

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
MONDAY, AUGUST 2D, 1869, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

Present—Hon. John S. Newman in the chair, and the following members :

Councilmen Brown, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

Absent—Councilmen Harrison and Locke—2.

The proceedings of the regular session held July 26, 1869, were read and approved.

Business was resumed in the order in which it was left off at last meeting, viz :

ORDINANCES ON SECOND READING.

On motion, the following ordinances were read the second time and ordered to be engrossed.

Special ordinance No. 71—1869.

Special ordinance No. 72, “

Special ordinance No. 74, “

Special ordinance No. 75—1869.

Special ordinance No. 76, “

Special ordinance No. 73, “

General ordinance No. 36—1869.

General ordinance No. 40, “

General ordinance No. 44, “

ORDINANCES ON THIRD READING.

The following ordinances were read the third time and passed :

General ordinance No. 40—1869, entitled :

AN ORDINANCE to prevent the throwing of stones or other missiles at birds, and to prevent the obstructing of the track of the Citizens' Street Railway Company.

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, Heckman, Kahn, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Wiles and Woodburn—12.

Those who voted in the negative were Councilmen Cottrell, Gimber, Kennington and Whitsit—4.

So the ordinance passed.

General ordinance No. 36—1869, entitled :

AN ORDINANCE to amend section one of an ordinance entitled “An ordinance regulating the weighing of coal in the City of Indianapolis,” passed August 1, 1867.

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, Cottrell, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—15.

Councilman Gimber voting in the negative.

So the ordinance passed.

General ordinance No. 44—1869, entitled :

AN ORDINANCE concerning wells and pumps.

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, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—15.

Councilman Cottrell being excused from voting.

So the ordinance passed.

Special ordinance No. 76—1869, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on St. Clair street, between New Jersey and Chatham streets.

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, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the ordinance passed.

Special ordinance No. 75—1869, entitled :

AN ORDINANCE to provide for grading and graveling Gregg street and sidewalks, between East street and the first alley east of East street.

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, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the ordinance passed.

Special ordinance No. 71—1869, entitled :

AN ORDINANCE to provide for grading and graveling the alley running east and west through Square No. 76, and between Meridian and Pennsylvania streets,

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, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the ordinance passed.

Special ordinance No. 72—1869, entitled :

*g.*  
*m.* AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Maryland street, between Alabama and West streets, except such portions of such street as are already provided with public lamp-posts, lamps and fixtures,

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, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the ordinance passed.

Special ordinance No. 74—1869, entitled :

*g.*  
*s.* AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on East street, between Washington street and Pogue Run,

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, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the ordinance passed.

General ordinance No. 37—1869, entitled :

*l.g.d.* AN ORDINANCE amendatory of an ordinance entitled "An ordinance creating the office of City Gas Inspector, defining his duties and fixing his salary," passed February 17, 1868,

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, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the ordinance passed.

Special appropriation ordinance No. 38—1869, entitled:

AN ORDINANCE appropriating money for charitable purposes in the City of Indianapolis,

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, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the ordinance passed.

Special ordinance No. 73—1869, entitled:

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Madison Avenue between the south side of the alley between out-lots 16 and 25 and Pennsylvania street,

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, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the ordinance passed.

On motion by Mr. Brown, special ordinance providing for lighting Maryland street, between Alabama and Meridian streets, was stricken from the files.

## UNFINISHED BUSINESS.

On motion by Mr. Brown, the reports from the Committee on Public Buildings, presented July 12, 1869, and laid over, were taken up in connection with other papers on the subject.

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

*Resolved*, That the Mayor of the City of Indianapolis be directed to make a deed of conveyance to Stoughton A. Fletcher, (the donor of the ground,) of the seven acres of land heretofore donated to the city for a Home for the Friendless, lying south of the city, on condition that he make a conveyance of the same to the Sisters of the Good Shepherd, with the understanding that they construct, within five years, a building on the present foundation to be used as a Home for Friendless Females; and that such deeds of conveyance shall include all improvements made on such land.

Mr. Wiles moved that the further consideration of the question be postponed one week.

The question being on postponement, Dr. Woodburn called for the ayes and noes.

Those who voted in the affirmative were Councilmen Kahn, Marsee, Newman, Pyle, Thoms, Weaver, Whitsit and Wiles—8.

Those who voted in the negative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Shepherd, Thalman and Woodburn—8.

So the motion to postpone was lost.

Mr. Marsee moved to postpone indefinitely.

Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Kahn, Marsee, Newman, Thoms, Whitsit and Wiles—6.

Those who voted in the negative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Pyle, Shepherd, Thalman, Weaver and Woodburn—10.

So the motion to postpone indefinitely was lost.

Mr. Marsee moved to refer to the Committee on Revision of Ordinances.

Mr. Brown called for the ayes and noes on the reference.

Those who voted in the affirmative were Councilmen Kahn, Marsee, Newman, Thalman, Thoms and Wiles—6.

Those who voted in the negative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Pyle, Shepherd, Weaver, Whitsit and Woodburn—10.

So the motion to refer was lost.

The question then being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Pyle, Shepherd, Thalman, Weaver and Woodburn—10.

Those who voted in the negative were Councilmen Kahn, Marsee, Newman, Thoms, Whitsit and Wiles—6.

So the resolution was adopted.

#### NEW BUSINESS.

Mr. Brown introduced special ordinance No. 78—1869, entitled:

AN ORDINANCE to provide for grading and graveling Garden street and sidewalks, between Meridian and Mississippi streets.

Which was read the first time.

Mr. Cottrell presented the following petition:

INDIANAPOLIS, Aug. 2, 1869.

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

GENTLEMEN:—We, the undersigned, would most respectfully petition your honorable body that you see that the grading and graveling of Sinker street is completed according to contract. In its present condition it is neither graded or graveled as it should be. The street at the west end joining Alabama street is not the width required; the sidewalks are not wide enough, neither has the sidewalks or street the required compliment of gravel on. We calculate to pay according to contract, and hope that your honorable body will see that we get the benefit of the contract, by your so doing we, the undersigned will, as in duty bound, for ever pray.

James Broden,  
Michael Donlan,  
Patrick O'Mara,

Michael Logan,  
John Logan,  
And 4 others.

Which was received.

Mr. Cottrell offered the following motion:

That the Committee on Streets and Alleys, together with the City Attorney and Civil Engineer, be instructed to examine the contract of Richard Carr for grading and graveling Sinker street, and report to the Common Council whether the whole width of said street has been improved; also, whether said Richard Carr has fully complied with his contract for improving said street.

Which was adopted.

Mr. Cottrell presented the following petition :

INDIANAPOLIS, July 29, 1869.

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

GENTLEMEN:—We, the undersigned, citizens of the 7th Ward, living between Louisiana and South streets and Virginia Avenue and East streets, do hereby petition your honorable body to remove, or cause to be removed, a pig-sty in our vicinity, and in such close proximity to our dwellings as to create a most offensive odor, which we believe endangers the health of this neighborhood.

Respectfully,

L. D. Harlan,  
J. B. Abbett,  
J. Lyons,

L. L. Thomas,  
A. L. Feibleman,  
And 3 others.

Which was referred to the City Marshal, with instructions to abate such nuisance.

Mr. Cottrell offered the following motion :

That the Street Commissioner be instructed to remove the foot crossings on the corner of East and McCarty streets, and have larger ones constructed instead of those removed.

Which was adopted.

Mr. Cottrell offered the following resolution :

*Resolved,* That a resolution passed on the 26th ult., which reads as follows: "That the Marshal be instructed to open Vermont street from East street to Liberty street, and that before proceeding to open said street he give each and all of the parties interested therein twenty-one days' written notice; that he preserve a copy of such notices and return the same, with his proceedings thereon, to this Council," be, and is hereby, reconsidered.

Which, on motion by Dr. Woodburn, was laid on the table.

Mr. Cottrell offered the following motion :

That the contract for grading the alley running north and south through out-lot 104, between Sinker street and the first alley north of said street, be awarded to Michael Foust, he being the lowest bidder for grading said alley, and which had been heretofore awarded to him by this Council, and that he be requested to present his bond for approval on next Monday evening.

Which was adopted.

Mr. Gimber presented the following bill :

The City of Indianapolis,	To S. T. Hensell,	Dr.
July 26, 1869. To damages sustained by building sewer and grading and graveling Illinois street, in throwing water on to my lot, throwing down my fence, &c.,		
		\$150 00

Which was referred to the Committee on Sewerage.

Mr. Heckman presented the following petition :

INDIANAPOLIS, July 31, 1869.

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

GENTLEMEN:—The undersigned, property holders on East Georgia street, between East and Noble streets, respectfully petition your honorable body to pass an ordinance for the laying of a gas main and erecting lamp-posts and lamps for the lighting with gas of East Georgia street between East and Noble streets, and as in duty bound your petitioners will ever pray.

Jacob Wittlinger,  
Gottlieb C. Krug,  
John Dourcey,

William Wilson,  
G. W. Hill,  
And 10 others.

Which was received.

Also special ordinance No. 79—1869, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Georgia street, between East and Noble streets.

Which was read the first time.

Mr. Heckman presented the following petition :

INDIANAPOLIS, July 27, 1869.

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

We, the undersigned, respectfully ask your honorable body to change the grade on the alley between Stevenson and McCarty streets.

John Curly, Stephen Muller,  
William Stolte, Jacob Beltz,  
John Schroerlucke, James Griffin.  
Adolph Stolte,

Which was referred to the Committee on Streets and Alleys and Civil Engineer.

Mr. Heckman offered the following motion :

That the Street Commissioner be directed to open the gutters and repair the sidewalks on Bates and Cady streets.

Which was referred to the Committee on Streets and Alleys.

Mr. Kahn introduced special ordinance No. 80—1869, entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on New York street, between Alabama and Liberty streets.

Which was read the first time.

Also, special ordinance No. 81—1869, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Vermont street, between Meridian and Delaware streets.

Which was read the first time.

Mr. Kahn presented the following :

INDIANAPOLIS, July 9, 1869.

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

We, the undersigned, do hereby agree to have the gas pipes put into our respective houses, and that we will as consumers use at least the number of burners set opposite our names, provided, however, that we can get assurance from the Gas Company that they will put in the street mains.

B. F. Gresh,	-	-	3	Burners.
J. C. Brinkmyer,	-	-	3	"
J. E. Davis,	-	-	2	"
N. Schierling,	-	-	3	"
A. Helm,	-	-	3	"
A. Schlotzhaner,	-	-	3	"

(On Liberty from Michigan to North.)

Which was received.

Also, special ordinance No. 82—1869, entitled :

**AN ORDINANCE** to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Liberty street, between Michigan and North streets.

Which was read the first time.

Mr. Kahn introduced general ordinance No. 45—1869, entitled :

**AN ORDINANCE** to establish a Board of Health for the City of Indianapolis, defining the powers and duties thereof, and to assure the public health, safety and comfort, and repealing all ordinances and parts of ordinances in conflict with the provisions hereof.

Which was read the first time.

Mr. Marsee offered the following motions :

That the Street Commissioner be directed to notify the I. P. & C. R. R. Co. to open the culvert under their tracks on the west side of East street.

That the Street Commissioner be directed to plank the crossing at the intersection of Alabama and McCarty streets, on the south side of McCarty street.

Which were adopted.

Mr. Shepherd introduced special ordinance No. 83—1869, entitled :

**AN ORDINANCE** to provide for grading and graveling Maryland street between West and Helen streets.

Which was read the first time.

Mr. Shepherd offered the following motions :

That the Street Commissioner be ordered to notify the Terre Haute Railroad Company to repair the plank culvert on south side of their Depot, and complete the same between the two culverts.

That the Street Commissioner be ordered to clean the gutters on South Illinois street to Pogue Run at his earliest convenience, the same being in a filthy condition.

Which were adopted.

Mr. Pyle presented the following petition :

INDIANAPOLIS, July 26, 1869.

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

The undersigned petitions your honorable body for the privilege to grade and pave the sidewalk on East street in front of lot No. 1, in out-lot 2, according to instructions of the Civil Engineer.

Yours respectfully,

EBENEZER SMITH.

Which was granted.

Also, general ordinance No. 46—1869, entitled :

AN ORDINANCE concerning the fees of the Market Master.

Which was read the first time.

Mr. Thalman presented the following petition :

INDIANAPOLIS, July 26, 1869.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Douglass street, between New York and North streets, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling said street and sidewalks, where not already done, with good River or Creek gravel. And your petitioners will ever pray, &c.

Peter M. Pursel,  
W. A. Owsly,  
A. J. Rooker,

Sallie Ritchey,  
Danl. O'Conner,  
And 6 others.

Which was received.

Also, special ordinance No. 84—1869, entitled :

AN ORDINANCE to provide for grading and graveling Douglass street and sidewalks from New York to North streets.

Which was read the first time.

Mr. Thoms offered the following motion :

That John S. Wilson be allowed to pave with brick in front of his property on East street, between Market and Ohio, under the direction of the Civil Engineer.

Which was adopted.

Mr. Wiles offered the following motion :

That the contract and bond of Samuel Lefever, for grading and graveling Vine street between Jackson and Ash streets, reported by the City Clerk on the 19th of July, ultimo, be taken up and approved.

Which was referred to the Judiciary Committee.

Mr. Wiles offered the following motion :

That the Street Commissioner be directed to repair the west side of the crossing of Massachusetts Avenue at the crossing of North street.

Which was referred to the Committee on Streets and Alleys.

Mr. Wiles presented the following petition :

INDIANAPOLIS, Aug. 2, 1869.

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

GENTLEMEN:—I respectfully request that you allow me the privilege of paving the sidewalk with brick, to the width of nine (9) feet, in front of my lot situated on the east side of Massachusetts Avenue, between Walnut and St Clair streets, and that you may instruct the City Civil Engineer to set grade stakes for the same.

Respectfully,

JOHN RABB.

Which was granted.

Also, the following motion :

That the Street Commissioner be directed to furnish the City Gas Inspector from time to time, as needed, with one of his men to prepare and drive stakes for the location of new public lamps.

Which was adopted.

Also, the following petition :

INDIANAPOLIS, Aug. 2, 1869.

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

STATE OF INDIANA, }  
MARION COUNTY, } ss:

I, Michael Maloney, of the county of Putnam and aforesaid State, would most respectfully petition and request the notice of your honorable body to the consideration of the following, to-wit :

I am the owner, in fee, of part of lots 8 and 9, in McKernan and Pierce's subdivision to the City of Indianapolis, through which, per the petition of your citizens, it is proposed to straighten the street to Pogue Run, thereby taking all of said lots, less five (5) feet, on the north side of said street, or straightening, which five (5) feet is wholly valueless and of no use whatever to me. Therefore, I would respectfully ask that your honorable body allow me for said five (5) feet, pro rata, the damages of the remainder of my property taken in said improvement of straightening and assessed by the appraisers appointed for the same.

My purpose is to make improvements upon said part of lots, and as the proposed opening or straightening will leave me with a strip of entire valueless property, I can but protest to said opening or straightening, unless compensated for the said useless, to me, parcel of ground, and would, therefore, give notice to your honorable body that unless I am so compensated I will resort to whatever remedy the law may allow. Hoping, gentlemen, that your honorable body will notice this my petition and award my reasonable and fair compensation for my loss,

I am, most respectfully, &c.,

MICHAEL MALONEY.

Which was referred to the Committee on Judiciary.

Mr. Wiles offered the following motion :

That the City Clerk be directed to re-advertise for grading and graveling  
7ine street between Ash and Jackson streets.

Which was adopted.

Also, the following petition :

INDIANAPOLIS, July 26, 1869.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Delaware street, between Fort Wayne Avenue and St. Clair street, on the east side, respectfully petition your honorable body to pass an ordinance providing for the grading, curbing the outside edge with White Oak plank, and also paving the inside next to the property to a width of nine feet with brick. And your petitioners will ever pray, &c.

John Carter and Wm. E. Pyle,  
Trustees for Friends' Church,  
William Hadley.

Which was received.

Also, special ordinance No. 85—1869, entitled :

AN ORDINANCE to provide for grading, paving with brick, and curbing the outside edge with White Oak curbing, the east sidewalk on Delaware street from Ft. Wayne Avenue to St. Clair street.

Which was read the first time.

Mr. Wiles introduced special appropriation ordinance No. 29—1869, entitled :

AN ORDINANCE appropriating money for the purpose of purchasing lamp-posts, lanterns and fixtures for public gas lamps.

Which was read the first time.

Mr. Whitsit presented the following remonstrance :

INDIANAPOLIS, Aug. 2, 1869.

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

GENTLEMEN:—A petition purporting to be signed by a majority of the residents of Daugherty street, south, and Coburn street, north, was presented to your honorable body some time since, asking for the grading and graveling of the alley running between said streets. We do not believe they had a majority of the residents as signers, and beg that the same order be revoked, that the alley be not graded and graveled. We remain,

E. H. Perkins,	Mary Ann Dickey,
Chas. Holcher,	Nannie E. Carico,
W. H. Bell,	And 5 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Whitsit presented the following petition :

INDIANAPOLIS, July 25, 1869.

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

GENTLEMEN :—We, the undersigned, respectfully petition your honorable body to enact an ordinance to provide for the graveling of Huron street between Cedar and Dillon streets. We are the owners of property on said street as set opposite our respective names.

D. Geyer,  
E. R. McDougal,  
P. Dusjardiens.

Which was received.

Also, special ordinance No. 86—1869, entitled :

AN ORDINANCE to provide for graveling Huron street between Cedar street and the Corporation line east, exclusive of the sidewalks.

Which was read the first time.

Mr. Weaver introduced special ordinance No. 87—1869, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Vermont street, between Tennessee street and Indiana Avenue.

Which was read the first time.

Dr. Woodburn offered the following motions :

That Mr. Vajen be requested to present to the Council an account, giving date, &c., for the last five years.

That the Street Commissioner be instructed to make a gravel walk across Meridian street on the south side of Vermont street.

That Long, Josephs & Carter be ordered to bridge the sidewalk on Saint Clair street at the entrance to their saw mill.

Which were adopted.

Dr. Woodburn introduced special appropriation ordinance No. 30—1869, entitled :

AN ORDINANCE appropriating money for the payment of sewer on Ray street.

Which was read the first time.

Also, special ordinance No. 88—1869, entitled :

AN ORDINANCE to provide for grading and paving with brick the north sidewalk on Indiana Avenue, from Mississippi to West streets.

Which was read the first time.

Also, special ordinance No. 89—1869, entitled :

AN ORDINANCE to provide for grading and graveling St. Joseph street from Meridian to Illinois street, including the sidewalks.

Which was read the first time.

Also, special appropriation ordinance No. 31—1869, entitled :

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

Which was read the first time.

Also, special ordinance No. 90—1869, entitled :

AN ORDINANCE to provide for grading the alley running east and west between lots 4 and 5, in out-lot No. 33, between Tennessee street and Roanoke alley.

Which was read the first time.

Also, special appropriation ordinance No. 32—1869, entitled :

AN ORDINANCE appropriating money for the payment of sundry claims on account of the City Hospital for the month of July, 1869.

Which was read the first time.

Also, the following petition :

INDIANAPOLIS, July 30, 1869.

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

The gutters of Davidson street are perfectly overgrown with grass, so that after any considerable fall of rain the water cannot run off fast enough, and there is a continual danger that the water may overflow and run in the adjoining cellars. Besides, the ditch on Ohio street, which has to receive the waters of Davidson street, and from the west side that cross Davidson, is even too narrow to take up the water of Davidson street alone. We therefore call your attention to this subject, and pray your honorable body to release us of this evil as soon as practicable.

William McCarthy,	William Schornberg,
Valentine Hanf,	T. Welch,
James Diver,	And 6 others.

Which was referred to the Committee on Streets and Alleys.

Dr. Woodburn presented the following communication :

OFFICE BOARD OF POLICE, }  
Indianapolis, Aug. 2, 1869. }

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

GENTLEMEN:—The Board of Police would recommend to your honorable body that the sum of five hundred dollars be appropriated for the employment and payment of a special detective, to be employed in the investigation of the robberies and burglaries being perpetrated in the city.

It is believed that that amount of money judiciously expended in such a manner, would be of benefit and advantage to the citizens, as the fact that all our regular police force are required to appear in uniform, and no "extras" or "specials" are allowed, as in former years, makes it more difficult to detect and arrest the parties concerned in the numerous robberies and violations of law, now so common.

Signed,

JOHN S. MARSEE,	} Board.
JAMES H. WOODBURN,	
W. D. WILES,	

DANIEL MACAULEY, Secretary.

Mr. Brown moved to refer the communication to the Committee on Finance.

Dr. Woodburn called for the ayes and noes on the motion to refer.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Pyle, Shepherd and Whitsit—8.

Those who voted in the negative were Councilmen Kahn, Marsee, Newman, Thalman, Thoms, Weaver, Wiles and Woodburn—8.

So the motion to refer was lost.

Dr. Woodburn moved that the communication be received and the City Clerk directed to incorporate the aforesaid amount in the next account ordinance.

Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Kahn, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Wiles and Woodburn—9.

Those who voted in the negative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Shepherd and Whitsit—7.

So the motion to receive and appropriate was adopted.

By consent, Mr. Brown offered the following motion :

That Charles Neighbors be allowed to improve the street in front of his property on Garden street, provided that he does the same at his own expense and to the satisfaction of the Civil Engineer.

Which was adopted.

Sealed proposals for public work was referred to the appropriate Committees without reading.

By unanimous consent, Mr. Newman, from the Committee on Judiciary, made the following report:

INDIANAPOLIS, Aug. 2, 1869.

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

The Judiciary Committee to whom was referred a motion to authorize Thomas & Bro. to build a wooden awning on the corner of East and Ohio streets, have had the matter under consideration, and ask leave to report that they see no objection to authorizing the erection of such awning at that point. They therefore recommend the granting of the motion, subject to the right of the city authorities at a proper time to have the same removed, if found necessary or proper. The same to be erected under the inspection of the Street

Commissioner, and according to his direction, so as to occasion the least obstruction of the view on the street.

Respectfully submitted.

JOHN S. NEWMAN, }  
AUSTIN H. BROWN, } Committee.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, Aug. 2, 1869.

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

The Judiciary Committee to whom was referred Ordinance No. 39, entitled, "An ordinance in relation to the vacation of streets and alleys," have had that matter under consideration, and ask leave to report that streets and alleys, by being platted as such on the city plat and additions thereto, are dedicated to the use of the public, and that adjoining property holders own the title in fee to the centre of the street or alley; that so long as the public have any use for the right of way through such street or alley, it should not be vacated—the vacation would violate the spirit of the dedication to public use. And if such street or alley shall have ceased to be of any public use, for passage of the public over or through it, and it should be deemed best to vacate it, it would be an extortion on the adjoining property holders, and would violate their rights, to require them to pay the city for it. If of no public use the intent of the dedication has failed, and the street or alley belongs to adjoining property holders without paying for what would be their private property.

Respectfully submitted.

JOHN S. NEWMAN, }  
AUSTIN H. BROWN, } Committee.

Which was concurred in.

By consent, the Civil Engineer made the following report :

INDIANAPOLIS, Aug. 2, 1869.

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

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

David Sylvester, for grading and graveling Roanoke alley and sidewalks, from St. Clair to Pratt street:

Length on the east side, - - - - -	420 feet.
Length on the west side, - - - - -	420 feet.
	-----
Total length, - - - - -	840 "
At 19 cents per lineal foot, - - - - -	\$268 80

Samuel Hanway, for grading and graveling the alley running north and south between Virginia avenue, Elm and Hosbrook, and running from Peru to Grove street:

Length on the east side, - - - - -	1425 feet 6 inches.
Length on west side, - - - - -	1426 feet 3 inches.
	-----
Total length, - - - - -	2851 feet 9 inches.
At 19 cents per lineal foot. - - - - -	\$541 83

Also, Hiram Seibert, for grading and graveling Sinker street and sidewalks, between New Jersey and Alabama streets:

Length on the north side, - - - - -	642 feet 6 inches.
Length on the south side, - - - - -	642 feet 6 inches.
	-----
At 60 cents per lineal foot, - - - - -	\$671 10

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Also, Samuel Lefever, for work done on Ray street sewer:

5' 1,500 feet of sewer at \$5 per lineal foot, - - - - -	\$7,500 00
Deduct 15 per cent., - - - - -	1,125 00
	<hr/>
Total payment, - - - - -	\$6,375 00
Former payment, - - - - -	3,400 00
	<hr/>
Present payment, - - - - -	\$2,975 00

a' Also, Thomas O. Connor, for grading the first alley south of Stevens street, running east and west between Waters and Greer streets:

Length on north side, - - - - -	397 feet.
Length on south side, - - - - -	384 feet.
	<hr/>
Total length, - - - - -	781 feet.
At 18 cents per lineal foot, - - - - -	\$140 58

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

Which was concurred in, with the exception of that part referring to Sinker street.

By consent, the City Clerk made the following report:

OFFICE OF CITY CLERK, }  
Indianapolis, Aug 2, 1869. }

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

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

1st. Contract and bond of Hiram Seibert, for grading and bowldering, and curbing the outside edge of the sidewalks with Flat Rock or Putnamville stone, of Maryland street, from Meridian to Dalaware street, is presented for your approval.

2d. First and final estimate allowed David Sylvester for grading and graveling Roanoke alley and sidewalks, from St. Clair to Pratt street, is also presented for your approval.

3d. First and final estimate allowed Samuel Hanway for grading and graveling the rley running north and south, between Virginia Avenue, Elm and Hosbrook, and running from Pine to Grove street, is also presented for your approval.

4th. Contract and bond of S. W. & R. H. Patterson, for grading and graveling Blake street and sidewalks, from the north side of Rhode Island street to North street, which is also presented for your approval.

5th. First and final estimate for grading and graveling Sinker street and sidewalks, between New Jersey and Alabama street, is also presented for your approval.

6th. First and final estimate allowed Thos. O. Connor for grading the first alley south of Stevens street, running east and west between Waters and Greer streets, is also presented for your approval.

7th. Contract and bond of Conrad Neab, for taking down, removing, perfecting, and re-erecting the discontinued public gas lamps.

Respectfully submitted,

DANIEL M. RANSELL, *City Clerk.*

Which was concurred in, with the exception of that part relating to Sinker street, and the contracts and bonds approved.

Also the following resolution :

*Resolved,* That the foregoing first and final estimate allowed David Sylvester for grading and graveling Roanoke street and sidewalks from St. Clair street to Pratt street, be, and the same is hereby, adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following resolution :

*Resolved,* That the foregoing first and final estimate allowed Thomas O'Conner for grading the first alley south of Stevens street, running east and west between Waters and Greer streets, be, and the same is hereby, adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the resolutions were adopted.

Also, the following resolution :

*Resolved,* That the foregoing first and final estimate allowed Samuel Hanway for grading and graveling the alley running north and south between Virginia Avenue, Elm and Hosbrook streets, and running from Pine street to Grove street, be, and the same is hereby, adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the resolution was adopted.

## The Street Commissioner made the following report :

INDIANAPOLIS, August 2, 1869.

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

GENTLEMEN:—I have the honor to submit the following report, by Wards, of all the work done in my Department since June 23, 1869, the date of my last report:

## FIRST WARD.

1. Repaired the culverts on Mass. Avenue and Vermont St	---	\$23 50
2. Repaired the foot bridge on New York and East, and on Liberty and New York	-----	5 50
3. Opened the gutters of East St., between North and New York	-----	22 00
4. Repaired the culvert on Mass. Ave. and New York St.	-----	4 50
5. Opened the gutters on Mass. Avenue between East and New Jersey Sts.	-----	9 00
6. Opened the gutters on Alabama, between Mich. and North Sts.	-----	8 00
7. Opened the gutter on the south side of North, between Delaware and Alabama Sts.	-----	5 00
	-----	\$77 50

## SECOND WARD.

1. Placed two new foot bridges on Ash and Vine Sts	-----	\$8 00
2. Opened the gutters on St. Clair, between Noble and Broadway Sts	-----	7 50
3. Cleaned the culvert on Mass. Avenue and Noble St	-----	17 00
4. Repaired the gutter crossing on Noble St. and Mass. Ave	-----	11 00
5. Opened the gutters on Mass. Avenue, between Ash and Noble Sts	-----	7 50
6. Placed four new foot bridges on Vine and Broadway Sts	-----	16 00
7. Placed one new foot bridge on Delaware and St. Joseph Sts.	-----	4 00
8. Opened the gutters on East, between North and St. Clair Sts	-----	12 00
9. Placed two new foot bridges on Mass. Ave. and Chatham St	-----	9 00
10. Hauled eleven loads of cinder, and repaired the gutter crossings on Ft. Wayne Avenue and Alabama St.	-----	15 00
11. Opened the gutters on Mass. Avenue, between Liberty and East Sts	-----	11 00
12. Hauled 10 yards of gravel and repaired the crossings on Delaware and St. Clair Sts	-----	11 50
13. Placed two new foot bridges on Delaware and St. Clair Sts.	-----	8 00
14. Placed one new foot bridge on Ft. Wayne Avenue and Alabama Sts	-----	4 00
15. Hauled twenty-nine yards of gravel and repaired St. Clair, between Broadway and Alabama Sts	-----	33 35
16. Placed four new foot bridges on Cherry and Jackson Sts	-----	16 00
Total for Second Ward	-----	\$190 85

## THIRD WARD.

1. Repaired the culvert on Mississippi and Vermont Sts.	-----	\$2 50
2. Placed one new foot bridge on Tennessee St. and Ind. Ave.	-----	4 00
3. Repaired the bouldering on the north side of Washington, between Meridian and Mississippi Sts	-----	74 31
4. Opened the gutters on the east side of Mississippi, between Indiana Avenue and First Sts	-----	13 00
5. Opened the gutters on Indiana Avenue, between Illinois and Mississippi Sts	-----	27 00
6. Opened the gutters on the north side of Indiana Avenue, between Mississippi and West Sts	-----	13 00
Amount carried forward	-----	\$268 35

Amount brought forward.....	\$268 35
7. Opened the gutter on the east side of West St., between St. Clair and Indiana Avenue.....	9 00
8. Hauled eleven yards of gravel and repaired Mississippi, between North and First Sts.....	10 00
Total for Third Ward.....	<u>\$153 11</u>

FOURTH WARD.

1. Repaired the bouldering on the north side of Washington St., between Mississippi St. and White River.....	\$74 31
2. Opened the gutter on the west side of Mississippi Street, between Indiana Avenue and First St.....	13 00
3. Opened the gutters on the south side of Indiana Avenue, between Miss. St. and the Toll Gate, and on the north side from West to St. Clair Sts.....	37 00
5. Opened the gutters on North Street, between Indiana Avenue and.....	28 00
5. Opened the gutter on the west side of West St., between Indiana Avenue and St. Clair St.....	9 00
6. Hauled 22 yards of gravel and repaired Mississippi St., from Indiana Avenue to First St.....	10 30
Total for Fourth Ward.....	<u>\$171 61</u>

FIFTH WARD.

1. Placed one new foot bridge on Washington and Tennessee Sts	\$4 00
2. Placed one new foot bridge on Meridian and Georgia Sts.....	4 00
3. Repaired the culvert on Illinois and Maryland Sts.....	1 50
4. Repaired the culvert on Meridian and Maryland St.....	1 25
5. Placed two new foot bridges on Pennsylvania and South St.....	8 00
6. Repaired the bouldering on the south side of Washington, between Delaware St. and White River.....	236 37
7. Opened the gutters on the south side of Washington St., between Delaware St. and the Canal.....	62 00
8. Cleaned Illinois St., between Washington and Louisiana.....	23 00
9. Cleaned Meridian St., between Washington and Louisiana.....	27 00
10. Cleaned west side of Delaware St., between Washington St. and Virginia Avenue.....	6 00
11. Repaired the bouldering on Meridian St., between Washington St. and Union Depot.....	203 50
Total for Fifth Ward.....	<u>\$576 62</u>

SIXTH WARD.

1. Placed two new foot-bridges on Bluff Road and McCarty St.....	\$5 50
2. Placed three new foot bridges on Union and Merrill Sts.....	13 50
3. Sloped off the mouth of the alley on the south side of McCarty, between Illinois and Tennessee Sts.....	13 50
Total for Sixth Ward.....	<u>\$13 50</u>

SEVENTH WARD.

1. Placed one new foot bridge on Alabama St., at the alley between McCarty and Merrill Sts.....	\$4 00
2. Placed two new foot bridges on Alabama and Merrill Sts.....	8-00
3. Placed one new foot bridge on Alabama and.....	4 00
4. Placed one new foot bridge on Virginia Avenue and Maryland St.....	4 00
5. Repaired the foot bridges on Merrill and Alabama Sts.....	1 25
6. Repaired a foot bridge on Alabama and McCarty Sts.....	50
Amount carried forward.....	<u>\$1183 19</u>

Amount brought forward.....		\$1183 19
7. Hauled eight loads of cinder and repaired the gutter on East and Cumberland Sts.....	9 00	
8. Repaired the first alley south of Pogue's Run, between New Jersey and East Sts.....	11 50	
9. Repaired the foot bridges on Virginia Avenue and New Jersey Sts.....	3 50	
10. Opened the gutter on Merrill, between East and New Jersey Streets.....	9 00	
11. Opened the gutter on Virginia Avenue, between Delaware and Alabama Sts.....	16 00	
12. Repaired the culverts on South and East Sts.....	2 50	
Total for Seventh Ward.....		\$73 25

## EIGHTH WARD.

1. Hauled nine loads of cinder, and repaired the gutter crossings on Cady and Meek Sts.....	\$9 50	
2. Hauled eight loads of cinder and repaired the gutter crossings on Meek and Benton Sts.....	8 50	
3. Hauled seven loads of cinder, and repaired the gutter crossing on Washington and Noble Sts.....	7 50	
4. Placed two new foot bridges on Washington St. and Michigan Road.....	18 00	
5. Raised and repaired the bridge on Cady and Washington Sts.....	13 50	
6. Placed a foot bridge on East and Georgia Sts.....	4 00	
7. Repaired the culvert on the east side of East and Georgia Sts.....	1 75	
8. Hauled two loads of cinder and repaired the crossing on Noble and Georgia Sts.....	2 00	
9. Opened the ditches between Lord St. and the I. & C. R. R. tracks.....	4 50	
Total for Eighth Ward.....		\$69 25

## NINTH WARD.

1. Repaired the culvert on Ohio and Noble Sts.....	\$1 50	
2. Cleaned and repaired the culvert on Washington and Pennsylvania Sts.....	13 00	
3. Placed a new foot bridge on Market and Pennsylvania Sts.....		
4. Repaired the foot bridge on Pennsylvania and Market Sts.....	2 50	
5. Opened the gutters on Pennsylvania, between Market and Washington Sts.....	8 50	
6. Opened the gutters on Washington, between Pennsylvania and Delaware Sts.....	6 50	
7. Placed a new foot bridge on Delaware and Washington Sts.....	4 00	
8. Repaired the foot bridge on Meridian and Ohio Sts.....	50	
9. Opened the gutter on New Jersey, between Washington and Market Sts.....	7 50	
10. Placed a new foot bridge on East and Ohio Sts.....	4 00	
11. Opened the gutter on Delaware, between Earket and Ohio Sts.....	5 50	
12. Repaired the culverts on Alabama and Market Sts.....	18 00	
13. Opened the gutter on East St., between Washington and New York.....	20 00	
14. Repaired the bowldering on the north side of Washington St., between Delaware and Meridian.....	87 75	
15. Repaired the bridge over the gutter just south of the Hook and Ladder House.....	1 50	
16. Placed a new foot bridge on Ohio and Alabama Sts.....	4 00	
17. Repaired the culvert on Mass. Ave. and New York St.....	3 00	
Total for Ninth Ward.....		\$191 25
Amount carried forward.....		\$1516 94

Amount brought forward.....\$1516 94

MISCELLANEOUS.

I have also repaired bridges over the Canal and Pogue's Run as follows:

1. Repaired the bridge over Pogue's Run on East St.....	\$3 50	
2. Repaired the bridge over the Canal on Ray St.....	47 75	
3. Repaired the bridge over the Canal on Maryland St.....	7 50	
4. Repaired the bridge over the Canal on Market St.....	2 50	
		61 25

I have also raised the Citizens' Street Railroad track on Virginia Avenue from South St. to Pogue's Run, at a cost of..... \$232 76

294 01

Total expended since June 23, 1869.....\$1,829 95

RECAPITULATION.

It will be seen from my report of the 25d of June, 1869, that the deficit of the Ward funds at that date was \$1,586 16. Taking that amount from the \$4,000 appropriation, made June 28, 1869, and we have \$2,413.84, which, according to instructions, we divided equally between the Wards:

	Amount on hand June 23, '69.	Am't expended since June 23, '69.	Bal. on hand Aug. 2, '60.	Deficit Aug. 2, '69.
First Ward.....	\$268 20	\$77 50	\$190 70	
Second Ward.....	268 20	190 85	77 35	
Third Ward.....	268 20	153 11	115 09	
Fourth Ward.....	268 20	171 61	96 59	
Fifth Ward.....	268 20	576 62		\$038 42
Sixth Ward.....	268 20	32 50	235 70	
Seventh Ward.....	268 20	73 25	194 95	
Eighth Ward.....	268 20	69 25	198 95	
Ninth Ward.....	268 20	191 25	76 95	
Bridge Fund.....	657 11	264 01		
Total on hand June 23, '69.....	\$3,070 91			
Amount expended since June 23, '69.....		\$1,829 95		
Balance, August 2, 1869.....			\$1,549 38	
Deficit, August 2, 1866.....				\$308 42
Net balance.....			\$1,240 96	

Respectfully submitted,

AUGUSTUS BRUNER, *Street Commissioner.*

Which was received.

Mr. Brown moved that the rules be suspended and that special appropriation ordinance No. 30—1869, appropriating money to Samuel Hanway for work doue on sewer on Ray street, be taken up and read the second and third times and placed upon its passage.

The question being on a suspension of the rules,

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

Councilman Newman voting in the negative.

*Seaman*

So the rules were suspended, and the ordinance read the second and third times and placed upon its passage.

The question being, shall the ordinance pass?

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

No Councilman voting in the negative.

So the ordinance passed.

By unanimous consent, Mr. Thalman, from the Committee on Streets and Alleys, made the following report:

INDIANAPOLIS, Aug. 2, 1869.

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

Your Committee, to whom was referred the petition of Charles Glazier and others, in regard to the manner in which the south side of Virginia Avenue, between Pogue Run and East street, is being improved, would respectfully report that they have examined the same, and would recommend that the City Civil Engineer be directed to notify the contractor to stop work on that side of Virginia Avenue until after the report of the Committee on Sewerage is received and acted upon.

ISAAC THALMAN, }  
JOHN L. MARSEE, } *Committee.*  
C. HECKMAN, }

Which was concurred in.

By consent, Mr. Wiles, from the Committee on Contracts, made the following report:

INDIANAPOLIS, Aug. 2, 1869.

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

GENTLEMEN:—The Committee on Contracts, to whom was referred sundry proposals, have examined the same, and would recommend that contracts be awarded as follows:

1st. For building an arched bridge over the arm of the Central Canal, on the National Road, near Geisendorff's Woollen Factory, to Burk & Richter, at \$7.50 per cubic yard for stone work, filling 75 cents per cubic yard, lumber \$2.50 per 100 feet, board measure.

2d. For grading and bowldering Maryland street from Delaware to Meridian street, and curbing the outside edge of the sidewalks with Flat Rock or Putnamville stone, between the same points, to Hiram Seibert at \$2.70 per lineal foot front on each side for bowldering, and 75 cents per lineal foot front for curbing.

3d. For building bridge over the Canal on St. Clair street, we would re-

commend that the bid of August Richter be rejected, as he was the only bidder, and that the Street Commissioner be directed to build the said bridge.

W. D. WILES,  
HENRY GIMBER, } Committee.  
ISAAC THALMAN, }

Which was concurred in, with the exception of the last paragraph in regard to the St. Clair street bridge. The Clerk was directed to re-advertise for proposals.

On motion the Council adjourned.

*Daniel Macauley*  
~~DANIEL MACAULEY~~, Mayor.

ATTEST:

*D. M. Ransdell*  
~~D. M. RANSDALL~~, City Clerk.