANCE to provide for grading and graveling Plum street and sidewalks, between Massachusetts Avenue and Cherry street.

Which was read the first time.

Mr. Geisel presented the following petition :

INDIANAPOLIS, March 9, 1868.

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

We, the undersigned, pray your honorable body to build a bridge across Pogue's Run, on Ohio street.

Frank H. Brinkman,	John Herrmann,
Clemens Vonnegut,	Vallin Sehletzham,
Harry Taylor,	And 25 others.

Which was referred to the Committee on Bridges.

Mr. Geisel offered the following resolutions :

Resolved, That the owners of the following described real estate, to-wit: Lot three in Young's subdivision, in out-lot 181 in Young's subdivision, owned by Mary Smith, be and she is 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 owner 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.

Resolved, That the owners of the following described real estate, to-wit: Lot 6 in out-lot 181 in Young's subdivision, owned by T. Griffith, be, and he is 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.

Resolved, That the owners of the following described real estate to-wit: Lot 4 out-lot 181 in Young's subdivision, owned by William Y. Wiley, be and he is hereby required to fill and drain the same, as, in the opinion of this Council, there is hole or excavation thereon, in which water has or may become so stagnant or 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 28, 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.

Which were referred to the City Attorney, with instructions to report the powers of Council in the premises.

Mr. Goddard offered the following motion :

That the Street Commissioner be authorized to put posts across the sidewalks on Missouri streets, between South and Merrill street, on the west side of Canal.

Which was referred to the Board of Public Improvements, with instructions to have the work done if they deem it expedient.

Mr. Henschen offered the following motion :

That the City Engineer be instructed to set the proper grade stakes for a culvert on the crossing of Liberty street and Indiana Central Railroad.

Which was adopted.

Dr. Jameson presented the following communication :

INDIANAPOLIS, March 9, 1868.

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

GENTLEMEN:—At the suggestion of a member of your honorable body, I have this day made and now submit an estimate of the average number of cubic feet of gas consumed by the street lamps. The data for the results given below are taken from the receipts of the Gas Company, filed in the office of the City Auditor, and from the time tables for lighting and extinguishing the public lamps.

It was impossible for me to estimate for the month of January, 1868, from not having the time table for that month.

Month.	Total No. of Lamps.	No. of hours lighted.	Aggregate cub. feet of gas.	Av. cubic ft. per hour per lamp.
1867, Nov.	814	226	968,660	5.33
Dec.	847	257½	1,122,275	5 10
1898, Feb.	{ 739*	109¾	491,435	6.06
	{ 103†	195¾	134,157	6.65

*Outside lamps, extinguished at 12 o'clock.

†Washington street and East Market House lamps, according to full time table.

You will recognize from the above table that there is considerable variation in the average consumption per post, and these discrepancies may be a proper matter for further investigation. I may also add that the time table for 1867 allowed eight hours for cloudy nights, while that for 1868, under which the lamps were lighted for February, allows only four hours. This difference of four hours if taken into the calculation, would render the average number of cubic feet of gas consumed per post in February even greater than herein shown.

Respectfully submitted,

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

Which was referred to the Committee on Claims.

Dr. Jameson presented the following petition :

INDIANAPOLIS, March 2, 1868.

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

The undersigned would respectfully represent that the tax levied against him by the City Assessor, is both illegal and unjust. That he does not live in the city, and that he has no taxable property within the city limits, and did not have on the 1st of January, 1867. That he can not understand how he can be taxed to support a government he does not live under, and from

which he derives no protection. It would be a revival of the old exploded arbitrary principle of "taxation without representation."

It was suggested to me that the tax was levied against my "Bank." I would respectfully state that in September, 1866, I did intend starting a Banking House in this city, and for this purpose rented a room, paid for State and Federal licenses, bought bank books, put up a sign, etc., etc., but the next month before I procured a safe and collected my funds into it. I abandoned that idea and engaged in other business, for the reason that the friend on whom I relied to cashier the bank declined to do so on account of the supposition that the confinement would injure his health. So that if I am taxed on that account, it is simply a tax on a man's intentions.

I have not been officially advised upon what ground I have been taxed. Some have suggested that I was taxed on the loan which I made the city. If such is the case, I am certain such an instance never was heard of before. Others suggest that I am taxed because I come to the city to trade and transact business. If I am taxed on this account, why is not every body else in the surrounding country who come here to trade and do business, also taxed? It is well known that if such a practice should prevail, the inevitable result would be to drive the people with their trade and business to other points.

In conclusion, I respectfully ask that said tax be erased from the tax duplicate as both illegal and unjust.

W. R. NOFSINGER.

Which was referred to the City Attorney.

Mr. Kappes offered the following motion :

That the Gas Inspector be, and is hereby, authorized to correspond with the American Meter Company for the purpose of procuring instruments and machines necessary for the testing of gas, and otherwise provide for the office of the Gas Inspector.

Which was adopted.

Mr. Loomis offered the following motion :

That August Richter be permitted to move the lamp-post in front of his property on Virginia Avenue two feet nearer the sidewalk curb stone.

Which was adopted.

Mr. MacArthur offered the following motion :

That the Committee on Bridges be ordered to report on the matter of St. Clair street bridge and the contractor (Mr. Brooks) in regard to the timbers paid for by the city.

On motion by Mr. Davis, the motion was laid on the table.

His Honor, the Mayor, for Mr. Davis, offered the following motion :

That the Board of Public Improvements be directed to examine the alley running north and south between Meridian and Illinois and Georgia and Louisiana streets, and report to this Council what should be done with said alley.

Which was adopted.

REPORTS FROM BOARDS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, March 8, 1868. }

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

GENTLEMEN:—The Board of Public Improvements, to whom was referred the communication of the Street Commissioner, concerning the removal of the switches on the sidewalk of South East street. Your Board visited the premises and consulted with some of the officers of the P. and I. R. R., who have given us the assurance that the said switches shall be removed so soon as the weather permits. We therefore recommend that reasonable time be given to said Railroad Company to make the proposed change.

Respectfully submitted,

JNO. B. MACARTHUR, }
 SAMUEL GODDARD, } *Board.*
 W. H. LOOMIS. }

Which was concurred in.

REPORTS FROM COMMITTEES.

Mr. Coburn, from the Committee on Accounts and Claims, introduced special appropriation ordinance No. 16—1868, entitled :

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

Which was read the first and second times and ordered to be engrossed.

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

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

No Councilman voting in the negative.

So the ordinance passed.

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

INDIANAPOLIS, March 9, 1868.

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

GENTLEMEN:—The Committee on Finance, in pursuance of powers conferred by the Common Council, have employed the First National Bank of this city, as agent for the sale of the ten per cent. two year coupon warrants. The same to be sold at par with one-half per cent. brokerage. The committee would respectfully recommend that the City Treasurer be directed to renew \$30,000, or one-half of the loan of the aforesaid Bank to the city for one year after the 14th day of April next, at the rate of eleven per cent. per annum, in other respects on the same terms as last year. Respectfully,

P. H. JAMESON,
THOMAS COTTRELL, } *Committee.*

Which was concurred in.

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

INDIANAPOLIS, March 9, 1868.

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

GENTLEMEN:—The Committee on Fire Department, and Chief Fire Engineer, would report that they have located the Fire Alarm Telegraph boxes at the following points:

- Police Office, Glenn's Block.
- Hook and Ladder House, New Jersey street, between Washington and Market streets.
- Corner Washington and Noble streets.
- Davidson street, between Ohio and New York streets.
- Corner Michigan and Noble streets.
- Corner Massachusetts avenue and Noble street.
- Corner New Jersey street and Fort Wayne avenue.
- Corner East street and Massachusetts avenue.
- Corner East and New York streets.
- No. 2 Engine House, corner Massachusetts avenue and New York street.
- Corner Delaware street and Fort Wayne avenue.
- Pennsylvania near Pratt street.
- Corner Tennessee and Saint Clair streets.
- Corner Meridian and Michigan streets.
- Corner Indiana avenue and Illinois street.
- Corner Tennessee and Washington streets.
- Corner Indiana avenue and West street.
- Indiana avenue near Saint Clair street.
- New York street and Canal. (Helwig's mill.)
- Corner Blake and Michigan streets
- Corner Douglass and New York streets.
- No. 1 Engine House, Washington street, between West and California streets.
- Corner Kentucky avenue and West street.
- Corner Illinois and Louisiana streets. (Spencer House.)
- Tennessee street, between South and Garden street.
- Corner Illinois and McCarty streets.
- Corner Ray street and Bluff road.
- Corner Delaware and McCarty streets.
- No. 3 Engine House, South street, between Delaware and Alabama.
- Gas Works.
- Chief Fire House, No. —, South East street.
- Corner Georgia and Benton streets.

Corner Noble street and Virginia avenue.
 Corner Bradshaw street and Virginia avenue.
 Corner East and Bicking streets.

Respectfully submitted,

HENRY COBURN, }
 J. H. KAPPES, } *Com. on Fire Dep't.*
 J. W. DAVIS, }
 GEO. W. BUCHANAN, *Chief Fire Engineer.*

Which was concurred in.

By consent, Mr. Brown offered the following motion :

That the Committee on Fire Department be directed to cause the list of fire alarm boxes and their locations to be published; and also, to advertise that all who may wish private boxes erected must give notice to the Committee before the 1st of April next.

Which was adopted.

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

INDIANAPOLIS, March 9, 1868.

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

The Committee on Gas, to whom was referred the report of G. H. Fleming, Gas Inspector of this city, in which he asks for paying his expenses for Cleveland and other places, to get information about his office, the Committee would recommend to allow to Mr. G. H. Fleming the sum of fifty dollars in full for all his expenses.

Respectfully,

C. F. SCHHIDT, }
 SAMUEL GODDARD, } *Committee.*

Which, on motion by Mr. Seidensticker, was laid on the table.

By consent, Mr. Seidensticker offered the following motion :

To allow the City Gas Inspector all the necessary time for visiting Cleveland, Columbus and other places for the purpose of instructing himself thoroughly in the duties of his office.

Which was adopted.

Mr. Kappes, from the Committee on Printing and Stationery, introduced special appropriation ordinance No. 17—1868, entitled:

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

Which was read the first and second times.

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

The question being, shall the rules be suspended? those who voted in the affirmative were Councilmen Brown, Coburn, Davis, Foster,

Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, 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, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the ordinance passed.

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

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING MARCH 7, 1868.

Number of patients in Hospital at last report.....	20
Number of patients received in Hospital since last report.....	3
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	0
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report.....	19

Which was concurred in.

Mr. Brown, from the Select Committee, made the following report:

INDIANAPOLIS, March 9, 1868.

To Hon. Daniel Macaulay, A. H. Brown, A. Seidensticker, and J. H. Woodburn:

GENTLEMEN:—Accompanying this you will find the conditions of our proposed donation of certain grounds to the City of Indianapolis, to be used as a public Park.

In case the proffer is accepted by the Council, it may be found best to change the order in which the conditions are here presented, and some verbal alterations may be made; but these are in no wise to limit or modify the terms herewith given.

Respectfully yours,

E. T. FLETCHER,
For Ex's of C. Fletcher Sr.'s estate.

INDIANAPOLIS, March 9, 1868.

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

GENTLEMEN:—The Special Committee, to whom was referred the communication of E. T. Fletcher and others, executors of the late Calvin Fletcher, beg leave to report that they have had a conference with the executors and, at their request, herewith present their formal proposition in reference to Fletcher Park.

AUSTIN H. BROWN,
AD. SEIDENSTICKER,
DANIEL MACAULEY,
J. H. WOODBURN, } Committee.

If the Council see fit to accept the donation, we will convey to the City of

Indianapolis the grounds heretofore specified for a Park, for and in consideration of the faithful performance of the following conditions, to-wit:

1st. The grounds to be given shall be called "Fletcher Park," as a memorial of the late Calvin Fletcher, Sr., in whose name the donation is made.

2d. The Park is to be held perpetually as a place of resort and recreation, being, as such, under the proper police control of the city, accessible to the public generally, and to the citizens of Indianapolis specially without restriction on any account except immorality.

3d. The city shall appropriate, for improving the grounds of the Park, not less than three thousand dollars (\$3,000) annually, for ten consecutive years, beginning with the year 1868.

4th. The improvement and care, both special and general, of the Park, shall be under the entire charge of three Trustees, whose duty it shall be to apply to such improvement and care, the annual appropriations made by the city for that purpose. Said Trustees are to serve without compensation, and they are to render to the city each year a just and correct account of the disposal they have made of said appropriations. The term of office of said Trustees shall be nine (9) years; but, in order that the official term of one Trustee shall expire at the end of every third year, the first set of Trustees, to be hereinafter named, shall serve respectively three (3), six (6) and nine (9) years. All vacancies in the Trusteeship resulting from expiration of office, removal, resignation, death, or from any cause whatever, shall be filled by the City Council.

4th. Thomas H. Sharpe, S. T. Bowen and Calvin Fletcher shall be appointed by the Council as the first Trustees of the Park to serve three (3), six (6) and nine (9) years, in the order in which they are named.

6th. Perpetual access shall be given to the public through the Western enclosure of the Park to and from the drive and grounds beyond, under such restrictions and regulations as may be established by the Trustees.

In reference to which, Mr. Geisel offered the following motion:

That the proposition be referred back to the same Committee, with instructions to notify the donors that the Council cannot agree to expend a greater sum than \$20,000 to be expended within seven years, and, also, to obtain a shorter term of service for the Trustees.

Which was adopted.

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

INDIANAPOLIS, March 9, 1868.

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

The Committee on Gas, to whom was referred a motion some months ago, to make inquiry whether or not the glass for the street lamps could not be procured at a lower rate than what the city has been heretofore paying for the same, have received a proposal from J. Green & Co. to furnish the same already cut to suit the lamps at \$6.50 per box; if the Council deem the offer made too high, proposals might be invited to furnish the same, say 25 or 50 boxes at a time.

Respectfully submitted,

SAMUEL GODDARD.

Which was referred to the Gas Inspector.

By consent, Mr. Brown offered the following motion :

That the Gas Inspector to be directed to cause the gas lamp-post on the corner of Meridian and McNabb streets, (lately broken down by a runaway team,) to be replaced by a new one, at the city's expense.

Which was adopted.

Mr. Seidensticker moved that the rules be suspended, and that special appropriation ordinance No. 12—1868, appropriating money to the Daily Telegraph Company, be taken up.

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

No Councilman voting in the negative.

So the rules were suspended, and the ordinance read the second time, and ordered to be engrossed.

Dr. Woodburn moved a further suspension of the rules, for the purpose of passing the ordinance.

The question being on a suspension of the rules, those who voted in the affirmative were Councilmen Brown, Coburn, Davis, Goddard, Kappes, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—10.

Those who voted in the negative were Councilmen Foster, Geisel and Henschen—3.

So the rules were not suspended.

By unanimous consent, Mr. Kappes called up special appropriation ordinance No. 13—1868, entitled :

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

Which was read the second time, and, on a further suspension, 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, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the ordinance passed.

REPORTS FROM CITY OFFICERS.

The City Clerk made the following report:

INDIANAPOLIS, March 9, 1868.

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

GENTLEMEN:—In compliance with a motion passed by your honorable body at its last meeting, requiring me to report what are the conditions in the contract of Patrick Moriarty for improving East street, between South and Bicking streets, as to withholding the city's portion for the benefit of the laborers doing said work, would report that the contract reads, "that the Common Council pay for the crossing of streets and alleys in corporation orders, or if the Common Council deem proper, in city bonds, running two years, payable with six per cent. interest; but payment therefor to be withheld so long as any sums remain unpaid to laborers employed by the contractor or his assignee for work done in the prosecution of such improvement."

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

Which was concurred in.

The City Clerk, also, made the following report:

INDIANAPOLIS, March 9, 1868.

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

GENTLEMEN:—On the third day of February, 1868, I reported to Council, among others, the affidavit of Samuel Lefever against Nancy Means, for the collection of street assessment against lot 4, in out-lot 82, and that your honorable body did not order a precept issued, for the reason that at the same time a petition on the same subject asking for relief was presented from Wm. C. Means, which was referred to the Committee on Streets and Alleys, and that said Committee reported at last meeting adversely to the petition. I now, in view of these facts, respectfully ask that you order said precept to issue.

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

Which was concurred in.

The City Assessor made the following report:

INDIANAPOLIS, March 9, 1868.

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

GENTLEMEN:—I herewith submit the following report for the week ending February 17, 1868:

Weekly Report.	This Week's Report.				Last Week's Report.				Total Amount.			
	Lists.	Polls.	Dolls.	Cts.	Lists.	Polls.	Dolls.	Cts.	Lists.	Polls.	Dolls.	Cts.
March 9th, 1868.												
William C. Phipps.....	103	69	28,133	00	730	585	625,263	00	833	654	653,396	00
Asa M. Strong.....	282	244	53,219	00	706	599	189,260	00	988	843	242,479	00
Samuel Strong	207	188	58,713	00	499	415	153,058	00	706	603	191,771	00
Nelson Hoss.....	139	109	32,350	00	576	389	260,958	00	715	498	292,948	00
H. P. Randail	429	351	433,388	00	918	700	850,990	00	1347	1051	1,273,378	00
William Hadley.....					777	637	1,558,805	00	777	637	1,558,805	00
							Totals.....				4,112,777	00

Respectfully submitted,

WM. HADLEY, *City Assessor.*

Which was concurred in.

The City Commissioners made the following report :

INDIANAPOLIS, Feb. 11, 1868.

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

The undersigned Commissioners, appointed to appraise and assess damages and benefits in cases of opening streets and alleys, to whom is referred the petition for the opening of Blackford street through out-lot one hundred and fifty-two (152), to a uniform width of sixty feet (60), between New York and Vermont streets, report, that in pursuance of notice given they met at the office of the City Clerk on Monday the 10th day of February, 1868, at 9 o'clock, A. M., and proceeded to hear evidence in the matter; and concluding such examination, proceeded to view the ground proposed to be appropriated for the purpose of opening said street.

1st. They find that the whole amount of damages sustained is six hundred and twenty-five dollars (\$625), which is assessed as follows :

Ed. E. Pile 30 feet west side of lot No. 65, out-lot No. 152, \$625.00.

2d. That no part of the benefits arising from the opening of said street shall be assessed against the City of Indianapolis.

3d. That the benefits accruing to the owners of lots and parts of lots by opening of said street, is six hundred and twenty-five dollars (\$625), which is assessed against the owners of the following described real estate :

Mary B. Jourdon 17 5½-12 feet west side of lot 64, and 32 5½-12 feet east side of lot 65, out-lot 152,	- - - - -	\$105 00
C. F. Condit, lot 66, in out-lot 152,	- - - - -	83 00
Erie Locke, lot 71, in out-lot 153,	- - - - -	50 00
C. F. Condit, lot 72, in out-lot 153,	- - - - -	50 00
H. M. Goe, lot 15, in out-lot 151,	- - - - -	45 00
E. Hollowell, lot 18, in out-lot 151,	- - - - -	20 00
Merritt & Coughlin, part of out-lot 148,	- - - - -	50 00
H. Hawkins, lot 14, in out-lot 151,	- - - - -	20 00
Rufus Davidson, lot 7, in out-lot 151,	- - - - -	10 00
Aaron Rosier, lot 8, in out-lot 151,	- - - - -	10 00
Mantan Roads, lot 9, in out-lot 151,	- - - - -	10 00
E. Hollowell, lot 10, in out-lot 151,	- - - - -	10 00
Wm. A. Ousley, lot 11, in out-lot 151	- - - - -	10 00
Wm. Darnell, lot 12, in out-lot 151,	- - - - -	10 00
P. Sanburn, lot 1, in out-lot 151,	- - - - -	7 00
Manoh Vocht, lot 2, in out-lot 151,	- - - - -	7 00
Manoh Vocht, lot 3, in out-lot 151,	- - - - -	7 00
E. H. Beaty, lot 4, in out-lot 151,	- - - - -	7 00
S. Showalter, lot 5, in out-lot 151,	- - - - -	7 00
Ellen Pierson, lot 6, in out-lot 151,	- - - - -	7 00
Total amount of benefits,	- - - - -	\$525 00

All of which is respectfully submitted.

SAMUEL SEIBERT,	} Commis'ers.
JAMES C. YOHN,	
JAMES N. RUSSELL,	
THOMAS SCHOOLEY.	
WILLIAM BRADEN,	

INDIANAPOLIS, March 9, 1868.

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

We, the undersigned Commissioners, to whom was referred, with instructions to review, their report in the matter of opening Blackford street, would state, having met at the Council Chamber proceeded to hear evidence in the case—and having heard new and additional evidence that was not before the Commissioners when they made their first report, have determined to change

and modify their assessments of benefits and damages as above mentioned in the report.

All of which is respectfully submitted.

SAMUEL SEIBERT, JAMES N. RUSSELL, THOMAS SCHOOLEY, JAMES C. YOHN, WILLIAM BRADEN,	} Com'rs.
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In reference to which Mr. Brown offered the following resolution :

Resolved, That the report and assessment of damages and benefits of the City Commissioners in regard to the opening of Blackford street, be, and the same are hereby approved, and the ground is hereby appropriated for a street sixty (60) feet wide; and that the Treasurer be instructed to make payment of the damages assessed, and to collect the benefits assessed, as per said report.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, MacArthur, Seid-
ensticker, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the resolution passed.

On motion by Mr. Henschen, the Council adjourned.

DANIEL MACAULEY, *Mayor*.

ATTEST :

D. M. RANDELL, *City Clerk*.