

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, MARCH 5TH, 1866, 7 O'CLOCK, P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, John Caven, in the chair; and the following members at first roll-call :

Councilmen Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Schmidt, Staub and Thompson—12.

Absent—Councilmen Allen, Colley, Emerson, Fletcher, Lefever and Seidensticker—6.

Mr. Seidensticker moved—

To amend the proceedings of the regular session of February 26, 1866, by inserting before the motion to adjourn :

" Various bids for the grading and graveling of Washington street, between Pogue's Run and the Corporation line, east, were reported by the Civil Engineer, and received by the Council, and laid over until next regular meeting."

Which motion was adopted.

The proceedings of the regular session, held February 26th, 1866, as amended, were then read and approved.

Mr. Grosvenor—Petition :

INDIANAPOLIS, March 5, 1866.

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

GENTLEMEN:—Your petitioner would respectfully ask permission to construct a sink for the reception of surface water and slops from the house in the alley in rear of my residence on Tennessee street, between Louisiana and South streets. If permission is allowed the sink shall be well covered and made safe. And your petitioner will ever pray, &c.

JOHN COHEN.

On motion of Mr. Grosvenor, the prayer of the petitioner was granted.

By Mr. Schmidt—Petitions :

INDIANAPOLIS, February 22, 1866.

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

The undersigned, owners of real estate on New Jersey street, between Pogues's Run and McCarty street, respectfully represent that it would greatly promote the interests of the public and of the city to cause a street to be opened through the real estate lying between Merrill and McCarty streets, as follows, to-wit: a street ninety feet in width, the center of the proposed street to be on a right light line with the center of New Jersey street, said proposed street to extend through out-lots numbered one hundred and three (103) and one hundred and four (104).

The undersigned further represent that they are the owners of real estate set opposite their names.

They respectfully pray your honorable body to cause such a street to be opened as aforesaid, and that the City Clerk be directed to issue and cause the proper notices to be served.

Respectfully,

Joseph Marsee,

Edmund Browning,

W. A. Taylor,

J. Ludlow,

Deloss Root,

And 11 others.

INDIANAPOLIS, March 5, 1866.

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

GENTLEMEN:—The undersigned, owners of property bordering on and in the immediate vicinity of a proposed extension of New Jersey street, would respectfully represent to your honorable body that they are greatly inconvenienced for the want of a street of convenient width in the neighborhood lying between Delaware and East streets, and between Merrill and McCarty streets. The only street now running north and south between the two last named streets, and between Delaware and East streets, is Alabama street, which has a width of only forty-five (45) feet, being the only outlet for a region of country equal to three squares of ground lying parallel with each other. Beyond McCarty street the population is rapidly increasing, and it is fair that it should have access, by convenient thoroughfares, to the central portion of the city. Your petitioners, therefore, respectfully ask your honorable body to cause New Jersey street to be extended ninety (90) feet in width between Merrill and McCarty streets, and to take such steps for appropriating the real estate required for such purpose, and to assess the damages and benefits arising therefrom as is, in such cases, made and provided for by law.

The names of the owners of the real estate to be appropriated by such ex-

tension of such street are shown on the accompanying plat, which shows, also, the proportion of real estate owned by each.

Hoping that your honorable body will take early steps in the matter, your petitioners will ever pray.

J. W. Elmer,	C. B. Robinson,
John May,	Susan A. White,
W. H. Robinson,	And 8 others.

Which, on motion of Mr. Seidensticker, were referred to the Committee on Streets and Alleys, with instructions to report upon same, during the present session of Council, when the regular order of business shall be called for "reports from Committee on Streets and Alleys."

By Mr. Grosvenor—Petition :

INDIANAPOLIS, March 5, 1866.

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

Your petitioner asks the privilege of grading and graveling the side walk on Kentucky Avenue, (South side,) between Missouri and West streets with pit gravel, at his own expense, the proper stakes to be set by the City Engineer, and the work to be done under his direction; said work to be completed within four months.

ANTHONY WIEGAND,

On motion of Mr. Grosvenor, the prayer of the petitioner was granted.

By Mr. Grosvenor—Petition :

INDIANAPOLIS, March 5, 1866.

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

Your petitioner would represent that she has been overtaxed on the duplicate of 1865, in that I was required to pay a full tax, which, I presume, I am not liable to pay, my husband having died May 24, 1865.

Your petitioner would, therefore, pray that the amount of the poll tax be refunded to me, and your petitioner will ever pray, &c.

her
BRIDGET X QUIGLEY.
mark

Which, on motion, was referred to the City Attorney.

By Mr. Grosvenor—Communication :

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

This certifies that Samuel Burkly is entitled to an abatement of taxes to the amount of \$32.25, for the following reasons: The firm of Goolman, Morris & Co., are assessed with the full amount of personal property belonging to the firm of which Mr. Burkly is a partner, and he having returned no list was charged with about the amount of the assessment of the previous year, which he has fully paid, and which should in justice be abated.

WM. HADLEY, *City Assessor*

Which, on motion, was referred to Finance Committee.

By Mr. Loomis—Petition :

INDIANAPOLIS, March 5, 1866.

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

Whereas, the sum of fifteen dollars and seven cents (\$15 07) was assessed against the undersigned as poll and personal tax, for the year 1864, which sum the undersigned paid into the City Treasury March 3d, 1866; and whereas, the undersigned was not a citizen of the State on the 1st day of January, 1864.

Now, therefore, the undersigned would respectfully petition your honorable body to have the said sum of fifteen dollars and seven cents (\$15 07) refunded him. (Signed)

GRANVILLE M. BALLARD.

Which, on motion, was referred to the City Attorney.

By Dr. Thompson—Communication :

INDIANAPOLIS, March 5, 1866.

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

STATE OF INDIANA, }
MARION COUNTY, } ss:

Before me, Henry M. Scott, a Notary Public, on this day personally came Charles N. Todd, who, being by me duly sworn, deposes and says, that on the 3d day of May, 1862, the heirs of Charles G. McLane, by the hands of the deponent, paid to the Treasurer of the City of Indianapolis seventy-six dollars and fifty-six cents, for taxes assessed by the Common Council of said city, for the year 1861, against lot 1 and the north half of lot 2, in square 35, in said city, as will more fully appear by the annexed tax receipt; that at that at that time said lots were the site of McLane's Female Seminary, and were used merely for the purposes of said Seminary; and that said taxes were paid under protest and not voluntarily.

CHAS. N. TODD.

Subscribed and sworn to this 28th day of February, 1866. Witness my hand and notarial seal.

HENRY M. SCOTT.
Notary Public.

Which, on motion, was referred to the City Attorney

By Mr. Staub—Remonstrance :

INDIANAPOLIS, March 5, 1866.

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

The undersigned, residents and property holders and owners, on North street, between Noble and Winston streets, in said city. would respectfully remonstrate against the passage of the ordinance now pending before your honorable body, for the improvement by grading and graveling the said street and sidewalks.

All of which is most respectfully submitted.

C. F. Wishmier,
James M. Ray,
Christian Yager,

Milton Budd,
Henry Pyle,
And 5 others.

Which, on motion, was referred to the Board of Public Improvements.

By Dr. Thompson—Remonstrance :

INDIANAPOLIS, February 28, 1866.

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

The undersigned, owners of property bordering on the alley in out-block 170, between Prat street and Donation line, would respectfully remonstrate against the passage of the ordinance now pending before your body, not believing that their interest, or that of the public would be subserved thereby. They would respectfully call your attention to the fact, that within a few weeks the same proposed improvement was before you on petition, and which by our remonstrance was at that time defeated.

Jas. M. Tomlinson,	Daniel Duncan,
Jas. B. Ryan,	J. F. Fatout,
E. W. Sloan,	S. V. West,
A. J. Hinesley,	D. H. Shaneberger.

Which, on motion, was referred to the Board of Public Improvements.

By Mr. Brown—Communication :

INDIANAPOLIS, March 1, 1866.

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

GENTLEMEN:—The undersigned, late Street Commissioner, begs leave to make the following statement. In August, 1865, he was allowed by the Council the sum of \$765.85, for cash advanced by him (or rather borrowed from bank), and expended for materials and labor necessary to carry out the orders of the Council for repairing streets and bridges. On the 22d of August, 1865, he received in payment a city order for \$765.85, which he sold at three cents more than the usual selling rate for orders at that time. At 78 cents to the dollar, the amount of discount lost on this order, was \$168.49. If this loss had been for services rendered, he would never make a claim for remuneration, but as it was for cash advanced by him to the city, he claims that the Council ought to allow him a sufficient amount to make good the whole amount of money actually advanced by him to the city. And your petitioner will ever pray.

JOHN M. KEMPER.

Which, on motion, was referred to the Finance Committee.

By Mr. Loomis—Petition :

INDIANAPOLIS, Jan. 27, 1866.

To the Common Council of the City of Indianapolis :

GENTLEMEN:—The undersigned, property holders along the line of Virginia Avenue, between South street and Bradshaw street, south east, respectfully petition your honorable body to pass an ordinance to grade and pave with boulder stones the entire width of said Avenue between the points above named; and as in duty bound will ever pray.

August Rumann,	S. A. Fletcher,
Henry Rodewald,	W. H. Fletcher,
Wm. Stoelte,	And 34 others.

Which, on motion of Mr. Loomis, was laid upon the table until the order of business should be called for the "introduction of ordinances."

By Dr. Thompson—Communication :

INDIANAPOLIS, March 5, 1866.

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

GENTLEMEN:—I avail myself of the opportunity of saying that I have examined critically the ordinance passed by your honorable body on the 22d day of January, 1866, giving to the Indianapolis Gas Light and Coke Company the contract for lighting the city and furnishing gas to the citizens of Indianapolis. I would respectfully say that with some unimportant variations that Charter would be satisfactory to capitalists represented by me, and that if your honorable body will give time for the organization of our company, we will organize at once and will accept the Charter you offer the present Company, with the following variations, to-wit :

1st. The Charter to run for thirty instead of fifteen years.

2d. The rate for gas to be three dollars per 1,000 feet instead of \$3.48, as contained in that ordinance, and that the nett earnings, after paying fifteen per cent. upon the capital invested, shall be divided between the Company and the City equally.

3d. That the privilege granted be an exclusive privilege.

The city to determine by legal proceedings the rights of the present Company before they require our Company to construct the works, and the works to be constructed immediately on the determination of that question.

R. B. CATHERWOOD.

Which, on motion, was referred to the Special Committee on Gas.

By Dr. Thompson—Petition :

INDIANAPOLIS, March 5, 1866.

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

We, the undersigned petitioners, would respectfully ask that your honorable body would order that the sheds, awnings, all obstructions and trees be immediately removed from off the west side of Illinois street, between Washington and Maryland streets.

I. H. Roll,

E. May & Co.,

Mrs. H. N. Quimby,

H. F. Jennings,

W. H. Roll,

And 7 others.

Which, on motion, was laid on the table.

Mr. Glazier moved—

That the Civil Engineer be, and he is hereby, directed to set a grade stake for a lamp post on the South east corner of New Jersey and South street, so as to conform to the posts now being set on South street between Delaware and New Jersey streets in accordance with the general plan of lighting the city with gas: *Provided*, That said extra post be erected at the expense of Joseph Marsee, Esq., and that the city be at no expense for topping manes, &c.

Which motion was adopted.

Mr. Brown moved—

That the regular order of business be suspended, and that the reports of city officers, postponed at last meeting of Council, be taken up.

The question being on the adoption of the motion, suspending the regular order of business, those who voted in the affirmative were

Councilmen Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Staub and Thompson—13. Noes, none.

So the order of business was suspended.

From the Civil Engineer—Report :

INDIANAPOLIS, February 26, 1866.

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

The Civil Engineer would respectfully report that Messrs. Huffer & Carr, the contractors for grading and graveling the sidewalks on Fletcher Avenue, between Noble and Cedar streets, have completed the same according to contract, and a final estimate is herewith submitted for your approval. Also,

That Chas. S. Roney has completed the cistern at the corner of Georgia and Cady streets, containing 578 barrels, at 95 cents per barrel, amounting to \$549.10, and I would recommend that warrants be issued in his favor to that amount.

At the last meeting of the Council the Civil Engineer was instructed to report in reference to the claim of Alexander Wood against the city for assisting Civil Engineer. He would state that it is necessary for the Engineer to have a rodman that can always be relied upon when work has to be performed, and would recommend that the claim be allowed.

Bids for the improvement of East Washington street, are herewith submitted.

Respectfully,

JAMES WOOD, *Civil Engineer.*

Resolved, That the first and final Estimate allowed Messrs. Huffer and Carr, for grading and graveling the sidewalks on Fletcher Avenue, between Noble and Cedar 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 passage of the resolution, those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Staub and Thompson—13. Noes, none.

So the resolution passed.

On motion, so much of the report as relates to the account of Charles S. Roney for building cistern at corner of Georgia and Cady streets, was referred to the Committee on Accounts and Claims.

On motion of Mr. Brown, so much of the report as relates to the claim of Alex. Wood, was concurred in.

On motion the sealed proposals for public works, as reported by the Civil Engineer, were opened, read, and referred to the Board of Public Improvements.

From City Attorney—Opinion :

INDIANAPOLIS, February 19, 1866.

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

GENTLEMEN:—I have given the Sanitary Ordinance, introduced by Mr. Brown, a careful examination, and the entire subject much attention.

Mr. Brown's ordinance is elaborately prepared, and is as complete and perfect as it is possible to make an ordinance based upon the same general plan. There is, however, one provision in the 4th and 5th sections which I think cannot be enforced. The provision to which I refer, is that giving the Street Commissioner certain fees to be collected from the property owners. The charter provides that the city may cause the expenses to be collected in the same manner as the expenses of improving streets, and there can, therefore, be no other costs than those allowed by law in the case of street assessments. The actual expense can be estimated and charged, but no costs can be charged except those provided by the charter. As the proceeding is summary in its character, it will be closely scrutinized, and the slightest error or omission would vitiate the entire proceeding and render the city liable for all costs.

I regret that I did not hear your discussion of the ordinance at your last meeting, for had I heard it I should have known upon what points an opinion was desired. An expression from individual members who have spoken to me relative to the matter, indicate that an opinion upon the entire subject and upon the feasibility of the general plan proposed in the ordinance was desired.

As an auxiliary to the system of punishment, by imposing penalties for depositing filth upon streets and alleys, and suffering its accumulation on private property, it would be valuable. Alone, however, I think it could never attain the desired object. In many cases the mischief would have been done by the deposit before the proposed plan could be put in operation. For instance, noisome liquids emitting noxious smells might be deposited, and before the two days would elapse, the liquid soak into the earth, or be evaporated by the sun.

In cases of non-resident property owners, I think the proposed ordinance could not be enforced. The notice specified in the charter must, I think, be construed to mean actual notice, and this cannot be served upon non-residents.

The expense of removing filth would generally be very small, and in most cases it is doubtful whether there could be buyers found for property offered at the sale. In cases of persons of unsound mind, minors, and married women, I think property could never be sold. These persons would have one year to redeem the real estate sold, after the removal of the disability. That is, one year after a minor attained his majority; and in the case of a married woman one year after dissolution of marriage by death or otherwise.

The machinery by which the collection is to be enforced is complicated and cumbersome, and it is difficult to have all things properly done, and the slightest deviation would invalidate the entire proceeding.

I beg leave to respectfully call your attention to an ordinance prepared by your direction, amending sections 19 and 23 of the Street Ordinance, which has laid upon the table many weeks. Almost every week we experience the necessity of the passage of this ordinance.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

On motion, the opinion of the City Attorney was received, and the ordinance as reported back, was laid upon the table.

From the City Sexton—Report :

INDIANAPOLIS, March 5, 1866.

To the Common Council of the City of Indianapolis :

Report of the Sexton for the month ending January 31, 1866 :

NO. OF INTERMENTS.

Under 1 year old.....	18
1 to 5 years.....	12
5 to 10 years.....	5
10 to 20 years.....	5
20 to 30 years.....	7
30 to 40 years.....	6
40 to 50 years.....	3
50 to 60 years.....	3
60 to 70 years.....	5
70 to 80 years.....	2
Total.....	66
From the country.....	1

G. W. ALLRED, *Sexton.*

Which, on motion, was received.

The regular order of business was resumed.

Mr. Coburn moved—

That James C. Yohn be permitted to grade Vermont street and gravel the sidewalk adjacent to his property, including the crossings of alleys and sidewalks, if done within sixty days and to the satisfaction of the Engineer.

Which motion was adopted.

Mr. Coburn moved—

That the Civil Engineer report to the Council his reasons for graveling New York street, between Meridian and Alabama streets, sixteen inches higher than the bouldered and improved streets which it crosses.

Which motion was adopted.

Mr. Brown moved—

That Michael Clune be authorized to remove a culvert now running through the sidewalk on the west side of the Bluff road, some fifty or sixty feet north of Ray street, provided he does the same at his own expense.

Which motion was adopted.

Mr. Brown moved to reconsider the vote taken at last meeting of Council, on the passage of the resolution requiring the Chief Fire Engineer to have the hours of the day and night struck on the Central Fire Alarm Bell.

Pending which, Mr. Grosvenor called for the reading of the Chief Fire Engineer's report on the subject.

INDIANAPOLIS, March 5, 1866.

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

GENTLEMEN:—At a meeting of your honorable body, held February 26, 1866, a resolution was passed directing me to have the watchmen on the tower to strike the hours on the fire alarm bell.

I would report that this arrangement would greatly interfere with the operation of our Fire Department, for various reasons. As you are well aware, it is a difficult matter to hear the alarm bell distinctly at any of the engine houses, except, perhaps, engine house, No. 3, and in many instances the members could not tell whether the bell had struck two or ten times. It would therefore create a great many false alarms. In the next place, one half of our members are not employed in the engine houses, and run only to fires when an alarm is given. These men all depend upon the alarm bell to wake them in the night. Should the bell be struck every hour, it would probably wake them every hour, and not having heard distinctly, they would not know whether the bell was striking the hour of the night or striking the ward, and in a little while they would become so accustomed to hearing the bell that it would no longer wake them. It will have the same effect upon the driver of the hook and ladder wagon, as he is all alone and will have to get some sleep; and, it will also greatly affect your humble servant, who has already been very frequently disturbed out of his slumbers by the ringing of some locomotive or other bell. There are a number of other reasons why the alarm bell should not be used for this purpose, at least not until we have some better arrangement for giving an alarm. I would, therefore, most respectfully ask your honorable body to rescind the resolution directing me to have the hours struck on the alarm bell.

Respectfully submitted.

CHARLES RICHMANN,
Chief Fire Engineer.

Which report was received.

Mr. Brown's motion to reconsider, was then adopted.

The vote on the passage of the resolution being reconsidered, the resolution was then placed upon its passage.

The question being on the passage of the resolution, Councilmen Loomis voted in the affirmative—1.

Those who voted in the negative were Councilmen Boaz, Brown, Coburn, Glazier Grosvenor, Jameson, Kappes, MacArthur, Schmidt, Seidensticker, Staub and Thompson—12.

So the resolution did not pass.

Mr. Loomis introduced special ordinance No. 10—1866, entitled:

AN ORDINANCE to provide for grading and paving with boulder stone, and curbing the outer edges of the sidewalks with either Flat Rock Stone or wooden curbing; or without any curbing of any description whatever, as the property owners may desire; of Virginia Avenue, between South and Bradshaw streets,

Which, on motion, was read the first time by its title and also read the second time,

And, on motion of Mr. Seidensticker, was referred to the City Attor-

ney as to power of Council to provide for the curbing of sidewalks in the manner specified in the ordinance.

Dr. Jameson introduced special ordinance No. 11—1866, entitled :

AN ORDINANCE to provide for grading and graveling North street and sidewalks, between Alabama and East streets,

Which, on motion, was read the first time by its title, and was also read the second time.

Dr. Jameson introduced special ordinance No. 12—1866, entitled :

AN ORDINANCE to provide for grading and graveling East street and sidewalks, between St. Clair and Cherry streets,

Which, on motion, was read the first time by its title, and, also read the second time.

Mr. Brown introduced special ordinance No. 13—1866, entitled :

AN ORDINANCE to provide for grading and graveling Madison Avenue and sidewalks, between the Madison Railroad track and the Corporation line, south,

Which, on motion, was read the first time by its title, and also read the second time.

Mr. Grosvenor introduced special ordinance No. 14—1866, entitled :

AN ORDINANCE to provide for grading and graveling Illinois street and sidewalks, between McCarty and Ray streets,

Which, on motion, was read the first time by its title, and also read the second time.

Mr. Seidensticker introduced special ordinance No. 15—1866, entitled :

AN ORDINANCE to provide for the grading and graveling of St. Clair street and sidewalks, between the Peru Railroad track and the Corporation line, east,

Which, on motion, was read the first time by its title, and also read the second time.

Dr. Thompson introduced special ordinance No. 16—1866, entitled :

AN ORDINANCE to provide for grading and bouldering the alley running east and west through square No. 55.

Which, on motion, was read the first time by its title, and also read the second time.

By Mr. Coburn, from the Board of Public Improvements :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, February 28, 1866. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that they have examined the petitions and remonstrances for and against the bouldering of Meridian street from Ohio street to the North Corporation line, and find that 4,081 feet have petitioned for it, and 1,282 feet against it. The petition lacks 400 feet of having two-thirds of the number of feet. Most of those remonstrating are south of North street, where the street is in good condition, it having been graveled but a few years since with screened, river gravel. The street north of North street is in very bad condition, and as a sanitary measure should be improved immediately. We would recommend that no ordinance be entertained on the present petition.

HENRY COBURN, }
AD. SEIDENSTICKER, } *Board.*
W. CLINTON THOMPSON. }

Which, on motion, was concurred in.

By Mr. Coburn, from the Board of Public Improvements :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, February 28, 1866. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that it will take seventy-five or eighty dollars to fix the crossing at the high bridge on Noble street and Cincinnati Railroad. We would advise that it be done by the Street Commissioner.

HENRY COBURN, }
AD. SEIDENSTICKER, } *Board.*
W. CLINTON THOMPSON, }

Which, on motion, was concurred in, and the Street Commissioner directed to make the repairs.

By Mr. Coburn, from the Board of Public Improvements :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, February 28, 1866. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that the petition of Smith and others to improve their portion of the west sidewalk of Missouri street, between South and Merrill streets, be not granted, as there is an ordinance now pending for the improvement of the same.

HENRY COBURN, }
AD. SEIDENSTICKER, } *Board.*
W. CLINTON THOMPSON. }

Which, on motion, was concurred in.

By Mr. Coburn, from the Board of Public Improvements :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
 Indianapolis, February 28, 1866. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body the within ordinance for the paving of the north sidewalk of Nermont street, between Illinois and Tennessee streets, as petitioned for by J. D. Howland, E. T. Sinker and S. A. Brown.

HENRY COBURN, }
 AD. SEIDENSTICKER, } Board
 W. CLINTON THOMPSON, }

Which, on motion, was received.

Also special ordinance No. 17--1866, entitled :

AN ORDINANCE to provide for paving of the north sidewalk of Vermont street, between Illinois and Tennessee streets,

Which, on motion, was read the first time by its title, and also read the second time.

Dr. Thompson, from Committee on Accounts and Claims, presented an account of Crossland, Maguire & Co., for matches furnished City Lamp Lighter, of \$8.25: also one of Stewart & Morgan for material furnished the same for repairing and cleaning street lamps, for \$43.10.

Which, on motion, were referred to the Committee on Accounts and Claims with instructions to embrace the same in ordinance on accounts.

Mr. Coburn from Committee on Accounts and Claims, presented an account of Bennett Brooks for labor and material furnished on bridge over Canal at crossing of St. Clair Street, for \$480.00.

Which, on motion, was referred back to Committee on Accounts and Claims with instructions to embrace same in ordinance on accounts.

By Dr. Jameson, from Committee on Accounts and Claims :

INDIANAPOLIS, March 5, 1865.

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

GENTLEMEN:—The Committee on Finance beg leave to recommend that taxes levied on erroneous assessments be refunded to the following named parties in the several amounts opposite their names, to-wit :

C. E. Harris,	- - - - -	\$9 00
A. L. Roach,	- - - - -	40 18
Michael Hogarty,	- - - - -	15 00

An ordinance making the necessary appropriation is hereby reported.

P. H. JAMESON, }
C. F. SCHMIDT, } *Committee.*

On motion the report was concurred in, and the following ordinance read the first time by its title, and on motion was read the second time.

AN ORDINANCE appropriating money for refunding taxes.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the following amounts are hereby appropriated to the several parties herein named, to-wit:

C. E. Harris,	- - - - -	\$9 00
A. L. Roach,	- - - - -	40 18
Michael Hogarty,	- - - - -	15 00

The same being for taxes levied on erroneous assessment, for the year 1866, and that the Clerk be directed to issue warrants in favor of said parties for the several amounts opposite their names.

SEC. 2. This ordinance to be in force from and after its passage.

Ordained and established this 5th day of March, 1866.

JOHN CAVEN, *Mayor.*

Attest:

C. S. BUTTERFIELD, *City Clerk.*

Dr. Jameson then moved that the rules be suspended and the ordinance read the third time and placed upon its passage.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Staub and Thompson—13. Noes, none.

So the rules were suspended and the ordinance read the third time and placed upon its passage.

The question being on the passage of the ordinance those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Staub and Thompson—13. Noes, none.

By Mr. Brown, from Committee on Streets and Alleys :

INDIANAPOLIS, March 5, 1866.

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

The Committee on Streets and Alleys, to whom was referred the petitions of J. W. Elmer and others, and Joseph Maisee and others, beg leave to report the following resolution, which they recommend be adopted.

AUSTIN H. BROWN, *Chairman.*

Resolved, That the City Clerk be required to give twenty-one days notice to the Commissioners heretofore appointed by the Common Council of the City of Indianapolis, and, also, to each of the owners or agents thereof of lots or land through which such proposed extension of streets is to be made,

that the said Commissioners will be required to make a view of the ground and assess the damages, if any, and the benefits, if any, that may arise by the extension or opening of New Jersey street, ninety (90) feet in width, between Merrill and McCarty streets, as petitioned for by J. W. Elmer and others, and, also, by Joseph Maisee and others, in their petition presented to the Common Council on the 5th day of March, 1866, and as fully shown on the plat accompanying such petition; and that such Commissioners will be required to make report thereon, as required by law.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Glazier, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Staub and Thompson—12.

Councilman Grosvenor voting in the negative—1.

So the resolution passed.

By Mr. Brown, from the Committee on Streets and Alleys:

INDIANAPOLIS, March 5, 1866.

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

The Committee on Streets and Alleys, to whom was referred the petition of Michael Cline, report in favor of granting the prayer of the petitioner.

AUSTIN H. BROWN,

Chairman Committee on Streets and Alleys.

Which, on motion, was concurred in.

Councilmen MacArthur asked and obtained leave of absence.

Dr. Thompson, from the Committee on Gas Light, moved that the Civil Engineer be instructed to contract with some one for lighting and extinguishing the street lamps for a period of six months from and after the 4th of March, 1866.

Which motion was adopted.

By Dr. Jameson, from Committee on Printing and Stationery:

INDIANAPOLIS, March 5, 1866.

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

GENTLEMEN:—The Committee on Printing and Stationery would respectfully report that five hundred copies of the amended Charter have been printed, and that a small number of the same have been stitched and bound in pamphlet form for the use of city officers. Your committee would respectfully recommend that all ordinances of a general character, passed since the late revision, be printed and bound in pamphlet form with the remaining Charters, and that the City Attorney is hereby directed to prepare said ordinances for publication. And, also, that the City Printer be directed to have said charters and ordinances printed in the German language.

Respectfully submitted,

P. H. JAMESON, }
 WM. BOAZ, } *Committee.*
 CHAS. GLAZIER, }

Which, on motion, was concurred in.

Mr. Grosvenor from Select Committee :

INDIANAPOLIS, March 5, 1866.

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

GENTLEMEN:—Your Committee, to whom was referred the ordinance regulating the storage of carbon oils and other inflammable liquids, respectfully report that they have had the ordinance under consideration, but have not given the subject as much consideration as they deem advisable and proper, and recommend that the ordinance be postponed for further consideration, and that your Committee be given further time.

Your Committee further report that they have visited the premises complained of at your former meeting, and find that there was no danger to be apprehended; that no inflammable oils whatever were stored in the building mentioned.

Respectfully;

WILLIAM ALLEN,
J. A. GROSVENOR,
B. K. ELLIOTT.

Which, on motion, was concurred in.

By His Honor, the Mayor, from Select Committee :

INDIANAPOLIS, March 5, 1866.

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

The undersigned Committee, to whom was referred General Ordinance, No. 38, "concerning a contract with the Indianapolis Gas Light and Coke Company for furnishing the city and citizens with gas," respectfully return the same and recommend its indefinite postponement.

Respectfully submitted,

J. CAVEN,
J. H. KAPPES,
AUSTIN H. BROWN.

Which, on motion, was concurred in :

By Mr. Loomis, from Select Committee :

INDIANAPOLIS, March 5, 1866.

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

GENTLEMEN:—Your committee, to whom was referred the ordinance of February 10th, entitled "An ordinance to regulate the running of railway trains through said city, and providing for flagmen at certain crossings thereof in said city," as also to confer with a similar committee appointed by the Union Railway Company, beg leave to make the following report :

Your Committee have held two conferences with the Railroad Committee, who have unanimously agreed upon the ordinance herewith submitted, which ordinance has been referred to the City Attorney and receives his sanction as being legal and valid.

W. H. LOOMIS,
J. A. GROSVENOR,
AUSTIN H. BROWN, } Committee.

On motion the report was received, and the accompanying general ordinance No. 40, entitled :

AN ORDINANCE to regulate the running of locomotives and cars in the City of Indianapolis, and requiring flagmen to be stationed at certain Railroad

crossings, defining the duties of such flagmen, and prohibiting locomotives and cars from running across certain streets unless a flagman is stationed at such crossings,

Was read the first time by its title, and, on motion, was read the second time.

Mr. Loomis moved that the rules be suspended and the ordinance read the third time and placed upon its passage.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Staub and Thompson—12. Noes, none.

So the rules were suspended and the ordinance read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Staub, and Thompson—12. Noes, none.

So the ordinance passed.

From the City Clerk—Report :

OFFICE OF CITY CLERK,
Indianapolis, March 5, 1866. }

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

I would respectfully report that affidavits have been filed for the collection of street assessment by precept as follows, to-wit:

Hiram Seibert vs. Thomas Richard, for	- - - - -	\$49 20
Thomas Wren vs. Samuel Dunlop, for	- - - - -	99 03 $\frac{3}{4}$
James Stewart vs. Thomas Chapman, for	- - - - -	74 00 $\frac{1}{4}$

And would respectfully recommend that you order precepts to issue.

Respectfully,
C. S. BUTTERFIELD, *City Clerk.*

On motion the report was concurred in and the precepts ordered.

The City Clerk also reported the official bond of John G. Waters, Esq., as City Auditor, in the penal sum of \$5000.00, with John Stumph and Henry Allen, as sureties.

Which, on motion, was accepted and approved.

Mr. Seidensticker called up special ordinance No. 30, entitled :

AN ORDINANCE to provide for the grading and graveling of Spring street and sidewalks, between Vermont street and the north line of out-lot No. 45,

Which was amended so as to comply with the provisions of the new charter, and read the third time and placed upon its passage.

The question being on the passage of the ordinance, those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Staub and Thompson—12. Noes, none.

So the ordinance passed.

Dr. Jameson called up special ordinance No. 29, entitled :

AN ORDINANCE to provide for the grading and graveling of Walnut street and sidewalks, between Alabama and Liberty streets,

Which, on motion, was amended so as to comply with the provisions of the new charter, and 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 Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Staub and Thompson—12. Noes, none.

So the ordinance passed.

Mr. Coburn called up special ordinance No. 78—1865, entitled :

AN ORDINANCE to provide for grading and paving the sidewalks with brick, and paving with boulder stone, the alley running east and west through square 57,

Which, on motion, was amended so as to comply with the provisions of the new Charter, and 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 Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Staub and Thompson—12. Noes, none.

So the ordinance passed.

Mr. Grosvenor called up special ordinance No. 6—1866, entitled :²

AN ORDINANCE to provide for grading and graveling the sidewalk on the west side of Missouri street, between South and Merrill streets,

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 Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Staub and Thompson—12. Noes, none.

So the ordinance passed.

UNFINISHED BUSINESS.

Dr. Jameson offered the following motion :

That the Engineer be directed to report to this Council a form of contract for bouldering.

Which motion was adopted.

By Mr. Coburn—Remonstrance :

INDIANANOLIS, March 3, 1866.

To the Board of Public Improvements :

We, the undersigned, property holders living on North street, between Blackford and Minerva streets, respectfully protest against the grading and graveling of said street at the present time, for the following reasons : We are all poor men, with barely sufficient to support our families, labor is scarce, and if said street is graded during the present year, the majority of us will be compelled to sell our property to pay for assessment for said purpose. We therefore earnestly request your honorable body to defer, at least until the coming year, the grading of said street.

Ann McGlinn,	Mary Bird,
John Sulivan,	William Bell,
Munford Harris,	And 6 others.

Which, on motion, was referred to the Board of Public Improvements.

By Mr. Grosvenor—

WHEREAS, The public are much inconvenienced by the flowing, through a crooked channel, of Pogue's Run, from the point where it leaves Illinois street to the point where it enters the culvert under the canal ; and,

WHEREAS, The straightening of said creek between the points named, would secure a better flow of water and prevent overflows and consequent damage to adjacent property ; therefore,

Resolved, That the City Clerk be required to give twenty-one days notice to the Commissioners heretofore appointed by the Common Council of the City of Indianapolis, and, also, to each of the owners or agents thereof of lots or land through which such proposed new channel is to be made, that the said Commissioners will be required to make a view of the ground and assess the damages, if any, and the benefits, if any, that may arise by the construction of a new channel-way for Pogue's Run, thirty (30) feet in width at the bottom, with a slope of one foot to one foot, from Illinois street across Early, Tennessee, Willard and Mississippi streets and the intervening lots and alleys, to the culvert under the canal, and by the filling up of the present channel of Pogue's Run between the points named, as more fully shown on the accompanying plat, which is made part of this resolution ; and that such Commissioners will be required to make report thereon as required by law.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Staub and Thompson—12. Noes, none.

So the resolution passed.

On motion of Mr. Seidensticker, the Council adjourned.

Present at roll-call on adjournment: Councilmen Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Staub and Thompson—12.

JOHN CAVEN, *Mayor*.

ATTEST:

C. S. BUTTERFIELD, *City Clerk*.