

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

\_\_\_\_\_

CALLED SESSION.

\_\_\_\_\_

CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
THURSDAY, SEPTEMBER 13TH, 1866, 7½ O'CLOCK, P. M. }

The Common Council met pursuant to the following call:

MAYOR'S OFFICE, }  
Indianapolis, Sept. 13, 1866. }

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

I, the undersigned, Mayor of the City of Indianapolis, do hereby call a special session of said Council to be held at the Council Chamber, on Thursday, September 13, 1866, at 7½ o'clock, P. M., to take action on the "Report of the City Commissioners in the case of straightening the bed of Pogue's Run," and for the transaction of such business as may come before the Council. You are respectfully notified and requested to attend.

[SEAL.]

*Witness, my signature and the seal of the said City, this*  
13th day of September, 1866.

JOHN CAVEN, *Mayor.*

We, the undersigned, members of the said Council, hereby acknowledge service of the foregoing notice.

R. B. EMERSON,  
J. A. GROSVENOR,  
STEPHEN McNABB,  
JOSEPH STAUB,  
CHARLES GLAZIER,  
WILLIAM ALLEN,

JOHN B. MACARTHUR,  
HENRY COBURN,  
P. H. JAMESON,  
C. F. SCHMIDT,  
AUSTIN H. BROWN,  
ADOLPH SEIDENSTICKER.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members:

Councilmen Brown, Coburn, Emerson, Glazier, Grosvenor, Jameson, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson

Absent—Councilmen Allen, Colley, Fletcher, Kappes, Kemker and Loomis—6.

The proceedings of the regular session held September 3d, 1866, were read and approved.

On motion by Mr. Seidensticker, the special order of business was suspended and the regular order taken up.

Mr. Coburn presented the following petition :

INDIANAPOLIS, Sept. 13, 1866.

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

Your petitioners, George McQuat being the owner of the part of lot No. 9, and Robert B. Duncan the owner of the part of lot No. 10, in Square No. 57, in said City of Indianapolis, bordering on the alley running north and south through said Square, respectfully ask your honorable body to grant them the right to grade and gravel so much of said alley, or bowlder the same with stone, as lies between their said lots, being from Washington to Court streets, and to cause proper grade stakes to be set by the City Engineer for that purpose.

GEORGE McQUAT,  
R. B. DUNCAN.

Which was granted and the Civil enginee directed to set the grade stakes.

Mr. Emerson presented the following petition :

INDIANAPOLIS, Sept. 13, 1866.

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

GENTLEMEN:—The undersigned respectfully petitions your honorable body to cause a bridge to be constructed across the Central Canal at the intersection of Blackford street. Your petitioners represent that a bridge at this point is much needed, and will greatly promote the interests and prosperity of that portion of the city.

Respectfully,

Merritt & Coughlin,  
Isaac Thalman,  
C. E. Geisendorff,

Chandler & Taylor,  
B. K. Elliott,  
And 11 others.

Which was referred to the Board of Public Improvements.

Mr. MacArthur presented the following petition :

INDIANAPOLIS, Sept. 13, 1866.

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

GENTLEMEN:—Your petitioner asks permission to pave with brick the sidewalk in front of part of lot 13, in Square 56, except a carriage way, which will be bowldered 10 feet wide, and your petitioner will ever pray, &c.

MATHEW LONG.

Which was granted.

On motion by Mr. McNabb,

Adam Gold was granted the privilege of grading, paving and curbing in front of his property on Virginia Avenue, and the Engineer directed to set the grade stakes.

The sealed proposals for public works were opened and read by the City Clerk, and, on motion by Mr. Coburn, were referred to the Board of Public Improvements.

## REPORTS FROM COMMITTEES.

Dr. Jameson, from the Finance Committee presented the following communication:

INDIANAPOLIS, Sept. 10, 1866.

*P. H. Jameson, Esq., Chairman Finance Committee:*

DEAR SIR:—While we are willing to extend the note due us from the City, as heretofore communicated to you, yet it would be a great accommodation if the whole or part of it could be paid at this time. Of course we are willing to refund any interest that may have been paid in advance.

Respectfully,

S. A. FLETCHER & CO.

Which was received.

Dr. Jameson then introduced special ordinance No. 88, entitled:

AN ORDINANCE authorizing the City Treasurer to borrow the sum of forty thousand dollars, (\$40,000,) for the period of seven months, and making an appropriation to pay the interest thereon,

Which was read the first time.

Dr. Jameson moved that the rules be suspended and the ordinance read the second time, considered as engrossed, and read the third time and placed upon its passage.

The ayes and noes being taken under the rules, those who voted in the affirmative were Councilmen Brown, Coburn, Emerson, Glazier, Grosvenor, Jameson, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—12.

No Councilman voting in the negative.

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

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Emerson, Glazier, Grosvenor, Jameson, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—12.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Schmidt, from the Committee on Gas, offered the following resolution:

*Resolved*, That the City Auditor is hereby authorized to advertise for sealed proposals to light and extinguish city lamps, for six months, with the privilege for one year, at the option of city, payment to be made in City Orders.

Which was adopted.

#### REPORTS FROM CITY OFFICERS.

The City Auditor made the following report:

INDIANAPOLIS, Sept. 13, 1866.

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

GENTLEMEN:—The City Auditor respectfully reports the following:

1st. The first and final estimate allowed James and John Huffer for graveling the west sidewalk on East street, between Louisiana street and Virginia Avenue.

2d. First and final estimate allowed S. J. & R. H. Patterson, for grading and graveling North street and sidewalks, between Blackford and Minerva streets.

3d. The contract and bond of James and John Huffer, for grading and graveling Blackford street and sidewalks, between New York street and the south side of Market street.

4th. The contract and bond of James and John Huffer, for grading and graveling New York street, between the west side of West street and the west side of Blackford street.

Respectfully,

JOHN G. WATERS, *City Auditor*.

*Resolved*, That the first and final estimate allowed James and John Huffer, for grading and graveling the west sidewalk on East street, between Louisiana street and Virginia Avenue, 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, Glazier, Grosvenor, Jameson, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—12.

No Councilman voting in the negative.

So the resolution passed.

*Resolved*, That the first and final estimate allowed S. J. & R. H. Patterson, for grading and graveling North street and sidewalk, between Blackford and Minerva streets, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

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

No Councilman voting in the negative.

So the resolution passed.

On motion by Mr. Emerson, the Contract and Bonds reported by the City Auditor were accepted and approved.

The Civil Engineer made the following report :

INDIANAPOLIS, Sept. 10, 1866.

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

The Civil Engineer would respectfully report the following for your approval :

Corrected Estimate of John Stumph, for grading and bowldering Circle street, Market street, between Pennsylvania and Illinois streets, Meridian street, between Washington and Ohio streets; and curbing the outer edge of the sidewalk with stone.

Also, John Welsh, for grading and graveling the alley running north and south between Maryland and Cumberland streets, and east of lot (9,) square (63,) at 11 cents per lineal foot each side.

Number of feet both sides.....	390
At 11 cents.....	11

Total.....	\$42 90
------------	---------

Also, submit a profile of East street, between Bicking street and the Corporation line. Cannot find any recorded or established grade except that established by Board of Engineers, which I have shown on profile.

The grade of street submitted will be nearly a continuous grade, from McCarty street to Corporation line, and will run water south to Corporation line, and out the public road, provided a ditch is opened from Corporation line, south on public road, about one hundred and seventy-five feet in length, and will average from one to two feet in depth. Respectfully submitted,

JOSHUA STAPLES, JR., *Civil Engineer.*

*Resolved,* That the corrected estimate of John Stumph for grading and bowldering Circle street, Market street, between Pennsylvania and Illinois streets, Meridian street, between Washington and Ohio streets, and curbing the outer edge of the sidewalks with stone, 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, Emerson, Glazier, Grosvenor, Jameson, MacArthur, McNabb, Schmidt, Seidensticker Staub and Thompson—12.

No Councilman voting in the negative.

So the resolution passed.

On motion so much of the report as relates to the completion of contracts for street improvements was approved, and the City Auditor directed to prepare and report estimates for the same.

On motion by Mr. Seidensticker, the profile of East street reported by the City Civil Engineer, was accepted and approved.

On motion by Mr. Seidensticker so much of the report as relates to the opening of a ditch from Corporation line south 100 feet, was referred to the Board of Public Improvements.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }  
Indianapolis, Sept. 10, 1866. }

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

The City Clerk would respectfully report that affidavits have been filed in his office for the collection of street assessment by precept, as follows, to-wit :

Thomas Wren against Robert Poe, for.....	\$43 00
O'Conner & Dorsey against William A. Stolte, for.....	71 76
O'Conner & Dorsey against Robert A. Wetzel, for.....	79 73
O'Conner & Dorsey against M. S. & J. Coffman, for.....	79 73
O'Conner & Dorsey against S. Cain, for.....	79 73
O'Conner & Dorsey against M. S. & J. Coffman, for.....	79 73
O'Conner & Dorsey against M. S. & J. Coffman, for.....	29 73
O'Conner & Dorsey against M. S. & J. Coffman, for.....	29 73
Charles H. Kelley against J. J. Keely, for.....	63 19
Charles H. Kelley against Christian Off, for.....	148 36
Charles H. Kelley against John B. Stumph, for.....	129 70

And respectfully recommend that you order precepts to issue.

C. S. BUTTERFIELD, *City Clerk.*

Which was accepted and approved and precepts ordered.

His Honor, Mayor Caven, made the following report :

INDIANAPOLIS, Sept. 13, 1866.

To the Common Council of the City of Indianapolis :

GENTLEMEN :—The amount of fines collected during the month of August, 1866, was \$740 20, which amount I have paid to the Assistant Treasurer, as shown by duplicate receipt presented herewith. Respectfully submitted,

J. CAVEN, *Mayor.*

Which was accepted and approved.

#### UNFINISHED BUSINESS.

Mr. Brown presented the following petition :

INDIANAPOLIS, Sept. 13, 1866.

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

On the 2d day of July, A. D. 1866, an ordinance was passed by your honorable body to grade and bowlder the alley running north and south through square No. 66, from Washington street to Pearl street accepting the sidewalk on the east side of said alley.

The undersigned, owners of the property bordering on the east side of said alley, from Washington street extending south the distance of ninety feet were never consulted in the matter of the improvement, but understand that the ordinance was obtained in its present shape by representations made to Councilman, Austin H. Brown, to the effect that the property owners desired the improvement so made, which in point of fact is not so; and upon examination of the petition, we do not find the name of any property owner bordering on the desired improvement, but find it signed only by the tenants or renters of said property.

We therefore respectfully request that the ordinance be so changed, that the sidewalk on the east side of the alley, for the distance of 90 feet from Washington street south, be included in the Ordinance.

GEORGE McOUAT,  
R. L. McOUAT,

Which was received.

His Honor, Mayor Caven, presented the following petition :

INDIANAPOLIS, Sept. 13, 1866.

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

We, your humble petitioners, would respectfully ask that there be no change made with a previous contract made with Mr. Kennedy for bowldering alley in Square 66, on south side of Washington street.

W. R. HOGSHIRE,  
J. H. VAJEN.

Which was received.

On motion by Mr. Brown,

George McOuat and Robert L. McOuat were allowed the privilege of bowldering that portion of the alley running north and south through Square 66, adjoining their property, where the same is now paved with brick: *Provided*, The same be done at their own expense and under the direction of the City Civil Engineer: *And provided further*, That this privilege shall not interfere with the existing contract for bowldering the other portion of said alley.

On motion by Mr. Glazier,

The Civil Engineer was instructed to have the lamp post on South Pennsylvania street, at Railroad crossing, moved about 20 feet south, as it will then throw light up and down the track.

Dr. Thompson introduced special ordinance No. 89—1866, entitled :

AN ORDINANCE to provide for lighting with gas Tennessee street, between Michigan street and the Corporation line north,

Which was read the first time by its title.

On motion by Dr. Thompson, the ordinance was read the second time and ordered to be engrossed.

On motion by Mr. Glazier,

The Street Commissioner was instructed to lower the gutter on Pennsylvania street at the crossing of Railroad track, and re-bowlder the same, as the water overflows the sidewalk.

Dr. Jameson called up communication from City Marshal removing John S. Rusell, Deputy Marshal.

Which, on motion by Mr. Seidensticker, was made the special order of business under "unfinished business," at next regular meeting.

On motion by Mr. Seidensticker, the amended report of the City Commissioners, in the case of straightening the bed of Pogue's Run was taken up, as follows, to-wit :

INDIANAPOLIS, Sept. 13, 1866.

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

We, the undersigned Commissioners, appointed by your Honorable body for the opening and laying out of new streets and alleys, &c., to whom was referred back

their report in the case of straightening the bed of Pogue's Run, between Illinois street and the Canal, respectfully report the same back corrected, as per instructions from your Honorable Body.

All of which is respectfully submitted.

SAMUEL M. SEIBERT, JAMES N. RUSSELL, THOMAS SCHOOLEY, JAMES C. YOHN, WILLIAM BRADEN	}	Commissioners.
---	---	----------------

INDIANAPOLIS, Aug. 22, 1866.

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

The undersigned Commissioners appointed to appraise and assess damages and benefits in cases of opening streets, alleys, &c., to whom was referred the petition of the Indianapolis Rolling Mill Company, and others, to have the bed of Pogue's Run changed between Illinois street and the Canal, report that, in pursuance of notice given, they met at the office of the City Clerk on Thursday, the 16th day of August, 1866, at 9 o'clock, A. M., and proceeded to examine witnesses and hear evidence in the matter, and before concluding such examination, adjourned to meet on the following day at 9 o'clock, A. M. On re-assembling the Commissioners proceeded to view the ground proposed to be appropriated for the purpose of changing the course of the said Creek, and after making such view adjourned to meet on Saturday, August 18th, 1866, at 9 o'clock, A. M. Meeting pursuant to adjournment, the Commissioners proceeded to examine witnesses and hear evidence, and before concluding adjourned to meet on Tuesday, at 9 o'clock, A. M. Re-assembling at the time last stated, the Commissioners proceeded to re-view the ground and Creek, and adjourned to meet on Wednesday, August 22d, 1866, at 9 o'clock, A. M. The Commissioners met on the last named day, at the hour stated, and then proceeded to determine the amount of damages sustained and benefits accruing from changing the course of Pogue's Run as petitioned for, and according to the plat referred to the Commissioners by the Common Council. They find—

1st. That the whole amount of damages sustained is five thousand two hundred and seventy dollars (\$5,270), which is distributed and assessed to the owners of lots and parts of lots on the line of the proposed new course or channel of said Pogue's Run, between Illinois street and the Canal, as follows:

James H. McKernan—40 feet off of the north end of 79 feet of lots 42 and 43 of out-lot No. 27.....	\$400 00
Ann Bousley, Sarah A. Moore et al.—All of lot 34 and 10 feet off of the south side of lot 33, of out-lot No. 27.....	650 00
James H. McKernan and Winslow S. Pierce—All of lot 20 and 10 feet off the north side of lot 19, of out-lot 27.....	600 00
James H. McKernan and Winslow S. Pierce—Improvement on last described lot and part of lot.....	100 00
Patrick Hanrahan and wife—All of lot 9 and north half of lot 10, out-lot 27.....	800 00
Patrick Hanrahan and wife—Improvement on last described lot and part of lot.....	1,000 00
Michael Hanrahan—All of lot 10 and part of lot 9 (six feet), out-lot No. 28.....	270 00
James H. McKernan and Winslow S. Pierce—Part of lot No. 11, out-lot 28.....	50 00
James H. McKernan and Winslow S. Pierce—All of lot 18 and parts of lots No. 17 and 19, out-lot 28.....	350 00
James H. McKernan and Winslow S. Pierce—All of lot 40 and parts of lots 39 and 41, out-lot 28.....	350 00
James H. McKernan and Winslow S. Pierce—All of lot 44 and parts of lots 43 and 45, out-lot 28.....	300 00
James H. McKernan—Parts of out-lot 126.....	400 00
<b>Total damages</b> .....	<b>\$5,270 00</b>



2d. That no part of the benefits arising from changing the course of such stream should be assessed against the City of Indianapolis.

3d. That the whole amount of benefits accruing to the owners of lots and parts of lots, by changing the course of such stream, is five thousand two hundred and seventy dollars (\$5,270.00), which is distributed and assessed against the owners of the following described real estate in the amounts set opposite their respective names:

Ann Bousley, Sarah A. Moore et al.—Lot 35, out-lot 27 .....	50 00
Ann Bousley, Sarah A. Moore et al.—Lot 36, out-lot 27.....	100 00
James H. McKernan and Winslow S. Pierce—Lot 37, out-lot 27 .....	150 00
James H. McKernan and Winslow S. Pierce—Lot 38, out-lot 27 .....	225 00
Osgood, Smith & Co.—89 feet fronting on Illinois street, off of the north east corner of out-lot 27 .....	200 00
Michael Malony—Lot 46, out-lot 27.....	60 00
Isaac C. Hays—Lot 45, out-lot 27 .....	60 00
Henrietta Parker—Lot 44, out-lot 27.....	15 00
James H. McKernan and Winslow S. Pierce—Lot 42, out-lot 27.....	250 00
George Wysong—Lot 41, out-lot 27 .....	125 00
William Bernham—Lot 40, out-lot 27 .....	100 00
P. H. and E. B. Drake—19 by 90 feet of lot 39, out-lot 27.....	40 00
Levi H. Boame—16 by 90 feet of lot 39, out-lot 27 .....	40 00
James H. McKernan and Winslow S. Pierce—Lot 38, out-lot 28 .....	80 00
James H. McKernan and Winslow S. Pierce—Lot 42, out-lot 28 .....	40 00
P. G. Hanrahan—Lot 5, out-lot 27.....	25 00
P. G. Hanrahan—20 feet north side of lot 6, out-lot 27.....	16 66
McKernan and Pierce—10 feet south side of lot 6, out-lot 27 .....	8 34
McKernan and Pierce—Lot 7, out-lot 27.....	25 00
Timothy O'Riley—Lot 11, out-lot 27.....	100 00
Timothy O'Riley—Lot 12, out-lot 27.....	125 00
McKernan and Pierce—20 feet north side of lot 12, out-lot 27.....	83 33
Edward Rentsch—10 feet south side of lot 13, out-lot 27 .....	41 67
Edward Rentsch—Lot 14, out-lot 27.....	100 00
McKernan and Pierce—Lot 22, out-lot 27.....	25 00
McKernan and Pierce—Lot 23, out-lot 27.....	25 00
Elizabeth Cochran—Lot 24, out-lot 27.....	25 00
McKernan and Pierce—Lot 18, out-lot 27.....	80 00
McKernan and Pierce—Lot 17, out-lot 27.....	100 00
McKernan and Pierce—Lot 16, out-lot 27.....	100 00
McKernan and Pierce—Lot 15, out-lot 27.....	60 00
Addison L. Roach—Lot 30, out-lot 27.....	25 00
McKernan and Pierce—Lot 31, out-lot 27.....	25 00
McKernan and Pierce—Lot 32, out-lot 27.....	25 00
Fred Scheigert—Lot 47, out-lot 27.....	40 00
F. and R. Graney—South half lot 46, out-lot 28.....	12 50
McKernan and Pierce—North half lot 46, out-lot 28.....	12 50
McKernan and Pierce—Lot 47, out-lot 28.....	25 00
McKernan and Pierce—Lot 48, out-lot 28.....	25 00
Nathaniel Teal—Lot 49, out-lot 28.....	25 00
McKernan and Pierce—Lot 37, out-lot 28.....	20 00
Jeremiah Driscoll—Lot 36, out-lot 28.....	20 00
James H. McKernan—Lot 21, out-lot 28.....	20 00
James H. McKernan—Lot 22, out-lot 28.....	20 00
James H. McKernan—Lot 15, out-lot 28.....	50 00
James H. McKernan—Lot 16, out-lot 28.....	20 00
James H. McKernan—North half of lot 5, out-lot 28.....	12 50
James H. McKernan—South half of lot 6, out-lot 28.....	12 50
James H. McKernan—North half of lot 7, out-lot 28.....	12 50
P. G. Hanrahan—South half of lot 5, out-lot 28.....	12 50
P. G. Hanrahan—North half of lot 6, out-lot 28.....	12 50
P. B. and E. B. Drake—South half of lot 7, out-lot 28.....	12 50
Ramsey and Hanrahan—33 feet south side of lot 12, out-lot 28.....	76 66
Thomas Wren—7 feet north side of lot 12, out-lot 28.....	23 34

Amount carried forward ..... \$3,015 00

Amount brought forward .....	\$3,015 00
Thomas Baine—Lot 13, out-lot 28.....	80 00
Catharine Monohan—Lot 14, out-lot 28.....	125 00
James H. McKernan and Winslow S. Pierce—Lots 19 and 20, out-lot 28 .....	175 00
Michael Hanrahan—Lot 8, out-lot 28.....	25 00
James H. McKernan—Part of north-west corner of out-lot 124.....	250 00
Samuel Binkley—Part of out-lot 124.....	250 00
Indianapolis Rolling Mill Company—Out-lot 125.....	950 00
James H. McKernan—Parts of out-lot 126.....	400 00
<hr/>	
Total amount of benefits .....	\$5,270 00
All of which is respectfully submitted.	

SAMUEL M. SEIBERT, JAMES C. YOHN, JAMES N. RUSSELL, THOMAS SCHOOLEY, WILLIAM BRADEN,	}	<i>Commis'ers.</i>
--	---	--------------------

Mr. Brown offered the following motion :

That the report of the City Commissioners to assess damages and benefits that may accrue by the straightening of the bed of Pogue's Run, between Illinois street and the Central Canal, be accepted and approved by the Common Council; that the property required for the straightening of said Run be appropriated for a new bed for the same; that the City Auditor cause to be made an assessment list of the damages and benefits, as assessed by said Commissioners, and deliver the same to the City Treasurer; and that the Treasurer be, and he is hereby, directed to dispose of the building or buildings, if there be any, situate on a portion of such ground so appropriated, and proceed to pay the damages and collect the benefits as required by law.

The ayes and noes being taken under the Charter, on the adoption of the motion, those who voted in the affirmative were Councilmen Brown, Coburn, Emerson, Glazier, Grosvenor Jameson, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—12.

No Councilman voting in the negative.

So the motion was adopted.

On motion by Mr. Brown the Council adjourned.

JOHN CAVEN, *Mayor.*

ATTEST :

C. S. BUTTERFIELD, *City Clerk.*