

PROCEEDINGS

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, NOVEMBER 18TH, 1867, 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, Colley, Cottrell, Davis, Foster, Geisel,
Goddard, Henschen, Loomis, MacArthur, Seidensticker, Stanton and
Woodburn—14.

Absent—Councilmen Burgess, Jameson, Kappes and Schmidt—4.

The proceedings of the regular session held November 11, 1867,
were read and approved.

Mr. Coburn offered the following motion :

That the new Steam Fire Engine now being built for the city, be called
the "John Cavin" No. 4.

Mr. Davis moved to amend by striking out all names on engines,
and numbering them only.

Mr. Cottrell moved to amend the amendment of Mr. Davis by sub-
stituting the name Indianapolis, in lieu of "John Caven."

The question being on Mr. Cottrell's amendment, the ayes and noes were demanded, those who voted in the affirmative were Councilmen Cottrell and Henschen—2.

Those who voted in the negative were Councilmen Brown, Coburn, Colley, Davis, Foster, Geisel, Goddard, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—12.

So the amendment was not adopted.

Mr. Colley moved to lay Mr. Davis' amendment on the table.

Mr. Davis called for the ayes and noes.

The question being to lay the amendment on the table, those who voted in the affirmative were Councilmen Coburn, Colley, Goddard, Loomis and MacArthur—5.

Those who voted in the negative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Henschen, Seidensticker, Stanton and Woodburn—9.

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

The question then being on Mr. Davis' amendment, the ayes and noes were demanded, those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Seidensticker and Stanton—9.

Those who voted in the negative were Councilmen Coburn, Colley, Loomis, MacArthur and Woodburn—5.

So the amendment of Mr. Davis was adopted.

The question then being on the original motion as amended.

Mr. Colley called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Henschen, Seidensticker and Stanton—8.

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

So the original motion, as amended, was adopted.

Mr. Coburn offered the following motion :

That the Street Commissioner be instructed to grade and level the dirt in the Circle, which has been thrown in from the sidewalk.

Which was adopted.

Mr. Cottrell offered the following motion :

That the Committee on Streets and Alleys be instructed to report some name for the street running north and south through square ninety-one, other than the present name for said street.

Which was referred to the Committee on Streets and Alleys.

Mr. Davis offered the following motion :

That the Terre Haute & Richmond Railroad Company be directed to place a Flag Man, at the crossing of Kentucky Avenue and Louisiana streets.

Which was adopted.

Mr. Foster presented the following petition :

INDIANAPOLIS, NOV. 18, 1867.

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

We the undersigned business men on West Washington street, petition your honorable body to have the paving on West Washington (south side) street, west of Mississippi street, hurried forward as fast as possible, as it is impossible to do business with the bricks laying on the street, as they are, they have been laying there about six weeks.

R. Z. Thomas, & Co.,
D. & G. Coble,
John Ward,

John McBride,
John N. Navin,
And 14 others.

Which was received.

Mr. Geisel offered the following motion :

That William Werther have the privilege to make a plank crossing on the east side of Noble street, across the pavement in front of his property, near New York street.

Which was adopted.

Mr. Geisel, also, offered the following motion :

That William Kowan be permitted to place bowlders &c, in the city lot, between Lockerbie and Vermont streets, and between Liberty and Noble streets until notified to give up the same by the city authorities, on condition that he fill up the same, so that water will stand there no longer.

Which was adopted :

Mr. Goddard offered the following motion :

That the property owners on the south side of Norwood street, between Illinois and Louisiana streets, be allowed to grade and gravel the sidewalks of said south side of Norwood street at their own expense, under their directions, and to be accepted by the Civil Engineer, the work to be done within sixty days.

Which was adopted :

Mr. Goddard, also, offered the following motion :

That W. Dillon & Farey, be allowed fifteen days more time to finish the paving on the north and south sidewalks on Washington street, between Mississippi street and Canal.

Which was not adopted.

The City Attorney addressed the Council at some length in regard to the case of Huffer vs. the city, which was recently tried in the Common Pleas Court.

Mr. Loomis offered the following motion :

That the action of the City Attorney, B. K. Elliott, in the Huffer case, meet the entire approval of the Council.

Which was adopted.

Mr. Loomis, also, offered the following motion :

That Wm. Cress be allowed to pave the sidewalk, on the corner of Fletcher Avenue and Noble street, and curb the outer edge thereof, either with flat rock stone, or white oak plank, at his own expense, under the direction of the City Civil Engineer. Work to be done within sixty days.

Which was adopted.

Mr. Loomis presented the following petition :

INDIANAPOLIS, Nov. 5, 1867.

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

GENTLEMEN:—The undersigned resident property owners respectfully petition your honorable body to pass an ordinance, to provide for the grading and graveling of the alley, running on a paralell line between Virginia Avenue and Elm streets, from Cedar street to Pine street, and as in duty bound, your petitioners will ever pray &c.

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| John H. Stuckmagar, | R. Brock, |
| August Beemann, | Peter Rontier, |
| Wm. Fletcher, | And 3 others. |

Which was referred to the Board of Public Improvements, with instructions to report whether a majority of the property owners are signers to the petition.

Mr. MacArthur offered the following motion :

That the Market Master be authorized to lease the stalls at the end of the East Market to Fish Dealers, there being no more stalls at the west end of same.

Which was adopted.

Mr. MacArthur, also, offered the following motion :

That the Committee on Benevolence and Hospitals, be instructed to enquire into the truth or falsity of certain rumors, as to the dissection of patients who die in the City Hospital.

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

Mr. Seidensticker presented the following petition :

INDIANAPOLIS, NOV. 18, 1867.

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

We the undersigned citizens of the city of Indianapolis would respectfully represent to the City Council, that the Bellefontaine Railway Company has expended about \$500, in experimenting on their grounds in the North-east part of the city, to obtain Artesian water. That they have sunk a well and tubing four inches in diameter, to a depth of one hundred feet from the gravel surface; that at that point they have encountered solid limestone rock, which is the same formation reached at the Rose Well, at Terre Haute. At about 1600 feet from the surface, and the same that was encountered at Lafayette, at 300 feet from the surface at Lodi at 1100 feet. They further represent that this limestone formation has been ascertained to be about 200 feet thick, and in the wells referred to above Artesian water was obtained immediately below it. The undersigned believe that the present opportunity to test the existance of Artesian water ought not to be lost, as the value of such water to the city cannot be over-estimated, and earnestly petition your honorable body, to make an appropriation of \$1000 to be expended in accordance with the proposition of William Morris, herewith submitted. Provided the citizens all donate for the same purpose an equal amount.

Asher & Adams, Edward King,
Foster Holloway & Co., T. A. Morris,
A. S. Roache, And 40 others.

Also, the following proposition :

INDIANAPOLIS, NOV. 16, 1867.

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

GENTLEMEN—Believing that water can be procured from Artesian power by boring at Indianapolis, I propose to take the well recently sunk by me for the Bellefontaine Railway Company, in the North-easterly part of the city, continue the same to any depth needed, under 2000 feet for \$2,00 per foot, the city, or citizens to furnish a stationery engine and fuel sufficient for the job, I to furnish all tools and help, and do the work at my own risk. The hole to be three (3) or three and one-half (3½) inches, as may be deemed. The well is now sunk and thoroughly tubed with four inch pipe, to a depth of about 100 feet from the gravel surface. The work proposed, is to be from the surface of the rock found at the bottom of this well, down for quantity.

WM. MORRIS.

On motion by Mr. Seidensticker, both the petition and proposition were referred to a special committee of three Councilmen.

His Honor, the Mayor, appointed as such committee, Councilmen Seidensticker, Foster and Woodburn.

Mr. Seidensticker offered the following motion :

That the Street Commissioner be instructed to lower the grading and bowldering of the street at the crossing of Washington and Noble streets, so as to conform with the grade of the street.

Which was adopted.

Mr. Seidensticker, also, offered the following motion :

That the City Attorney be requested to report what steps are necessary to clear Maryland street between Noble street and the East Corporation line, of the obstructions placed on said street by the Indiana Central Railway Company, as reported by the Civil Engineer.

Which was adopted.

Mr. Stanton presented the following petition :

INDIANAPOLIS, Nov. 14, 1867.

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

GENTLEMEN:—Please grant me license as Auctioneer in the City of Indianapolis, for one year, from December 10, 1867, to December 10, 1868. My place of business is Nos. 194 and 196 West Washington street.

Yours, &c.,

WM. E. FEATHERSTON.

Which was granted.

Mr. Stanton, also, presented the following petition :

INDIANAPOLIS, Nov. 18, 1867.

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

GENTLEMEN:—Your petitioner respectfully represent that on the 7th inst, he had driven near the side walk on Meridian street, immediately in front of Saloon known as Rhodiu's Saloon, with his spring wagon, and while so situated the driver of the extra hose carriage belonging to engine No. 2, backed said hose carriage against the spring wagon of your petitioner, and damaged the same to the amount of three dollars. Gentlemen, the amount is small, but my wagon was standing in the gutter, and was damaged through no fault of mine, and as the times are hard, and the amount though small, is of importance to me. I respectfully ask that you order said sum to be paid to me, and you will much oblige.

Yours Respectfully,

GEORGE B. SCRIBNER.

Which was referred to the Committee on Accounts and Claims.

Mr. Stanton, also, presented the following petition :

INDIANAPOLIS, Nov. 18, 1867.

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

GENTLEMEN:—Your petitioner respectfully states, that he is the owner of Lot No. 9 in Out-lot 151, in the City of Indianapolis, that the same was sold for taxes of the year 1865, as the property of Douglass Maguire, together with taxes on \$675 personal property. That said Maguire never owned said Lot. Said Maguire also has the Treasurers receipts for all his taxes for 1864 and 1865, including personalty of \$675, which amount is again assessed against my property. I respectfully ask your honorab'le body to take such action as may be necessary to enable me to redeem my Lot, by paying only, what should properly be assessed against, and this your petitioner will ever pray.

GEORGE S. D. RORKE.

Which was referred to the Finance Committee.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Nov. 18, 1867.

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

GENTLEMEN:—Your petitioner, Samuel Miller, would respectfully ask your honorable body to grant him the right to erect a stairway to the north end of his building, in the Alley running east and west through square No. 47.

Very Respectfully,

SAMUEL MILLER.

Which was granted.

Dr. Woodburn, also, presented the following petition :

INDIANAPOLIS, Nov. 7, 1867.

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

GENTLEMEN:—Having laid the sewer from the Bates House to Pogues Run, and the same being a perfect success, I now ask your honorable body to authorize an order on the Treasurer for \$300, according to the promise of the Ward Committee of the three wards, through which said sewer passes. Dr. Woodburn, Mr. Brown, Mr. Davis and Burgess, also, Dr. Jameson; these gents said if I would lay said pipe, and relieve Illinois street of the nuisance which has existed for fourteen years, they would each give, or recommend \$100 from each ward, which are 3, 5 and 6 wards. You may claim, the city took the job of re-laying the ditch, but I paid my full contract price, and as the sewer is a perfect succes, I respectfully ask you, gentlemen, to grant me an order on the Treasurer, for the same, (\$300).

E. SEYMOUR.

Which was referred to the Committee on Finance for investigation.

Dr. Woodburn, also, presented the following petition :

INDIANAPOLIS, Nov. 15, 1867.

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

Your petitioner would respectfully ask your honorable body, the privilege of curbing with wood, the sidewalk at full width, in front of his own property on Indiana Avenue, between Illinois and New York streets, and have the same paved with brick, less what is now paved with bowlders, and your petitioner will ever pray.

ABRAM BIRD.

Which was received.

Dr. Woodburn moved to grant the prayer of the petition, provided the contractor gives his written consent, the same to be filed with the City Clerk.

Mr. Davis moved to amend by referring to the City Attorney, and called for the ayes and noes.

The question being on the reference, those who voted in the affirmative were Councilmen Coburn, Davis, Foster, Goddard, MacArthur, Seidensticker and Stanton—7.

Those who voted in the negative were Councilmen Brown, Colley, Cottrell, Geisel, Henschen, Loomis, Woodburn and His Honor, the Mayor—8.

So the amendment was not adopted.

The question then being on the original motion, as made by Dr. Woodburn.

Mr. Colley called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Colley, Cottrell, Foster, Geisel and Woodburn—6.

Those who voted in the negative were Councilmen Coburn, Davis, Goddard, Henschen, Loomis, MacArthur, Seidensticker and Stanton—8.

So the motion was not adopted.

His Honor, the Mayor, presented the following petition:

INDIANAPOLIS, Nov. 18, 1867.

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

GENTLEMEN:—The undersigned members of the police force of this city respectfully petition your honorable body that the wages of the members of the force be increased at the rate of seventy-five cents per day upon the condition, to which we readily subscribe, that each member of the force release to the city all taxable fees to which they may be entitled as witnesses in actions for violation of the city ordinances, which release we each of us agree to file with the City Auditor upon the passage of an ordinance thus increasing our wages.

Thomas S. Wilson,
Wm. Boaz,
John S. Bray,
Henry Paul,
George W. Bennett,
Samuel Buser,
William Williams,
L. M. Russell,
J. P. Duvall,
J. T. Murphy,
Geo. Taffe,
O. H. P. Bly,
R. B. Barbee,
Hannibal Taffe,
James R. Shea,
A. J. Wells,

John Catrill
George Buser,
W. F. Brunnermer,
Fred. Scheigert,
John K. Lang,
H. Minick,
O. B. Boardman,
M. Murphy,
Francis Otwell,
August Beick,
A. E. Catterson,
P. Landormi,
George Thomas,
William Bolen,
J. N. Stevens.

Also, general ordinance No. 114, entitled:

AN ORDINANCE relative to the compensation of the police force of the city of Indianapolis.

Which were referred to the Judiciary Committee, and City Attorney.

Sealed proposals were opened and read by the City Clerk, and, on motion by Mr. Geisel, was referred to the Board of Public Improvements, with instructions to report immediately.

REPORTS FROM BOARDS.

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

INDIANAPOLIS, Nov. 18, 1867.

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

GENTLEMEN:—The Board of Public Improvements, to whom was referred the bid for the erection of gas posts, lamps and fixtures on East street, between Massachusetts Avenue and St. Clair streets; also, on Massachusetts Avenue, between New Jersey and Noble streets; also, on South street, between New Jersey street and Virginia Avenue. Report that the Indianapolis Gas Light & Coke Company, are the only bidders for the work, their bid being, for heavy pattern, \$35 per post; for light pattern, \$33 per post.

Respectfully submitted,

JOHN B. MACARTHUR, }
 SAMUEL GODDARD, } Board.
 WM. H. LOOMIS, }

Which was concurred in.

By unanimous consent, the rules were suspended for the purpose of hearing reports from officers.

The Civil Engineer made the following report :

INDIANAPOLIS, Nov. 18, 1867.

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

I hereby report the following work finished according to contract. S. W., and R. H. Patterson, for grading and graveling Bright street and sidewalks, between New York and North streets.

Length on east side.....1455 feet, 1 inch.
 Length on west side.....1455 feet, 1 inch.

Total length.....2910 " 2 "
 At seventy-five cents per lineal foot.....\$2182 62.

Also, James Mahoney, for grading the Alley running east and west through Out-lot forty-six, between Liberty and Noble streets, and graveling sidewalks.

Length on north side.....404 feet, 11 inches.
 Length on south side.....404 feet, 11 inches.

Total length.....809 " 10 "
 At forty-eight and one-half cents per lineal foot.....\$392 76.

Also, Charles Roney, for paving City's portion on the north-west corner of Meridian and Louisiana streets, twenty-five yards, at seventy cents per yard.....\$17 50.

Also, William Kowan, for grading, bowldering and curbing Illinois street, between the south side of Market and the north side of Ohio streets.

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| Length of bowldering on east side..... | 600 feet. | |
| Length of bowldering on west side..... | 649 feet. | |
| Total length of bowldering..... | 1249 " | |
| At two dollars and twelve cents per lineal foot..... | | \$2647 88. |
| Length of curb on east side..... | 395.1 feet. | |
| Length of curb on west side..... | 532.5 feet. | |
| Total length..... | 927.6 " | |
| At eighty cents per lineal foot..... | | \$742 08. |
| 425.8 yards of extra bowldering at seventy-five cents per yard..... | | \$ 319 35. |
| Total estimate..... | | \$3709 31. |
| Also, Aaron Lichter, for building bridge over Pogue's Run, at the corner of New Jersey street, 34 cubic yards masonry, at \$6.50 per yard..... | | \$ 221 00. |
| 27,600 feet of timber at \$2.97 per 100 feet..... | | 819 72. |
| For repairing and pointing old masonry..... | | 44 66. |
| Total estimate..... | | \$1085 38. |
| Also, Aaron Frazee, for grading and paving the south-west sidewalk on Indiana Avenue, between Illinois and Mississippi streets. Length of sidewalk, 1038 feet, 2 inches, at sixty-four cents per lineal foot..... | | \$ 664 42. |

Respectfully,

R. M. PATTERSON, *Civil Engineer.*

Which was concurred in.

Also, the following :

INDIANAPOLIS, Nov. 18, 1867.

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

I hereby report that the grade of the first track of the Indiana Central Railroad north of the Union track at the crossing of Virginia Avenue is five inches too low, and that it should be raised five inches, so as to conform to the grade of the Union track, and the grade of the street immediately north of said crossing.

Respectfully,

R. M. PATTERSON, *Civil Engineer.*

Which was concurred in.

The City Auditor made the following report :

OFFICE OF CITY AUDITOR, }
Indianapolis, Nov. 18, 1867. }

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

The City Auditor has the honor to report :

The first and final estimate allowed Wm. Kowan, for grading, bowldering and curbing the outside edges of the sidewalks—where not before curbed—with stone, of Illinois street, between the south side of Market street and the north side of Ohio street and Indiana Avenue.

Also, the first and final estimate allowed Joseph Benauer, for grading and graveling Muskingum street and sidewalks, between Vermont and Michigan streets.

Also, the first and final estimate allowed Indianapolis Gas Light & Coke Company, for erecting lamp posts, lamps and fixtures on Michigan street, between Pennsylvania and Meridian streets.

Also, the contract and bond of Richard Carr, for grading and graveling the alley running north and south through square thirty-two, between Ohio and New York streets.

Also, the contract and bond of William Kowan, for grading and graveling the alley running east and west through square 14, between Tennessee and Illinois streets.

Also, the first and final estimate allowed Daniel Mahoney, for grading and graveling Ray street and sidewalks, between the Bluff Road and Central Canal.

Also, the following contracts and bonds of the Indianapolis Gas Light & Coke Company, to-wit:

For erecting lamp posts, lamps and fixtures on South street, between New Jersey street, and Virginia Avenue.

For erecting lamp posts, lamps and fixtures on Massachusetts Avenue, between New Jersey and Noble streets.

For erecting lamp posts, lamps and fixtures on East street, between Massachusetts Avenue and St. Clair street.

Respectfully submitted,

JOHN G. WATERS, *City Auditor.*

Which was concurred in.

Also, the following resolution:

Resolved, That the foregoing first and final estimate allowed the Indianapolis Gas Light and Coke Company for erecting lamp-posts, lamps and fixtures on Michigan street, between Pennsylvania and Meridian 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, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following:

Resolved, That the foregoing first and final estimate allowed Daniel Mahoney, for grading and graveling Ray street and sidewalks, between the Bluff Road and Central Canal, 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, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following :

Resolved, That the foregoing first and final estimate allowed Joseph Bernauer, for grading and graveling Muskingum street and sidewalks, between Vermont and Michigan 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, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following :

Resolved, That the foregoing first and final estimate allowed William Kowan for grading, bowldering and curbing the outside edges of the sidewalks where not before curbed, on Illinois street, between the south side of Market street and north side of Ohio street and Indiana Avenue, be the same is hereby adopted as the estimate of this Council, and 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, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

Contracts and bonds were then read and approved, and contracts awarded.

The Street Commissioner made the following report :

INDIANAPOLIS, Nov. 21, 1867.

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

GENTLEMEN:—The undersigned asks to report that the foot bridge across the Canal on Ohio street is in bad condition, needing a new floor and hand railing—both of which I recommend be done at once.

Respectfully yours,

AUGUST RICHTER, *Street Commissioner.*

Which was received, and the Street Commissioner instructed to do the work, under the direction of the Committee on Bridges.

Dr. Woodburn introduced special appropriation ordinance No. 68—1867, entitled:

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

Which was read the first time by its title.

Dr. Woodburn moved a suspension of the rules, that it might be read a second time.

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

No Councilman voting in the negative.

So the rules were suspended.

The ordinance was then read the second time, and referred to the Committee on Accounts and Claims.

On motion by Dr. Woodburn, the Council adjourned until Thursday, November 21, 1867, 7 o'clock P. M.

DANIEL MACAULEY, *Mayor*.

ATTEST:

D. M. RANSELL, *City Clerk*.