

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, APRIL 30TH, 1866, 7½ 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 Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Loomis, MacArthur, McNabb, Schmidt and Thompson—14.

Absent—Councilmen Fletcher, Jameson, Seidensticker and Staub—4.

The proceedings of the regular session, held April 23d, 1866, were read and approved.

By Mr. Schmidt—Petition:

INDIANAPOLIS, April 30, 1866.

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

The undersigned property holders, living along the line of East street, south, between Bicking street and the Corporation line, south, respectfully

petition that said street be graded and graveled between the limits above named.

Valentine Ress,
Artenius Morris,
Wm. Kortepeter,

Louise Sprow,
Herman Schulte,
And 10 others.

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

By Mr. MacArthur—Petition :

INDIANAPOLIS, April 30, 1866.

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

GENTLEMEN:—The undersigned would respectfully petition your honorable body to grant him the privilege of filling a large mud hole on the alley running north and south between Mississippi street and the Canal, and your petitioner will ever pray.

SAMUEL TAGGART.

On motion the prayer of the petitioner was granted, provided the work be done under the direction of the Civil Engineer.

By Mr. Emerson—Petition :

INDIANAPOLIS, April 30, 1866.

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

GENTLEMEN:—Your petitioner would respectfully ask of your honorable body the privilege of graveled the sidewalk in front of his property on the Michigan Road, lot No. 21, said graveled to be done under the supervision of the Civil Engineer, and as in duty bound your petitioner will ever pray.

SOLOMON CLINE.

On motion the prayer of the petitioner was granted.

By Mr. Emerson—Remonstrance :

INDIANAPOLIS, April 30, 1866.

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

GENTLEMEN:—The undersigned, property holders on West Washington street, between Missouri street and the first alley west of West street, respectfully remonstrate against the bowldering of Washington street between the limits aforesaid, unless the contract can be let at the same rates as those formerly contracted for.

Respectfully,

S. E. Perkins,

Wm. Braden,

Spann & Smith, Agents,

Henry C. Cox,

William Coughlen,

And 4 others.

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

By Mr. Coburn—Petition :

INDIANAPOLIS, April 30, 1866.

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

We, the undersigned, owning all the property on Pratt street, in the City of Indianapolis, between Meridian and Pennsylvania streets, hereby petition

that we may be allowed to grade and gravel Pratt street by private contract, and under the direction of the City Engineer, between the above named streets.

Ingram Fletcher,
Deloss Root,

John S. Spann,
Wm. E. Wood.

On motion, the prayer of the petitioners was granted.

By Mr. Allen—Petition :

INDIANAPOLIS, April 30, 1866.

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

We, the undersigned citizens of the neighborhood of Bates and Benton streets, do publicly declare that the tenants of Mrs. Morriaty's property are a disgraceful nuisance, and the removing of said tenants are earnestly requested.

J. M. Hildebrand,
J. J. Hildebrand,
J. B. Whitsitt,

E. A. Whitsitt,
S. C. Stedman,
And 4 others.

Which, on motion, was referred to the chief of Police.

By Mr. Coburn—Petition :

INDIANAPOLIS, April 30, 1866.

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

The undersigned, being owners of property bordering on the alley running north and south, in square No. 36, between New York and Ohio streets, respectfully request your honorable to pass an ordinance for the grading and graveling, with good pit or river gravel, the said alley.

Mrs. M. McCarty,
Jas. C. Ferguson,
F. C. Holliday,

J. W. Holland,
L. H. Croll,
And 4 others.

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

Mr. Loomis moved that the regular order of business be suspended, and the Civil Engineer's report taken up.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Loomis, MacArthur, McNabb, Schmidt and Thompson—14. Noes, none.

So the rules were suspended.

From the Civil Engineer—Report :

INDIANAPOLIS, April, 30 1866.

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

The Civil Engineer would respectfully report various contracts and bonds for your approval, as follows:

Of Henry Myers, for grading and graveling North street and sidewalks, between Alabama and East streets.

Also, Henry Myers, for grading and graveling North street and sidewalks, between Noble and Winston streets.

Also, Henry Myers, for grading and graveling East street and sidewalks, between St. Clair and Cherry streets.

Also, Messrs. Cogill, Smock & Cowgill, for grading and graveling Madison Avenue and sidewalks, between the Madison Railroad track and the corporation line south

Also, Thomas Yost, for grading, paving and curbing the sidewalk on the south side of Washington street, between Tennessee and Mississippi streets.

Also, Messrs. Hanway & Cowan, for grading and graveling Blake street and sidewalks, between National Road and north line of New York street.

Also, James Stewart, for grading and graveling St. Joseph street and sidewalks, between Meridian and Pennsylvania streets.

Also, Messrs. O'Conner & Dorsey, for grading and graveling Illinois street and sidewalks, between McCarty and Ray streets.

Also, Edward Warner, for grading and paving the sidewalk on the north side of Vermont street, between Illinois and Tennessee streets.

Bids for various street improvements are also respectfully submitted.

JAMES WOOD, *Civil Engineer.*

On motion, the contracts and bonds of Henry Myers were referred to the Board of Public Improvements to enquire as to responsibility of sureties.

On motion, the contracts and bonds of Messrs. Cogill, Smock and Cogill; of Messrs. Hanway and Kown; of James Stewart; of Messrs. O'Conner and Dorsey, and of Edward R. Warner, for sundry public improvements, were accepted and approved.

On motion, the sealed proposals reported by the Civil Engineer and City Auditor were opened, read, and referred to the Board of Public Improvements.

The regular order of business was resumed.

Dr. Thompson moved that the rules be suspended and the report of the Committee on Public Buildings in relation to the City Hospital be received, together with any other papers or communications that may be presented on the subject, and to hear from the committee of citizens on the subject.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Loomis, MacArthur, McNabb, Schmidt, Seidensticker and Thompson—15. Noes, none.

So the rules were suspended.

By Mr. Emerson, from the Committee on Public Buildings :

INDIANAPOLIS, April 30, 1866.

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

The Committee on Public Buildings beg leave to report that, in conference with the Board of Health, they have accepted the keys of the City Hospital,

and in order to preserve the building from depre-dation, and ground from injury, have engaged a man with a small family to occupy the building, and clean and prepare the place for final occupancy as a Hospital.

This man, having some experience as Hospital Steward in the army, proposes to take charge of the Institution in the capacity of steward and nurse, when there are not more than five cases in the ward. In the event of increased numbers of patients, the city is to furnish additional nurses, in proportion of one nurse for every ten cases. The steward will furnish boarding for the inmates at the rates usually allowed in institutions of the kind, keep the house clean and in good order, and guard and care for the grounds surrounding the buildings.

His demand for such service is sixty dollars per month, which the committee, in view of the present emergency, have agreed to give for one month, with the understanding, that if found qualified for the position, he will, with the concurrence of the city Council, be retained for an indefinite period.

Understanding that there is to be a large sale of Government furniture adapted to the use of hospitals very shortly at Jeffersonville, it is suggested that an agent be employed to attend the sale, as in that way we are assured that furniture may be procured at a fifth the cost of new articles purchased in this market.

It is proposed that fifty beds would be all required at present, leaving the remaining rooms to be supplied, if needed upon occasions of the occurrence of epidemic or other causes requiring their use.

R. B. EMERSON, } *Committee.*
WM. BOAZ, }

Pending the action on which, Hon. John D. Howland addressed the Council on the subject, in behalf of the committee appointed by a meeting of the citizens.

By request Dr. George W. Mears, President of the Board of Health, addressed the Council on the subject.

On motion so much of the report as relates to the employment, by the committee, of a man to take temporary charge of the City Hospital, was concurred in.

On motion, further action on the report was postponed.

Mr. Loomis moved—

That the Chair appoint a special committee of three members of this Council, with Dr. Jameson as chairman, to meet the Board of Health and perfect a plan for carrying the City Hospital into practical effect, and that they be directed to report by ordinance at the special meeting of this Council to be held on Wednesday evening.

Which motion was adopted.

His Honor, the Mayor, appointed as such committee Councilmen Jameson, Emerson and Kappes.

On motion, the regular order of business was resumed.

Mr. Brown moved—

That the Board of Public Improvements be instructed to confer with engineers and obtain plans and estimates for the construction of a permanent

sewer of brick, of sufficient dimensions to drain the district of country bordering the following line, which is suggested as the course or route of said sewer, viz : commencing at a point on Virginia Avenue where McCarty street intersects the same, and running thence south and west to a point on East street opposite the intersection of Bicking street with East street, thence west on Bicking street to Delaware street, thence south on Delaware street to Madison Avenue, and thence across the lands of the heirs of Nicholas McCarty and the Madison and Indianapolis Railroad Company to the Bluff Road, thence under the Bluff Road and west thereof to the wasteway of the Canal below Underhill's Mill. And that the Board be further instructed to report some practicable method that will secure the construction of said sewer at the earliest possible period.

Which motion was adopted.

Mr. MacArthur moved—

That the Street Commissioner be instructed to notify the occupant of the premises on the north-east corner of New York and West streets to fill a small gutter running across the sidewalk, on east side of West street, at present used by him, or her, to drain slops into the gutter; and on failure, that the City Marshall be instructed to file complaint within a reasonable time against said occupant, before the Mayor, for creating a nuisance.

Which motion was adopted.

Mr. Emerson moved—

That the Street Commissioner be authorized to immediately repair the gutter on the south side of Washington street at the western arm of the canal.

Which motion was adopted.

Mr. Glazier moved—

That Andrew Curtis be allowed to pave the sidewalk in front of his property, on the east side of Delaware street, Lot 10, Out Lot 23, between Duncan and Merrill streets, *provided* the same be done to the satisfaction of the Civil Engineer.

Which motion was adopted.

Mr. MacArthur moved—

That the Street Commissioner be instructed to fix the gutters at the intersection of James street and Indiana Avenue, so as to be sufficient to carry off the water that accumulates on James street.

Which motion was adopted.

Dr. W. Clinton Thompson moved—

That the Street Commissioner notify the owner of the lot next to Cunningham's Restaurant, on Illinois street, to fill the sink-hole on said lot immediately, and, on failure so to do, the Street Commissioner to fill the same at the expense of the property owner.

Which motion was adopted.

Mr. Grosvenor moved—

That the property holders on the alley running north and south through out-lot No. 28, between Tennessee and Willard streets, be permitted to grade said alley, so that the lots may be drained.

Which motion was adopted.

Mr. Grosvenor moved—

That the City Engineer be instructed to furnish plans and estimates, by sections or squares, for the construction of a sewer, commencing at the intersection of Illinois with Market street, and extending to Pogue's Run, of sufficient capacity to carry off the water from the gutters on both sides of Illinois street to Pogue's Run.

Which motion was adopted.

Mr. Coburn moved—

That the Committee on the Judiciary be instructed to inquire if any ordinance is wanted regulating party walls and fixing the legal depth of cellars.

Which motion was adopted.

Mr. Allen moved—

That the property holders on Cady street, between Bates street and the Cincinnati Railroad, be allowed to open the gutters at their own expense, under the supervision of the Civil Engineer.

Which motion was adopted. ♦

By Mr. Emerson—Resolution :

Resolved, That James Stewart be allowed a partial estimate for grading and graveling Mississippi street, between North street and the Corporation line, north.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Boaz, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Schmidt and Thompson—14.

Councilman Brown voting in the negative—1.

Mr. Seidensticker asked to be excused from voting.

Which, on motion, was granted.

By Mr. Brown—Resolution :

Resolved, That a select committee be appointed to inquire whether a portion or all of the city printing cannot be done by contract, to be made with the best bidder.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn,

Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Schmidt, Seidensticker and Thompson—16. Noes, none.

So the resolution passed.

Mr. Loomis introduced special ordinance No. 53—1866, entitled :

AN ORDINANCE to provide for the grading of Elm street and sidewalks, between Noble street and the Corporation line, east,

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

Mr. Loomis then moved that rules 19 and 24 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 Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Schmidt, Seidensticker and Thompson—16. 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 Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Schmidt, Seidensticker and Thompson—16. Noes, none.

So the ordinance passed.

Mr. Loomis introduced general ordinance No. 52, entitled :

AN ORDINANCE to establish and maintain a flagman at the crossing of Noble street, by the Indiana Central Railway Company,

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

Mr. Coburn introduced special ordinance No. 54—1866, entitled :

AN ORDINANCE to provide for the grading and graveling of the alley running north and south through square 36,

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

Mr. Coburn then moved that rules 19 and 24 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 Allen, Boaz, Brown, Coburn Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Schmidt Seidensticker and Thompson—16. 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 Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Schmidt, Seidensticker and Thompson—16. Noes, none.

So the ordinance passed.

Mr. Brown introduced general ordinance No. 53, entitled :

AN ORDINANCE requiring the owners or agents of lots or parts of lots, lying within certain limits, to cleanse and reconstruct privy vaults, on or before the fifteenth day of June, 1866,

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

Mr. Brown introduced special ordinance No. 55—1866, entitled :

AN ORDINANCE to provide for the grading and paving of the sidewalk on the west side of Delaware street, between Pogue's Run and McCarty street, and curbing the outer edge of said sidewalk with stone,

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

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, April 21, 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 in accordance with petitions of property holders, we herewith submit ordinances for the improvement of Meridian street, between North and St. Clair streets, and St. Clair and the Corporation line, north.

HENRY COBURN, }
AD. SEIDENSTICKER, } *Board.*
J. A. GROSVENOR, }

Which, on motion, was received.

Also, special ordinance No. 56—1866, entitled :

AN ORDINANCE to provide for the grading and graveling, and curbing the outer edge of the sidewalks with White Oak plank, and paving the gutters with bowlder stones, of Meridian street, between North and St. Clair streets,

Which was read the first time by its title, and, on motion, was read the second time, and laid over without publication.

Also, special ordinance No. 57—1866, entitled :

AN ORDINANCE to provide for the grading and graveling, and curbing the outer edge of the sidewalks with White Oak plank, and paving the gutters with bowlder stone, of Meridian street, between St. Clair street and the Corporation line, north,

Which was read the first time by its title, and, on motion, was read the second time and laid over, without publication.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, April 25, 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 herewith report an ordinance for grading and graveling the south sidewalk of Huron street, between Noble street and Virginia Avenue, in accordance to the motion referred to us.

H. COBURN,
AD. SEIDENSTICKER, } Board.
J. A. GROSVENOR, }

Which, on motion was received.

Also, special ordinance No. 58—1866, entitled :

AN ORDINANCE to provide for grading and graveling the south sidewalk of Huron street, between Virginia Avenue and Noble street,

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

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, April 25, 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 herewith report an ordinance for paving and curbing the west sidewalk of Delaware street, between Pogue's Run and McCarty street, in accordance with the petition therefor.

HENRY COBURN,
AD. SEIDENSTICKER, } Board.
J. A. GROSVENOR. }

Which, on motion, was received.

By Mr. Coburn, from Committee on Accounts and Claims :

INDIANAPOLIS, April 30, 1866.

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

GENTLEMEN:—The Committee on Accounts and Claims report the following ordinance allowing accounts, for the month ending on the 30th day of April, 1866, and respectfully recommend the passage of the same.

HENRY COBURN, J. H. KAPPES, W. CLINTON THOMPSON,	}	Committee.
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AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the following named person be allowed the amount set opposite to his respective name from any moneys in the City Treasury not otherwise appropriated as follows, to-wit:

To F. Schulmeyer, for lighting and extinguishing 631 street lamps for said city, for the month ending March 31, 1866, at 45 cents per month, per lamp, as per contract, payable in cash, \$283.95.

SEC. 2. The City Auditor is hereby authorized and directed to issue warrants upon the City Treasury to the person named, and for the amount as set forth specifically in section first of this ordinance.

SEC. 3. This ordinance shall take effect and be in force from and after its passage.

Ordained and established this 30th day of April, 1866.

JOHN CAVEN, *Mayor.*

ATTEST:

C. S. BUTTERFIELD, *City Clerk.*

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

Mr. Coburn 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 Allen, Boaz, Brown, Coburn, Colley, Emersom, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Schmidt, Seidensticker and Thompson—16. Noes, none.

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

The question being, a shall the ordinance pass? those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Schmidt, Seidensticker and Thompson—16. Noes, none,

So the ordinance passed.

By Dr. Jameson, from Finance Committee :

INDIANAPOLIS, April 30, 1866.

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

GENTLEMEN:—The Finance Committee, to whom was referred sundry claims presented by Joseph K. English, former City Treasurer, find the same correct, which are as follows, and recommend that they be referred to Committee on Accounts and Claims for payment

Percentage due him, - - - - -	\$315 47
Interest paid on orders redeemed by him, - - - - -	146 53
Errors in account in his favor, - - - - -	4 70

There was another bill presented by Mr. English, and referred to your committee, claiming the sum of one thousand dollars, for extra labor and responsibility in receiving and paying out near four hundred thousand dollars, bounty to volunteers, which your committee report back to your honorable body for your action, as the committee reported to your honorable body on the said bill some time ago.

We would also report that we have deposited with Messrs S. A. Fletcher & Co., as collateral security, for loan of one hundred thousand dollars (\$100,000.00,) the sum of one hundred and twenty-five thousand dollars (\$125,000,) in city bonds, as per agreement made with them.

We would also report that we have made a special deposit with S. A. Fletcher & Co, of two hundred and twenty-five thousand dollars (\$225,000.00,) in city bonds, for safe keeping; the receipt for the same is herewith reported to your honorable body, and would recommend that the same be placed in the hands of the City Auditor for safe keeping.

Your committee would further recommend that the City Auditor be directed to issue orders in amounts to correspond with the denominations of the currency, as nearly as the same may be practicable.

Respectfully,

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

On motion of Mr. Seidensticker, the report was concurred in, and the City Treasurer authorised and instructed to demand and receive of Joseph K. English, former City Treasurer, all moneys and orders now in his hands or received by him as an officer of the City and not settled for by him.

By Dr. Jameson, from Finance Committee :

INDIANAPOLIS, April 30, 1866.

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

The following ordinance is submitted by the Finance Committee.

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

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

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the following named person be allowed the amounts set opposite his name, from any moneys in the City Treasury not otherwise appropriated, as follows, to wit :

Wm. H. Craft, interest paid on orders, - - - - -	\$13,808 83
WM. H. Craft, percentage, - - - - -	5,425 90
Total, - - - - -	\$19,234 73

SEC. 2. The City Auditor is hereby authorized and directed to issue warrants upon the City Treasury to the person named, and for the amounts as set forth specifically in Sec. 1st of this ordinance.

SEC. 3. This ordinance shall take effect and be in force from and after its passage.

Ordained and established this 30th day of April, 1866.

J. CAVEN, *Mayor*.

Attest:

C. S. BUTTERFIELD, *City Clerk*.

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

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 Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Schmidt, Seidensticker and Thompson—16. 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 Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Schmidt, Seidensticker and Thompson—16. Noes, none.

So the ordinance passed.

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

INDIANAPOLIS, April 30, 1866.

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

The Committee on Streets and Alleys, to whom was referred petitions and remonstrances concerning the change of grade of East street, beg leave to return the same to the Council with the recommendation that they be laid on the table.

AUSTIN H. BROWN,
Chairman Committee on Streets and Alleys.

Which, on motion, was concurred in,

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

INDIANAPOLIS, April 30, 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 J. H. Kappes and Adolph Seidensticker, report that there is no objection

known to the Council to vacating the sub-division mentioned in said petition, and your committee therefore recommend that the prayer of the petition be granted.

AUSTIN H. BROWN,
Chairman Committee on Streets and Alleys.

ORDER OF VACATION.

PETITION OF J. H. KAPPES AND AD. SEIDENSTICKER.

Come now the petitioners and file proof of the publication in the Weekly Indiana State Journal, a newspaper of general circulation, printed and published in the City of Indianapolis, of the requisite notice of the pendency of their petition, for twenty days prior to the 10th day of April, 1866, which is in the following words and figures to-wit:

STATE OF INDIANA, }
MARION COUNTY. } ss:

Personally appeared before the undersigned, Joseph T. Long, a Notary Public in and for said county, Ansel C. Grooms book-keeper for Douglass & Conner, publishers of the Weekly Indiana State Journal, a newspaper, of general circulation, printed and published in the City of Indianapolis, in the county aforesaid, who being duly sworn, upon his oath saith, that the notice of which the attached is a true copy, was duly published in said paper for three (3) weeks successively, the first of which publication was on the tenth (10) day of April, 1866, and the last on the twenty-fourth (24) day of April, 1866.

ANSEL C. GROOMS.

Subscribed and sworn to before me, this 28th day of April, 1866.

JOSEPH T. LONG, *Notary Public.*

NOTICE OF VACATION.—Notice is hereby given that a petition is now pending before the Common Council of the City of Indianapolis, in which the undersigned pray for the vacation of the sub-division made by Geo. H. Bicking of the north half of that part of out-lot 107, lying between McCarty and Grove and East and High streets, to enable the undersigned, as sole owners of said block, to sub-divide the same in a more advantageous manner.

SEIDENSTICKER & KAPPES.

And, also, proof that copies of the same notice had been posted up in three public places in the immediate vicinity of the sub-division proposed to be vacated, twenty days prior to the 10th of April, 1866, which is in the words and figures, to-wit:

NOTICE OF VACATION.—Notice is hereby given that a petition is now pending before the Common Council of the City of Indianapolis, in which the undersigned pray for the vacation of the sub-division made by Geo. H. Bicking of the north half of that part of out-lot 107, lying between McCarty and Grove, East and High streets, to enable the undersigned, as sole owners of said blocks, to sub-divide the same in a more advantageous manner.

SEIDENSTICKER & KAPPES.

STATE OF INDIANA, }
MARION COUNTY, } ss.

J. H. Kappes, upon his oath, says that he posted three copies of the above notice in three public places of the City of Indianapolis, near the sub-division made by Geo. H. Bicking, on part of out-lot number 107, proposed to be vacated, on the 6th day of April, A. D., 1866.

J. H. KAPPES.

Subscribed and sworn to before the undersigned, a Notary Public, this 30th day of April, 1866.

JAMES N. SWEETSER, *Notary Public.*

And there being no remonstrance or objection, of which the Common Council has any knowledge, to the vacation of the sub-division mentioned in said petition, and the Common Council of the City of Indianapolis being fully advised in the premises, do hereby order and direct that the sub-division made by George H. Bicking of the north half of that part of out-lot 107, lying between McCarty and Grove and East and High streets, be vacated, that the owners of the real estate may make another sub-division thereof.

On motion, the report of the the Committee on Streets and Alleys was concurred in, and the order of vacation adopted.

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

INDIANAPOLIS, April 30, 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 Joseph A. Moore and Josiah Locke, report that there is no objection on the part of any one, so far as the Common Council has any knowledge, to the vacation of the alley mentioned in the petition, and your committee, therefore, recommend that the prayer of the petition be granted.

AUSTIN H. BROWN,
Chairman Committee on Streets and Alleys.

Now come the petitioners, Joseph A. Moore and Josiah Locke, and suggest that they are the owners of the land through which such alley runs, and prove that the notice required by law for the vacation of so much of said alley as runs through their land from Pennsylvania street to the alley forming the east boundary line of lots owned by said Josiah Locke and running parallel with Pennsylvania street, has been duly published in the Indiana State Gazette, a weekly newspaper printed in the city of Indianapolis, which proof is in words and figures as follows, to wit:

STATE OF INDIANA, }
MARION COUNTY, } ss.

Personally appeared before the undersigned J. H. Jordan, one of the publishers of the Indiana State Gazette, a public weekly newspaper of general circulation, printed and published in the city of Indianapolis, in the county aforesaid, who being duly sworn, upon his oath saith, that the notice of which the attached is a true copy, was duly published in said paper for three weeks successively, the first of which publication was on the 12th day of February, 1866, and the last on the 26th day of February, 1866. J. H. JORDAN.

Subscribed and sworn to before me, this 24th day of April, 1866. Witness my hand and Notarial Seal. E. G. HOLLIDAY,
[l. s.] Notary Public.

NOTICE.—Notice is hereby given, that a petition is pending before the Common Council of the city of Indianapolis, to vacate that part of a six foot alley running along the south side of lot number one (1), and along the north end of lots numbered 35, 36, 37 and 38, in Danforth and McIlvain's sub-division of out lot No. 173, of the donation lands of the city of Indianapolis.

And also that written notices had been duly posted in three of the most public places in the neighborhood of, and near to the said alley, of the pendency of the petition for the vacation of said alley since the twentieth day of March, 1866, which proof is as follows, to wit:

NOTICE.—Notice is hereby given, that a petition is pending before the Common Council of the city of Indianapolis, to vacate that part of a six foot alley running along the south side of lot number one (1), and along the north

end of lots numbered 35, 36, 37 and 38, in Danforth and McIlvain's sub-division of out lot No. 173, of the donation lands of the city of Indianapolis.

STATE OF INDIANA, }
MARION COUNTY, } ss.

Elias G. Holliday upon his affirmation says that he posted copies of the annexed notice, on the 20th day of March, A. D. 1866, in three public places near and adjacent to said alley proposed to be vacated in the city of Indianapolis.
E. G. HOLLIDAY.

Subscribed and affirmed to before me the 4th day of May, 1866.

[L. s.]

JNO. C. BUFKIN,
Notary Public.

And the said petitioners having proven to the satisfaction of the Common Council their ownership of the premises named in the petition, it is therefore ordered that so much of said alley as extends from Pennsylvania street east along the south side of lot numbered one, and along the north end of lots numbered thirty-five (35), thirty-six (36), thirty-seven (37), and thirty-eight (38), in Danforth and McIlvain's sub-division of out lot numbered one hundred and seventy-three (173) of the donation lands of the city of Indianapolis, to an alley forming the east boundary line of said lot numbered thirty-five (35) be vacated.

On motion the report was concurred in, and the order of vacation adopted.

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

INDIANAPOLIS, April 30, 1866.

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

The Committee on Streets and Alleys, to whom was referred the report of the Commissioners to assess damages and benefits that would accrue by the opening of New Jersey street ninety (90) feet in width from Merrill to McCarty street, beg leave to report that they have carefully examined the same and recommend that the terms of said report be rejected for the following reasons :

1. The assessment of damages is regarded as unreasonably high, especially that portion assessed in favor of the owners of a building recently erected on the ground proposed to be taken for the proposed street.
2. The distribution of the benefits is regarded as unfair, especially that portion assessed against property off from the line of the proposed street.
3. The city ought not to have been assessed with any portion of the benefits.

The committee would remark that if the report of the Commissioners be accepted by the Council, the damages will have to be first paid by the city, amounting to \$11,930, and as there is no money in the Treasury to make such disbursement, it would require the issuance of about \$15,000 of city orders, the discount on which, (about \$3000.) the city would lose. Add this to the \$1000, the actual cost of the opening of this street to the city, would be \$4000, from which there would only be a deduction of the proceeds of the sale of the house, which it is estimated would be from \$1000 to \$1200.

AUSTIN H. BROWN, }
HENRY COBURN, } Committee.
P. H. JAMESGN, }

The question being on concurring in the report, the ayes and noes were called for.

Those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Colley, Grosvenor, Kappes and Thompson—7.

Those who voted in the negative were Councilmen Allen, Emerson, Loomis, MacArthur, McNabb, Schmidt and Seidensticker—8

So the report was not concurred in.

On motion of Mr. Boaz, the report of the Commissioners was referred back to the Board.

By Mr. Glazier, from the Committee on Markets:

INDIANAPOLIS, April 30, 1866.

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

GENTLEMEN: The Committee on Markets would respectfully recommend to your honorable body, to extend the west end of the East Market House, so as to make five additional stalls on each side, and also to re-cover the same, as the roof is in a very bad condition; also that a picket fence, similar to that around the State House be built around the West Market Square. We also believe that it would be good policy to rent the stalls in the market houses for the period of three years, as renters then would fix them up in proper condition for use. They say, under the one year system, they can not afford to do it, as some other party may come in, at the expiration of one year, and overbid them, and all the improvements made by them is an entire loss

CHAS. GLAZIER,
J. A. GROSVENOR,
JOHN B. MACARTHUR, } *Committee.*

On motion the report was concurred in and the City Auditor directed to advertise for proposals for said work.

Mr. Glazier also offered the following motion:

That the Committee on Revision of Ordinances report an ordinance at the next meeting, to rent stalls to butchers, in the market houses in the city, for the period of three years.

Which motion was adopted.

By Mr. Kappes, from the Committee on Benevolence:

INDIANAPOLIS, April 30, 1866.

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

GENTLEMEN: Your committee to whom was referred a communication from Rev. A. Bessonies, in relation to the House of Refuge, beg leave to report that we think the Council would do well to defer immediate action on this subject until the next meeting, for the following reasons, viz:

1. A committee of gentlemen who have volunteered to raise subscriptions for the completion of this House, report the amount of \$5,500 already subscribed, and this will probably be increased to \$6,000.

2. Mr. Samuel Moore, County Commissioner, who was present at the recent committee meeting, favors the appropriation of \$10,000, in full, by the county, to the completion of the House.

3. The County Commissioners will meet at 10 o'clock next Monday morn-

ing, and make a final decision with regard to this appropriation, and report to your committee in the afternoon.

J. H. KAPPES,	} <i>Committee.</i>
W. H. LOOMIS,	
W. CLINTON THOMPSON,	
R. B. EMERSON,	
WM. BOAZ,	

Which, on motion, was concurred in.

From the City Attorney—Report :

INDIANAPOLIS, April 30, 1866.

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

GENTLEMEN:—In obedience to your directions I have prepared form of bond to be signed by gas consumers, and delivered to the Gas Company, which I herewith transmit.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

On motion, the report was accepted and the bond approved and referred to the Committee on Printing and Stationery.

From the City Clerk—Report :

INDIANAPOLIS, April 30, 1866.

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

I would respectfully report that the Commissioners for opening streets and alleys met pursuant to notice given them by me, in accordance with your instructions at last meeting, at the office of City Clerk and amended their report in relation to opening Waters street from its present northern terminus, to Stevens street in accordance with instructions from the City Attorney; that said Commissioners filed in my office the following amendment to said report to-wit.

Respectfully,

C. S. BUTTERFIELD, *City Clerk.*

OFFICE OF CITY CLERK,	}
Indianapolis, April 26, 1866.	

We, the undersigned Commissioners to open and lay out streets and alleys met pursuant to second notice served upon us by the City Clerk and reviewed and corrected the report made by us in the case of opening Waters street from its present northern terminus to Stevens street; and that said report was amended so as to comply with the instructions of the Common Council and the City Attorney, *i. e.* by inserting the name of the property owner, with the description of the property damaged or appropriated by the opening of said street as aforesaid.

Given under our hands this 26th day of April, 1866.

D. S. BEATY,	} <i>Commissioners.</i>
T. L. ROBERTS,	
J. W. DAVIS,	
ÆGIDIUS NALTNER,	
WILLIAM COUGHLIN.	

On motion, the report of the City Clerk was received.

Mr. Brown offered the following motion :

That the report of the Commissioners to assess damages and benefits that will accrue by the extension of Waters street sixty (60) feet in width from its present northern terminus to Stevens street, be accepted by the Common Council; that the property required for such extension be appropriated for a public street sixty (60) feet in width; that the City Auditor cause to be made assessment lists of the damages and benefits, and deliver one to the City Treasurer and file one in the office of the City Clerk; and that the Treasurer be directed to pay the damages and collect the benefits, as by law in such cases made and provided.

The question being on the adoption of the motion, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Loomis, MacArthur, McNabb, Schmidt, Seidensticker and Thompson—15. Noes none.

So the motion was adopted.

From the City Treasurer—Report :

The City Treasurer herewith submits the following monthly report of receipts and disbursements from January 13th, 1866, to February 12th, 1866, inclusive:

RECEIPTS.

From Balance from last report.....	\$8,890 73
“ Current tax.....	39,493 60
“ Delinquent tax.....	1,977 66
“ License.....	438 75
“ Fines for month December.....	1,043 93
“ Fines for month January.....	781 21
“ Market rents.....	5 00
“ Printing on precepts.....	11 00
Total receipts.....	\$52,641 88

DISBURSEMENTS.

War fund.....	\$26,975 00
Street improvement.....	3,532 35
Gas.....	2,442 75
Interest on loan.....	2,260 00
Police.....	1,792 65
Salary.....	1,570 00
Printing and stationery.....	1,087 90
Fire department.....	864 25
Improvement University Square.....	510 00
Specific.....	370 00
Fuel.....	216 13
War fund substitutes.....	150 00
Interest on bonds.....	105 00
House of Refuge.....	100 00
Nuisances.....	50 00
Elections.....	3 00
Total disbursements.....	\$42,029 03
Balance to next report.....	\$10,612 85

WM. H. CRAFT, *City Treasurer.*

Which, on motion, was accepted and approved.

UNFINISHED BUSINESS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, April 30, 1866. }

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

GENTLEMEN:—The Board of Public Improvements would report that the securities of Henry Myers are freeholders, and are good and competent security, and we recommend that the contracts and bonds of Henry Myers be accepted and approved.

HENRY COBURN,
AD. SEIDENSTICKER, } *Board.*
J. A. GROSVENOR, }

Which, on motion, was concurred in, and the contracts and bonds accepted and approved.

Mr. Grosvenor moved—

That the contractor for grading and graveling Tennessee street, between Garden and McCarty streets, be allowed an extension of ninety days to complete his contract, provided the written consent of the surety on his bond be filed with the City Engineer.

Which motion was adopted.

Mr. MacArthur moved—

That the Street Commissioner be instructed to repair North street bridge immediately, as in the opinion of the citizens in that neighborhood they have been deprived long enough of the use of North street.

Which motion was adopted.

By Mr. Kappes—Petition :

INDIANAPOLIS, April 30, 1866.

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

The undersigned resident of the city of Indianapolis, on the 19th day of October, 1864, sold certain real estate in Vigo county, Indiana, gave a title bond therefor, and received notes for unpaid purchase money, which notes held by me January 1st, 1865, were assessed for city taxes in the sum of \$6,000. The maker of the notes being wholly unable to pay, on April 6, 1866, I delivered said notes to him and received the said title bond, and to save said real estate from delinquency for taxes, on March 17th, 1866, paid \$133 14, the taxes for 1865 on said real estate, to the treasurer of Vigo county, the said vendee being wholly unable to pay said taxes. When assessed I supposed said notes to be worth \$6,000, and being in that mistaken, I have paid taxes on the notes and also on the real estate. The same value has been assessed for taxes, and taxes paid twice. Herewith please find the receipts for taxes paid by me, also said title bond.

Upon similar application the County Commissioners of this county refunded me the county taxes paid by me for 1865 on assessment of said notes. I ask that the City Treasurer be ordered to refund said sum of ninety dollars paid by me on said notes.

Respectfully submitted,
GEO. W. CLIPPINGER.

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

On motion of Dr. Thompson the Council adjourned to meet in special session on Wednesday, May 2d, 1866, at 7½ o'clock -P. M. to consider sanitary measures.

Present at roll-call on adjournment: Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Lewis, MacArthur, McNabb, Schmidt, Seidensticker and Thompson—15.

JOHN CAVEN, *Mayor*.

ATTEST:

C. S. BUTTERFIELD, *City Clerk*.