

PROCEEDINGS
OF THE
COMMON COUNCIL.

ADJOURNED SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
THURSDAY, MAY 31ST, 1866, 7½ O'CLOCK, P. M. }

The Common Council met pursuant to adjournment.

Present—Hon. Sims A. Colley, Pres't *pro tem.*, in the chair, and the following members at first roll-call :

Councilmen Allen, Brown, Coburn, Fletcher, Glazier, Kappes, MacArthur, McNabb, Seidensticker, Staub and Thompson—11.

Absent—Councilmen Boaz, Emerson, Grosvenor, Jameson, Loomis and Schmidt—6.

By Mr. Brown—Communication :

INDIANAPOLIS, May 31, 1866.

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

Having removed from the City, I hereby tender my resignation as Councilman from the Sixth Ward. WM. BOAZ.

On motion, the resignation of Mr. Boaz was accepted.

By Mr. Brown—Petition :

INDIANAPOLIS, May 28, 1866.

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

GENTLEMEN:—Your petitioner would respectfully state, that during the first quarter of the fiscal year of the City of Indianapolis just closed, the period required by the charter for making out the tax duplicate for the year 1865, and during the time of issuing city bonds, I was required by the charter to have the tax duplicate made out by the first Monday in August of said year, and your honorable body having extended the time of the City Assessor for completing the assessment list for such year, to nearly the time so prescribed for completing the duplicate, I was compelled to have the work of making the duplicate done by some one outside of my office, for which I paid the sum of \$400.00 in cash, which you will see as per receipt herewith attached ; and I would not have been able to have had the same done in the time specified by the charter for such sum, only for the kindness of Mr. Craft, the City Treasurer, and his deputy (at that time), Mr. Waters. And that, during the same period, my time was so taken up with issuing and registering the city bonds, and signing the coupons thereto attached, that I was compelled to have other work, such as recording, &c., done outside the office to the amount of \$150.00, as will also appear by receipts herewith attached, and all of the work above referred to I was obliged to have done for the good of the public service, and, too, outside of my own time and that of my regular Assistant or Clerk hire. Now I respectfully ask that your honorable body refund to me the amount so paid. Respectfully,

C. S. BUTTERFIELD.

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

By Mr. Schmidt—Petition :

INDIANAPOLIS, May 31, 1866.

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

GENTLEMEN:—At your regular session, March 5, 1866, the undersigned presented to your honorable body a petition, asking that you refund him fifteen dollars and seven cents (\$15.07), erroneously assessed for the year 1864. Said petition was referred to the City Attorney, who reported, March 26th, as follows, to-wit:

“I do not think that the petition of Granville M. Ballard shows such facts as entitle him by law to have the sum paid by him as taxes refunded. If the taxes were paid, as shown by the petition, under a mistake of law, he cannot compel the city to refund.” Which report was concurred in, and the petition laid upon the table.

As a rejoinder to the plea of the City Attorney, the undersigned would state that the taxes *were not paid under a mistake of the law* ; as evidence of which, protest was duly made to the City Treasurer against such payment. The accompanying papers are submitted as a part of this petition to show that the rights of the undersigned were not waived in the premises.

Signed.

GRANVILLE M. BALLARD.

STATE OF INDIANA, }
MARION COUNTY. } ss:

Before me, a Notary Public, in and for the county of Marion and State of Indiana, personally appeared Granville M. Ballard, who, upon his oath, states that he paid into the City Treasury, March 3d, 1866, the sum of fifteen dollars and seven cents (\$15.07), for delinquent taxes for 1864 on personal property ; that he was not a citizen of Indianapolis January 1st, 1864, and had

not been for nearly one year prior to this date; that said delinquent tax was paid under verbal protest to the City Treasurer.

Signed.

GRANVILLE M. BALLARD.

Subscribed and sworn to before me this 18th day of May, A. D., 1866.

GEO. A. BOWLUS, Not. Public.

This is to certify that Granville M. Ballard paid into the City Treasury, March 3d. 1866, fifteen dollars and seven cents (\$15.07), delinquent taxes for the year 1864, under protest.

Signed.

WM. H. CRAFT, *City Treasurer.*

Indianapolis, May 29, 1866.

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

By Mr. Kappes—Communication :

INDIANAPOLIS, May 31, 1866.

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

GENTLEMEN :—The undersigned would for himself and others owning property on Mississippi street above St. Clair street, interested in the contract for grading and graveling said street, respectfully represent that injustice is done them in assessing the estimate of cost on said contract pro rata per front foot, because nearly all the fill made is below St. Clair street, and that Mississippi street is 10 feet wider below than above, and the sidewalks are 1½ feet wider below than above St. Clair street, and would ask if there is any remedy for them, that it should, in justice, be extended to them.

Respectfully submitted.

JACOB P. DUNN.

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

By Mr. Kappes—Communication :

OFFICE OF CUNNINGHAM & BAILEY, CIVIL ENGINEERS AND SURVEYORS, }
Indianapolis, Ind., May 31, 1866. }

To Messrs. Snyder, Dunn and Others :

GENTLEMEN :—I have this day been over the work done on Mississippi street, between North and First streets, and have measured the grading done on the entire distance, and find the quantity of earth filling to be 9,082 cubic yards. These measurements were made from the natural surface on both sides, and not from regularly established grades or benches. The gravel is full in quantity and of the best quality, and the work is altogether of first class character. I am, very respectfully, yours,

JAS. B. CUNNINGHAM

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

Dr. Jameson moved that the order of business be suspended and the report from the Select Committee on City Hospital be received.

The question being on the suspension of the order of business, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Colley, Fletcher, Glazier, Jameson, Kappes, MacArthur,

McNabb, Schmidt, Seidensticker, Staub and Thompson—14. Noes, none.

So the order of business was suspended.

By Dr. Jameson, from Select Committee on City Hospital :

INDIANAPOLIS, May 31, 1866.

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

GENTLEMEN:—The Select Committee on City Hospital, to whom was referred general ordinance No. 54, providing for the establishment and management of a City Hospital in and for the City of Indianapolis, would respectfully report the same back with amendments, and recommend that the same be passed.

P. H. JAMESON,	} Committee.
GEO. W. MEARS,	
J. H. KAPPES,	

On motion, the report was concurred in, and the ordinance read the second time as amended.

On motion, the amendments reported by the Committee were adopted.

On motion of Dr. Jameson, the ordinance, as amended, was then read the third time, as follows, to-wit, and placed upon its passage:

AN ORDINANCE providing for the establishment and management of a City Hospital in and for the City of Indianapolis.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That there be chosen by the Common Council of said city a Board of Directors of the City Hospital. That said Board shall consist of nine members, three of whom shall be elected for one year, three for two years, and three for three years, and three for each year thereafter.

SEC. 2. Said Board of Directors shall organize within ten days after their appointment, by the election of a president and such other officers as may be necessary, all of whom shall serve for one year; and all the members and officers of said Board shall serve without compensation.

Said Board, a majority of whom shall constitute a quorum, shall meet at the Hospital for the purpose of transacting the business of the same, at least once every month; and if any member shall fail for six consecutive months to meet with said Board, the Common Council may declare a vacancy and proceed at once to elect a suitable person to fill the same. All vacancies occurring in said Board shall be filled by the Common Council.

SEC. 3. That the said Board be authorized and empowered to manage and control said Hospital; to employ a proper medical staff who shall serve without compensation, hospital stewards, matrons, attendants and such other persons as may be necessary to render the Institution a proper and suitable hospital for the reception of the sick, and to purchase all necessary instruments, medicines and hospital stores for the use of said hospital, which shall be paid for by the said city as hereinafter provided.

SEC. 4. Said Board shall cause to be kept in and for said hospital the following books, namely: one register of patients, one case book, one register of employees, and one account book of current expenses. Said register of patients shall contain the name, age, sex, nativity, disease or complaint, date of admission and date of discharge or death of each patient, together with such other matters in relation thereto as may be deemed of interest or importance.

Said case book shall contain an account in detail of the character, symptoms, and treatment of each case treated in the Hospital, together with whatever else may be considered worthy of note in relation thereto.

Said register of employees shall contain the names, and wages per diem, per week, or per month of all paid employees in said Hospital, and the exact number of days, or parts of days, served by each of said employees during each month.

Said account book of current expenses shall contain a complete invoice of all hospital stores, furniture and appliances, bedding, medicines, provisions, and all other articles of property pertaining to said Hospital when the same shall be opened, and the cost of each, to which shall be added, from time to time, all such articles of like character as may be purchased for the use of said Hospital, or donated thereto, and the cost of each article purchased, and the estimated value of all articles donated.

SEC. 5. Said Board shall cause to be made to the Common Council from the register of patients, weekly, monthly, and annual reports, setting forth fully in tabular form the contents of said register for the several periods therein named.

They shall also cause to be made from the account book of current expenses and the register of employees monthly and annual reports to the Common Council, giving in detail the entire expenditure of the Institution for the periods named, and the exact average expense per capita per diem, of patients; said average to be obtained from an aggregate of all expenses except those incurred in the outfit of the Hospital. Said Board shall receipt to the City Auditor for all property of whatever character coming into their hands, and shall be held responsible for the cost or estimated value of the same: *Provided*, In case property shall be worn out, lost, or destroyed by unavoidable accident, or properly expended with the sick or inmates of the Institution, the Common Council may relieve said Board of any part of said obligation.

SEC. 6. Bills for all articles purchased for the use of said Hospital shall be certified by the President of said Board, and shall be presented to the Common Council at the first regular meeting of each month next succeeding the time of the making of said purchases, and they shall be payable in city warrants or cash, at such time and in such manner as the Common Council may from time to time determine.

SEC. 7. All books and papers pertaining to said Hospital shall be subject to the inspection of any citizen of the city: *Provided*, That the same may not be removed from the Hospital for any purpose without the consent of the Board of Directors.

SEC. 8. Said Board shall have the power to make all necessary rules or by-laws for the government of the Hospital, to admit and discharge all patients and to do whatever may be necessary to the efficient management of the Hospital not inconsistent with the provisions of this ordinance.

SEC. 9. Said Board shall charge every such patient as may have the ability to pay for medical treatment, boarding, or lodging in said Hospital, at a rate not exceeding five dollars per week; and all such moneys as shall be collected shall be paid to the City Treasurer and his receipt taken therefor; all such patients as shall be unable to pay in whole or in part as aforesaid, shall be received and taken care of at the expense of the city.

SEC. 10. Said Board of Directors is hereby authorized and empowered to take possession of the City Hospital and grounds, to be by such Board used for the purposes of receiving, caring for, and treating the sick and diseased.

SEC. 11. The report in relation to time, &c., contemplated by this ordinance, shall be made as follows: The weekly report on Saturday of each week inclusive; the monthly report on the last day of each month inclusive; and the annual reports on the thirty-first day of December of each year inclusive.

SEC. 12. The Common Council expressly reserve the right to repeal or amend this ordinance, and upon the repeal of this ordinance the powers of said Board shall cease.

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

Ordained and established this 31st day of May, A. D. 1866.

JOHN CAVEN, *Mayor*.

Attest:

C. S. BUTTERFIELD, *City Clerk*.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Colley, Fletcher, Glazier, Jameson, Kappes, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—13. Noes, none.

So the ordinance passed.

On motion the regular order of business was resumed.

Mr. Glazier offered the following motion :

That the contractor on the Market House be instructed to repair the cupola on the Market House; and also rebuild the shed on the west end, and repair the curb and pavement, and furnish blocks for the new addition to Market House.

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

Mr. MacArthur offered the following motion :

That we proceed to the nomination of five Commissioners, in place of the five lately resigned.

Which, on motion, was laid over for one week.

Mr. Brown moved—

That the order directing a precept to issue against the property of Philip McNab, in favor of the contractor for grading and graveling the north sidewalk of Louisiana street, between New Jersey and East streets, heretofore made by this Council, be and the same is hereby rescinded, and that the City Clerk furnish the City Treasurer with a copy of this motion.

Which motion prevailed.

Mr. Brown offered the following motion :

That the assignment of the contracts of Henry Myers to C. H. Kelly, for grading and graveling North street, between Alabama and East streets; North street, between Noble and Winston streets, and East street, between St. Clair and Cherry streets, be and the same are hereby confirmed by the Common Council, and the City Engineer is directed to make out all estimates to be hereafter allowed in favor of the assignee.

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

Dr. W. C. Thompson moved—

That the petitions presented to this Council for the extension of gas mains on Tennessee street, Indiana Avenue, and Illinois street, be and the same

are hereby approved, and the Gas Company directed to lay mains, as petitioned for, upon the filing of the proper bonds by the petitioners.

Which motion was adopted.

Mr. Coburn moved—

That the Committee on Streets and Alleys, and the Civil Engineer, be added to the Board of Public Improvements, to examine the drainage of Stevens street and vicinity, now being improved.

Which motion was adopted.

Mr. Brown offered the following resolution :

WHEREAS, An estimate was certified to John Stumph, contractor, for grading and bouldering Circle and Market streets, between Pennsylvania and Illinois streets, and Meridian street, between Washington and Ohio streets, and curbing the outer edges of the sidewalks with stone; and in said estimate certain real estate was assessed against Wm. H. Turner, and which is described as follows, to-wit: Lot ten (10,) in square forty-six; AND WHEREAS, An error was made in said estimate in assessing said real estate against William H. Turner, the said real estate being then owned by Carlin Hamlin, as shown by the records of the county of Marion: therefore,

Be it resolved, That said estimate be corrected and amended so as to assess the aforesaid real estate against Carlin Hamlin, the proper owner, and that the Engineer be, and is hereby directed to report to this Council, at the next regular meeting, an amended and corrected estimate as aforesaid, and that all proceedings upon the precept issued upon the estimate first aforesaid be set aside.

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

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, May 23, 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 motion to have the Street Commissioner fill the hole on Broadway street, south of Vine, will cost quite a sum, as it can only be done by digging deep ditches and considerable filling. We think that all the water can be sunk, and would recommend that the Commissioner put in a covered sink.

HENRY COBURN,
J. A. GROSVENOR, } Board.
JNO. B. MACARTHUR, }

Which, on motion, was concurred in.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, May 23, 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 remonstrance of property holders on Virginia Avenue, between Noble and Brad-

shaw streets, needs no additional report from this Board. To the various reports made during the past three months on this same remonstrance, we would respectfully refer Council to the printed proceedings. We may be permitted to add, however, that as Council refused to award the contract on last Monday evening, that the repeal of the ordinance will meet and receive their warmest approval and desire.

All of which is most respectfully submitted.

HENRY COBURN,
J. A. GROSVENOR,
JOHN B. MACARTHUR, } *Board.*

Which, on motion, was laid upon the table until next regular meeting.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, May 31, 1866. }

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

GENTLEMEN:—The Board of Public Improvements, would respectfully report to your honorable body that they find that since the Council refused to confirm the assessment of damages for the straightening of Pogue's Run it will be impossible to put in a bridge on Tennessee street over said Run the full width of the street, unless the Run can be straightened, and would, therefore, recommend that for the present the matter of building a bridge be deferred.

HENRY COBURN,
J. A. GROSVENOR.
JNO. B. MACARTHUR, } *Board.*

Which, on motion, was concurred in.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, May 23, 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 submit reports of the Street Commissioner. We have examined them and find them correct, vouchers for all the items having been rendered and filed with the Clerk.

H. COBURN,
J. A. GROSVENOR,
JNO. B. MACARTHUR. } *Board.*

Report of the Street Commissioner to the Board of Public Improvements :

1. Filled the crossing on Davidson and Ohio streets with cinders.
2. Filled the crossing on Ohio and New Jersey streets with cinders.
3. Built a culvert on Pennsylvania street and Corporation line north.
4. Cleaned the gutters on Ohio street, between Noble and East streets.
5. Repaired the bowldering on Massachusetts Avenue, between Pennsylvania and New Jersey streets.
6. Cleaned Pennsylvania street, between Washington and Meridian streets.
7. Cleaned the alley between Pennsylvania and Meridian streets, and first alley north of Washington street.
8. Filled the crossing on Ellsworth and Vermont streets, with cinders.

9. Opened the gutters on Illinois street, between Market and Ohio streets, and cleaned the culvert on Market and Illinois street.
10. Put 6 foot bridges on Cady and Meek streets.
11. Put 6 foot bridges on Benton and Meek streets.
12. Cleaned the gutters on Vermont street, between Alabama and New Jersey streets.
13. Re-built a culvert on New Jersey and Vermont streets.
14. Opened the gutters on Alabama street between Market street and Fort Wayne Avenue.
15. Opened the gutters on North street, between Alabama and Delaware streets.
16. Repaired the bowldering on Pennsylvania street, between Washington and Michigan streets.
17. Filled the crossing on St. Joseph and Pennsylvania streets with cinders.
18. Filled the crossing on Massachusetts Avenue and New Jersey street with cinders.
19. Cleaned Massachusetts Avenue between Pennsylvania and New Jersey street.
20. Redaired the bowldering on Delaware street between Virginia Avenue and Pogue's Run.
21. Built two culverts on Noble and Michigan streets, full width of the streets.
22. Put two foot bridges down on Alabama and Michigan streets.
23. Put two foot bridges on Alabama and Walnut streets.
24. Filled the crossing on Tennessee and Ohio streets, with cinders.
25. Opened the gutters on Delaware street, south of South street.
26. Cleaned Virginia Avenue between Washington street and Pogue's Run.
27. Cleaned Delaware street between Washington street and Pogue's Run.
28. Hauled eight loads of ciders at the bridge on East street across Pogue's Run.
29. Repaired the culvert on Illinois and South streets.
30. Repaired the sidewalk between the Lafayettee Railroad and the bridge.
31. Opened the gutters on Ohio street, between East and Pennsylvania streets.
32. Opened the gutters on Indiana Avenue, between Jameson street and the Canal.
33. Opened the gutters on the south west side of Indiana Avenue, between Fall Creek and Jameson street.
34. Built the culvert on Benton and Washington streets, full width.
35. Opened the gutters on Bluff Road, between Pogue's Run and McCarty street.
36. Opened the gutters on North street, between East and Noble street.
37. Put two foot bridges on Louisiana and Tennessee streets,
38. Put one foot bridge on Tennessee and Gardner streets.
39. Put three foot bridges on Mississippi and Ohio streets.
40. Put four foot bridges on South and Mississippi streets.
41. Put one foot bridge on Louisiana and Mississippi streets.
42. Opened the gutters on Maryland street, between Illinois street and the Canal.
43. Opened the gutters on Huron street, between Virginia Avenue and Noble street.
44. Repaired the culvert on Cady and Washington streets.
45. Filled the holes on Delaware street, between South and Merrill sts.
46. Made two crossings on Cady and Meek streets.
47. Made two crossings on Meek and Benton streets.

48. Shortened the bridge on North street across Conal 9 feet; put in the same 8 stringers and two wooden abutments; new flooring on the same, and a new hand rail at the same, and 46 loads of dirt and gravel on the sides.

Respectfully submitted,

AUGUST RICHTER, *Street Commissioner.*

On motion, the reports were accepted and approved.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, May 23, 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 can see no objection to allowing Robert Schmidt to clean out the bed of Pogue's Run adjacent to his property, so that the water will flow in its proper channel. And that he be allowed to do it under the direction of the Civil Engineer.

HENRY COBURN, }
J. A. GROSVENOR, } *Board.*
JNO. B. MACARTHUR, }

Which, on motion, was concurred in.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, May 23, 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 we have examined the grade of McCarty street and are unable to say whether the grade has been changed west of East street or not. We find at the point where New Jersey street would strike McCarty street that it is raised a foot or 18 inches above the street west of it, which was graded and graveled a year or two since. It will cost the Street Commissioner about one hundred and fifty dollars to grade and gravel this street back towards High street to get the water to run east on McCarty street. But when the water gets to East street it is about a foot lower than the gutters of East street where it is to run. To get the water north, down East street, the gutters will have to be dug from a foot to 15 inches deep, costing one hundred dollars. The grade of the street between East street and Virginia Avenue seems to be all right.

We find that the contractors have hauled the surplus dirt out on private property and piled it up and sold it to a street contractor who is grading a street near by, when it should have been put there at no cost to property owners.

HENRY COBURN, }
J. A. GROSVENOR, } *Board.*
JNO. B. MACARTHUR, }

Which, on motion, was concurred in.

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

INDIANAPOLIS, May 23, 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 C. F. Smith, report that no objection exists to granting the prayer of peti-

tioner, and, therefore, recommend that the following order of vacation be made.

AUSTIN H. BROWN,

Chairman Committee on Streets and Alleys.

ORDER OF VACATION.

Come now the petitioner and files proof that the requisite notice has been given of the pendency of his petition, by publication for twenty days prior to the 21st day of May, 1866, in the *Indiana Herald*, a newspaper of general circulation, published in the City of Indianapolis, which is in the following words and figures to-wit:

STATE OF INDIANA, }
MARION COUNTY, } ss.

Personally appeared before the undersigned, Charles P. Hutchinson, one of the publishers of the *Indiana Herald*, a public Weekly newspaper of general circulation, printed and published in 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 four weeks successively, the first of which publication was on the 28th day of April, 1866, and the last on the 19th day of May, 1866.

C. P. HUTCHINSON.

Subscribed and sworn to before me, this 25th day of May, 1866.

F. CUNNINGHAM, Not. Public.

NOTICE OF VACATION.—Notice is hereby given that a petition is now pending before the Common Council of the City of Indianapolis, for the vacation of the alley running north and south, and also of the alley running east and west, between lots numbered 42, 43, 44, 45, 46, 47, 48, and 49, in Roset's subdivision of out-lot 107, in the City of Indianapolis. Said petition will be called up for action in the meeting of the Common Council of May, 21, 1866, or any subsequent meeting.

C. F. SCHMIDT.

And, also, by posting up copies of such notice in three public places in the vicinity of the alleys proposed to be vacated, 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, for the vacation of the alley running north and south, and also, of the alley running east and west, between lots numbered 42, 43, 44, 45, 46, 47, 48 and 49, in Roset's subdivision of out-lot 107, in the City of Indianapolis. Said petition will be called up for action in the meeting of the Common Council of May 21, 1866, or any subsequent meeting.

C. F. SCHMIDT.

STATE OF INDIANA, }
MARION COUNTY, } ss.

Ægidius Naltner, upon his oath says, that he posted copies of the above notice in three of the most public places in the neighborhood of the above described alleys in the City of Indianapolis, on the 24th day of April, A. D., 1866. In witness whereof he has hereto set his hand and seal this 25th of April, 1866.

ÆGIDIUS NALTNER.

Subscribed and sworn to before the undersigned, a Notary Public, this 25th of April, 1866.

ADOLPH SEIDENSTICKER, Not. Public.

Such petitioner, also, files the written consent of the property holders interested to such vacation, which is in the following words, to-wit:

STATE OF INDIANA, }
MARION COUNTY, } ss.

The undersigned, being the owner in fee simple of lots number 42, 43, 44, 45, 46, 47, 48 and 49, in Roset's sub-division of out-lot number one hundred and seven (107), in the City of Indianapolis, hereby consents to the vacation

of the alley running east and west, and also of the alley running north and south, between the above described lots. In witness whereof I have hereunto set my hand and seal this 25th day of May, A. D., 1866.

C. F. SCHMIDT.

Before the undersigned a Justice of the Peace in and for the county of Marion and State of Indiana, personally appeared on this 25th of May, A. D., 1866, C. F. Schmidt, and acknowledged the execution of the above instrument. Witness my hand and seal this 25th day of May, A. D., 1866.

CHARLES COULON, J. J. [LEAL.]

And the Common Council being fully advised in the premises, and there being no objection to granting the prayer of the petition, it is hereby ordered that the following described alleys in Roset's sub-division of out-lot 107, in the City of Indianapolis: the alley running north and south, and, also, the alley running east and west between lots number 42, 43, 44, 45, 46, 47, 48 and 49 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, May 31, 1866.

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

The Committee on Streets and Alleys, to whom was referred the petition and remonstrance for and against narrowing New Jersey street, report that, under the provisions of the City Charter, an objection on the part of any person interested, takes away from the Council all power to order the vacation of any part of a street. Such an objection having been made, the committee recommend that the petition of John W. Brown and others be laid on the table.

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

Which, on motion, was concurred in.

By Dr. Jameson, from Police Board.

INDIANAPOLIS, May 31, 1866.

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

The Committee respectfully reports favorably on the petition of the Union Railway Company to confirm the appointment of Depot Marshal.

P. H. JAMESON, }
J. STAUB, } *Committee.*

The question being on concurring in the report, and confirming the appointment of Jacob J. Bisbing as Depot Marshal, those who voted in the affirmative were Councilmen Brown, Coburn, Colley, Fletcher, Glazier, Jameson, Kappes, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—13. Noes, none.

So the report was concurred in.

By Dr. Jameson, from Police Board.

INDIANAPOLIS, May 31, 1866

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

Would respectfully return this communication, with the recommendation that the Board be empowered to contract with Mr. Delzell, in accordance with his proposal.

P. H. JAMESON, }
J. STAUB, } *Committee.*

Which, on motion of Dr. Thompson, was postponed for one week, and the board instructed to confer with the County Commissioners as to the propriety of building a Station House on Court House square.

By Dr. W. C. Thompson, from Committee on Gas.

INDIANAPOLIS, May 31, 1866.

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

Your Committee on Gas, to whom was referred the petition of Peter Fountain, praying this Council to permit him to apply his Gas Regulators on the meters of the Council Chamber and the City Engine Houses with a view of testing the advantages of his regulator over all others, saving, as he claims, thirty-five per cent. of gas, have had the same under consideration, and, in view of the recommendation of other cities in its favor, recommend that the prayer of the petitioner be granted, and that he have the privilege of putting up his regulator in the places above named, at his own expense.

W. CLINTON THOMPSON, }
C. F. SCHMIDT, } *Committee.*

Which, on motion, was concurred in.

By Mr. Seidensticker, from Committee on Revision of Ordinances:

INDIANAPOLIS, May 31, 1866.

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

Your Committee during this week received the following report, petition, and order of instructions:

By Mr. Boaz, from Select Committee:

INDIANAPOLIS, April 9, 1866.

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

GENTLEMEN:—Your Committee, to whom was referred the petition of the Eight Hour League, No. 1, of Indianapolis, beg leave to report, viz:

That having investigated the subject as thoroughly as possible, we are convinced that the petitioners ask no more than what is just and reasonable. Therefore we would recommend that eight hours per day be hereafter considered a legal days work for all persons employed by the City of Indianapolis.

WILLIAM BOAZ, }
JOHN B. MACARTHUR, } *Committee.*

By Mr. MacArthur—Petition:

INDIANAPOLIS, April 1, 1866.

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

We, the undersigned, humbly petition the Common Council of the City

of Indianapolis, Ind., to pass a municipal act, or law, making *eight hours* a legal day's work throughout the city limits.

A. A. Chester,

Charles B. McGaw,

Robert Kenington,

And 666 others.

Which, on motion, was received.

Mr. Boaz moved that the report of the special committee on the subject, presented at last meeting of Council, be concurred in.

Which motion prevailed.

Mr. Brown withdrew the motion offered by him on the subject, at last meeting of the Council.

Mr. MacArthur moved that the Committee on Revision of Ordinances be instructed to report an ordinance in compliance with the prayer of the petitioners, and as recommended by the Select Committee.

The question being on the adoption of Mr. MacArthur's motion, the ayes and noes were called for.

Those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Glazier, Jameson, Kappes, MacArthur, Schmidt, Staub and Thompson—10.

Those who voted in the negative were Councilmen Allen, Emerson, Grosvenor and Loomis—4.

So the motion was adopted.

Your Committee respectfully call attention to the fact that the petition and report embrace two different propositions :

1. To constitute eight hours a legal day's work for all *employees of the city*.
2. To draft an ordinance making eight hours a legal day's work for all persons in the city.

With all due deference to the Council, your Committee respectfully suggest that the latter proposition is clearly beyond the power of this body. We therefore respectfully inquire whether it was and still is the opinion of the Council to have the 2d proposition embraced in the ordinance.

To further facilitate and simplify the labor of your committee, we respectfully ask for instructions as to the following points :

1. Are the regular Officers of the City to be included in the ordinance?
2. Are the members of the Police Force to be included?
3. Are the members of the Fire Department to be included?
4. Are the Officers of the City who employ day laborers to be authorized and instructed in the ordinance to pay the same prices to their workmen for eight hours, as they have been in the habit of paying for ten hours of work?

By receiving these instructions your Committee will be able to decide as to the scope of the proposed measure, and will be enabled to report an ordinance complying with the wishes of the Council upon this subject.

Respectfully,

AD. SEIDENSTICKER, }
P. H. JAMESON, } *Committee.*

Which, on motion, was postponed until next meeting.

By Mr. Brown, from Select Committee :

INDIANAPOLIS, May 31, 1866.

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

The Select Committee on Rules report the following ordinance.

AUSTIN H. BROWN,
Chairman Select Committee.

AN ORDINANCE amendatory of an ordinance entitled "an ordinance prescribing rules and regulations for the government of the City Council, its officers, and officers connected with the city government," passed June 12th, 1865.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That paragraph 24 of section 1 of the above entitled ordinance be amended so as to read as follows:

24. Notices shall be given, by the City Clerk, in one or more newspapers of the city, and by handbills printed in English and German, to be posted on the line of improvement proposed to be made, of the pendency of ordinances relating to public improvements, before the vote on final passage is taken; *provided* that such notice shall be given once in each week, for two successive weeks, in such newspaper or newspapers, and such notice, by handbills, shall be given ten days prior to the meeting when such ordinance may be taken up; and *provided further,* that there shall be no suspension of this rule except in cases where at least two thirds of the property holders interested in any public improvement have petitioned the Council in favor of the same.

SEC 2. That section 3 of said entitled ordinance be amended so as to read as follows:

SEC. 3. It shall be the duty of the Committee on Accounts and Claims to examine and report upon the correctness of all accounts and claims of a discretionary character referred to them by the Common Council or the City Auditor, except for printing blank books, advertising or stationery, or for office furniture or fuel for the use of city offices and Common Council Chamber, and to report ordinances for the payment of all accounts and claims adjusted by them; *provided* that all accounts for articles purchased or money expended by officers or agents of the city shall be sworn to as correct and necessary, and all accounts presented by other parties shall be duly certified to by some proper officer or committee of the Council, who shall be cognizant of the correctness thereof; *provided, further,* that the City Auditor shall not be required or permitted to prepare ordinances allowing accounts and claims, except in cases where the amount to be paid, or rate of payment is fixed by ordinance, contract or resolution of the Common Council.

SEC. 3. That section 8 of said entitled ordinance be amended so as to read as follows:

SEC. 8. Each ordinance shall be read through at its second reading, and again before being put upon its final passage. No amendment shall be in order after the second reading of an ordinance, unless by unanimous consent.

SEC. 4. That section 9 of said entitled ordinance be amended so as to read as follows:

SEC. 9. The following order of business shall be observed by the Common Council at each meeting thereof:

1. Reading of the Journal.
2. Calling of the Wards for the presentation of Petitions, Memorials and Remonstrances; for the introduction of Motions, Resolutions and Ordinances.
3. Opening of Proposals for Public Improvements.
4. Reports:

1. Board of Public Improvements.

2. Committees:

Accounts and Claims.

Judiciary.

Finance.

Streets and Alleys.

Fire Department.

Police.

Markets.

Public Buildings.

Gas Light.

Printing and Stationery.

Benevolence.

Revision of Ordinances.

Select Committees.

3. Officers of the City.

4. Ordinances on their third reading.

5. Unfinished Business.

The City Clerk shall, upon one evening, call the Wards in their numerical order,

commencing with the First Ward; and at the following meeting shall reverse the order of the call so as to commence with the Ninth Ward and follow in the reverse order, numerically. As each Ward is called, any member from such Ward may present petitions, memorials or remonstrances, or introduce such motions, resolutions or ordinances, and after such call has been made, it shall not be in order for any member to present or offer any petition, memorial or remonstrance, or offer any motion, resolution or ordinance, during the evening, until the call for "Unfinished Business" is reached; *provided*, that no ordinance introduced during such call shall be read more than one time; and *provided, however*, that nothing herein contained shall prevent any member from offering any motion upon any pending matter, during any time, if the same shall be declared to be in order by the Chair.

SEC. 5. That section 10 of the said entitled ordinance be amended so as to read as follows:

SEC. 10. Every city officer, to whom any money shall be paid for licenses granted, or fines assessed, or for any purpose whatever, for the benefit of the city, shall keep an exact account of the same in a cash book, and shall pay the same over, in kind, to the City Treasurer, at the end of each month, and shall make monthly reports to the City Council of all receipts and payments of any such money that shall come into their hands; *provided*, that all city officers may retain an amount of such monies in their hands respectively as may be equal to any city warrants, drawn in favor of any one of such officers, on account of his own salary and pay over instead thereof such warrants for cancellation.

SEC. 6. This ordinance shall be in force from and after its passage, and all ordinances or parts of ordinances coming in conflict with this ordinance be, and the same are hereby repealed.

Which, was read the first time, and on motion, was laid over and ordered to be printed in full in the minutes.

By Dr. Jameson, from Select Committee :

INDIANAPOLIS, May 31, 1866.

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

Your Committee, to whom was referred the communication of the Eclectic Physicians in relation to City Hospital, return the same to the Council with the recommendation that it be referred to the Board of Hospital Directors, when the same shall be appointed.

P. H. JAMESON, }
J. STAUB, } Committee.

Which, on motion, was concurred in.

On motion of Mr. McNabb, special ordinance No. 59—1866, entitled:

AN ORDINANCE to provide for grading and graveling Henry street and sidewalks, between Missouri and Mississippi streets,

Was taken up, read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Colley, Fletcher, Glazier, Jameson, Kappes, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—13. Noes, none.

So the ordinance passed..

Dr. Jameson called special ordinance No. 39—1866, entitled :

AN ORDINANCE to provide for grading and paving the sidewalk on the south side of Market street, between New Jersey and Noble 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 Brown, Coburn, Colley, Fletcher, Glazier, Jameson, Kappes, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—13. Noes, none.

So the ordinance passed.

Mr. McNabb called up special ordinance No. 60—1866, and moved to amend so as to use pit gravel instead of cinders.

Which motion was adopted by unanimous consent.

The ordinance, as amended entitled :

AN ORDINANCE to provide for grading and graveling Mississippi street and the west sidewalk, between South and Garden streets,

Was then 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 Brown, Coburn, Colley, Fletcher, Glazier, Jameson, Kappes, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—13. Noes, none.

So the ordinance passed.

Mr. McNabb called up special ordinance No. 61—1866, and moved to amend so as to use pit gravel in the street instead of cinders.

Which motion was adopted by a unanimous vote.

The ordinance as amended, entitled :

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

Was read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Colley, Fletcher, Glazier, Jameson, Kappes, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—13. Noes, none.

So the ordinance passed.

Mr. Coburn called up special ordinance No. 56—1866, entitled :

AN ORDINANCE to provide for the grading and graveling and curbing the outer edges of the sidewalks with White Oak plank and paving the gutters with boulder stone, of Meridian street, between North and St. Clair 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 Brown, Coburn, Colley, Fletcher,

Glazier, Jameson, Kappes, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—13. Noes, none.

So the ordinance passed.

Mr. Coburn called up special ordinance No. 57—1866, entitled :

AN ORDINANCE to provide for the grading, graveling and curbing the outer edges 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 third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Colley, Fletcher, Glazier, Jameson, Kappes, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—13. Noes, none.

So the ordinance passed.

Mr. Seidensticker called up general ordinance No. 51, entitled :

AN ORDINANCE defining sundry offenses, and prescribing punishment therefor,

Which was read the third time and placed upon its passage.

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

Which was read the third time and placed upon its passage.

Councilman Colley not voting.

So the ordinance passed.

On motion of Mr. Brown. the following estimate and resolution was taken up, to-wit :

Second and final estimate allowed James Stewart for grading and graveling Mississippi street and sidewalks, between North street and the Corporation line north. Made at \$1.48 1-5 cents per lineal foot.

OWNERS' NAMES.	Lot.	Out-Lot.	Feet and Inches.	Assessment.
Eliza Blake.....	8		406.0	\$601 69
“.....	33		367.0	543 89
B. F. Tuttle.....	18		39.0	57 79
Jacob P. Dunn.....	45	169	40.0	59 28
“.....	44		40.0	59 28
Emily D. Snyder.....	43		40.0	59 28
John T. Alford.....	42	north half	20.0	29 64
J. B. Green.....	42	south half	20.0	29 64
John M. Sims.....	41		40.0	59 28
James H. Perry.....	40		40.0	59 28
A. J. Rooker.....	39		40.0	59 28

STEWART'S ESTIMATE—Continued.

OWNER'S NAMES.	Lot.	Out-Lot.	Feet and Inches.	Assessment.
David Dearing	38	169	40.0	\$59 28
D. Clark	37	"	40.0	59 28
S. Smith	36	"	40.0	59 28
L. R. Martin	35	"	80.0	118 56
Fred. Smith	33	"	40.0	59 28
"	32	"	40.0	59 28
S. A. Fletcher, Jr.	28	"	160.0	237 12
J. M. Poe, Fatout's sub-division	6	"	30.0	44 46
H. D. Wiggins	5	"	30.0	44 46
R. Vandegrift	4	"	30.0	44 46
E. Dunham	3	"	30.0	44 46
J. H. Keever	2	"	60.0	38 92
H. Boutwell	A	168	29.8	43 97
Percy B. Fatout	B	"	28.5	42 11
Louisa Stevens	C	"	28.5	42 11
Charles Sipp	D	"	28.5	42 11
Mark Morris	E	"	28.5	42 11
Henry Campbell	F	"	28.5	42 11
" Mason	G	"	28.5	42 11
Bernard Hammell	H	"	28.5	42 11
George H. Burton	I	"	28.5	42 11
William Helkenback	8	"	36.7	54 21
Valentine Butsch	9	"	36.7	54 21
E. Werden	K	"	29.4	43 47
J. D. Meyers	L	"	29.3	43 34
W. W. and L. H. Dowling	M	"	29.3	43 34
Thomas Lenders	N	"	29.3	43 34
Thomas Lauk	O	"	29.3	43 34
James M. Huntington	P	"	36.7	54 21
James Blake	15	"	34.0	50 38
"	16	"	34.0	50 38
"	17	"	34.0	50 38
J. L. and M. K. Fatout	18	"	44.0	50 38
James H. East	19	"	34.0	50 38
Mrs. Miller	20	"	34.0	50 38
S. W. Cochrane	21	"	34.0	50 38
"	22	"	34.0	50 38
James Blake	23	"	34.0	50 38
"	24	"	34.0	50 38
"	25	"	34.0	50 38
Alexander Shaw	26	"	34.0	50 38
J. R. McCormick	1	32	52.0	77 06
Alexander Guy, Agent	3	"	26.0	38 53
L. D. Stoner	4	"	26.0	38 53
A. J. Barnett	5	"	26.0	38 53
Margaret Sage	6	"	26.0	38 53
S. A. Fletcher, Jr.	7	"	26.0	38 53
"	8	"	26.0	38 53
"	9	"	26.0	38 53
"	10	"	26.0	38 53
"	11	"	26.0	38 53
"	12	"	26.0	38 53
Henry Smithers	13	"	36.0	53 35
William H. Parmalee	14	"	42.0	62 24
S. A. Fletcher, Jr.	5	9	130.0	192 66
"	1, 2, 3, 4 and	10	130.0	192 66
"	6, 7, 8, 9 and	13	78.0	115 59
P. H. Fatout	11, 12 and	14	26.0	38 53
"	13	15	26.0	38 53
Total			3413 1	\$5,057 96

I hereby certify the above estimate correct.

JAMES WOOD, *Civil Engineer.*

Resolved, That the foregoing second and final estimate allowed James Stewart, for grading and graveling Mississippi street and sidewalks, between North street and the Corporation line north, 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 Brown, Coburn, Jameson, Kappes, MacArthur, McNabb, Schmidt and Staub—8.

Those who voted in the negative were Councilmen Fletcher, Glazier, Seidensticker and Thompson—4.

So the resolution passed.

On motion of Mr. Brown, the Council adjourned.

Present at roll-call on adjournment, Councilmen brown, Coburn, Colley, Fletcher, Glazier, Jameson, Kappes, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—14.

JOHN CAVEN, *Mayor*.

ATTEST :

C. S. BUTTERFIELD, *City Clerk*.