

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, DECEMBER 3D, 1866, 7 O'CLOCK, P. M. }

The Common Council met in regular session.

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

Councilmen Allen, Brown, Coburn, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, Staub and Thompson—11.

Absent—Councilmen Colley, Fletcher, Kemker, MacArthur, McNabb, Schmidt and Seidensticker—7.

The proceedings of the regular session held November 26th, 1866, were read and approved.

Mr. Emerson presented the following petition :

INDIANAPOLIS, Dec. 3, 1866.

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

GENTLEMEN:—I hereby ask you to grant me Auction Rooms at Nos. 194 and 196, City Auction License, for one year from Dec. 9th, 1866, to Dec. 10th, 1867, and greatly oblige yours, &c.

WM. E. FEATHERSTON.

Which was granted.

On motion by Mr. Grosvenor,

James H. Robinson, street contractor on Mississippi street, between Henry and Merrill streets, was allowed thirty days further time on his contract, provided his surety gives consent.

Dr. Jameson presented the following petition :

INDIANAPOLIS, Nov. 16, 1866.

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

We, the undersigned, resident property owners on New Jersey street, between Massachusetts and Fort Wayne Avenues, would respectfully ask your honorable body to compel the Indianapolis Street Railroad Company to repair the damages done to New Jersey street by taking up one track on said street.

John W. Brown,
Peter Goth,
Wm. Buschmann,

F. A. Lehr,
A. Hitchcock,
And 19 others.

Which was referred to the Committee on Streets and Alleys.

Dr. Jameson presented an account from Horn, Anderson & Co. of \$3.00, for candles to illuminate Council Chamber and City Offices, October 4, 1866.

Which was referred to the Committee on Accounts and Claims.

Dr. Jameson offered the following motion :

That the Street Commissioner be directed to remove the large boulders on Massachusetts Avenue, between New Jersey and Liberty streets.

Which was referred to the Board of Public Improvements.

Mr. Kappes introduced special ordinance No. 142—1866, entitled :
AN ORDINANCE to provide for paving the west sidewalk of Alabama street, between Vermont and North streets,

Which was read the first time by its title, and passed to a second reading.

Mr. Loomis presented the following petition :

INDIANAPOLIS, Dec. 3, 1866.

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

We, the undersigned property holders on the south side of Stevens street, in the City of Indianapolis, petition most earnestly to the Common Council of the City of Indianapolis, to take steps to carry off the water south of said premises in a legal way.

Fred. Wunsch,
John Schroerluke,
Peter Early,

John R. Curby,
Christian Schmid.

Which was referred to the Board of Public Improvements.

On motion by Mr. Loomis,

The Street Commissioner was directed to repair the sidewalk on South Noble street, between Washington street and the Central Railroad track where the same was damaged by the late flood.

On motion by Mr. Loomis,

The City Marshal was directed to notify the Indiana Central Railway Company to repair the crossings on Noble street, where their Railway track crosses the said street, the same being dangerous to pedestrians.

Mr. Loomis introduced special ordinance No. 143, entitled :

AN ORDINANCE appropriating five hundred dollars (\$500.00) for the improvement and maintainance of "University Square," and appointing a superintendent to take charge of said Square, to whom shall be paid the within appropriation upon proper vouchers,

Which was read the first time by its title, and passed to a second reading.

On motion by Mr. Staub,

The Street Commissioner was instructed to fill the ditch on the sidewalk on Noble and Lckerbie streets.

On motion by Mr. Staub,

The City Marshal was directed to remove the obstructions in alley through out-lot 42, south part.

Dr. Thompson offered the following motion :

That the Committee on Fire Department be instructed to consult the Journal Company to ascertain on what conditions the use of their new building on Circle street can be obtained for the erection of a look-out for the use of the Fire Department.

Which was referred to the Committee on Public Buildings.

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

REPORTS FROM BOARDS.

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

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

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

GENTLEMEN:—The Board of Public Improvements, to whom the bids were referred, would respectfully report to your honorable body that the following persons are the lowest bidders :

1st. Deloss Root to erect lamp posts and fixtures on Market street, between Illinois and Tennessee streets, for \$37.75 per post.

2d. Deloss Root, to erect lamp posts and fixtures on Market street, between Alabama and New Jersey streets, for \$37.75 per post.

3d. T. R. Shea, to grade the first alley east of Delaware street, between Pratt and St. Joseph streets, through out-lot 173, for 12½ cents per lineal foot each side.

4th. Seibert & Buchanan, 500 yards gravel on Virginia Avenue, 70 cents.

“ “ 250 “ “ “ Bluff Road, 65 cents.

“ “ 300 “ “ “ New Jersey st., 90 cents.

The above bid is for cash, so the parties represent.

5th. Hanway & Kown, 300 yards on Illinois street, 98 cents.

HENRY COBURN,
J. A. GOSVENOR, } *Board.*

On motion by Mr. Coburn the question on awarding contracts for street improvement and repairs of streets was separated.

On motion by Mr. Coburn, so much of the report as relates to the erection of lamp posts and of grading the alley through out-lot 173, was concurred in and contracts awarded.

Dr. Jameson moved that so much of the report as relates to placing the gravel on Virginia Avenue, Bluff Road, New Jersey street, and Illinois street, be concurred in and the contracts awarded.

Mr. Emerson called for the ayes and noes.

Those who voted in the affirmative were Councilmen Allen, Brown, Glazier, Jameson, Loomis and Thompson—6.

Those who voted in the negative were Councilmen Coburn, Emerson, Gosvenor, Kappes and Staub—5.

So that part of the report was concurred in and the contracts awarded.

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

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

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that the motion to have a stone flag crossing put down on Delaware street, from the west gate of the Court House Square to the alley on the opposite side, are of the opinion that a flag crossing would be in a short time an obstruction, as the street is not a bouldered street. Two foot bridges and a gravel crossing will make it as good as the surrounding crossings. We would recommend that the Street Commissioner be instructed to do the work.

HENRY COBURN,
J. A. GOSVENOR, } *Board.*

Which was concurred in.

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

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

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

GENTLEMEN:—The Board of Public Improvements to whom the matter was referred, would respectfully report to your honorable body that we herewith submit the monthly report of the Street Commissioner, showing work done and money expended. Vouchers have been examined and found correct, and filed with the Clerk.

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

INDIANAPOLIS, Dec. 3, 1866.

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

1. Put a new hand rail at the foot bridge on Merrill street across the Canal.
2. Filled the crossing on North and Illinois streets with earth and gravel, (125 yards of earth and 250 yards of gravel.)
3. Hauled 90 yards of gravel on the crossings of Tennessee and North streets.
4. Cleaned Illinois street, between Market and Louisiana streets.
5. Repaired the bridge on Illinois street across Pogue's Run.
6. Filled the crossings on Ohio and West sts. with cinders.
7. Filled the crossings on Cider and Hosbrook sts.
8. Filled the meuth of the alley on Tennessee street, east side, between Market and Ohio streets.
9. Cleaned Meridian street between Washington and Louisiana sts.
10. Opened the gutters on East street, between Washington and Market streets.
11. Made two crossings on Pennsylvania and St. Clair streets, with gravel and cinders.
12. Made two crossings on Pennsylvania and Pratt sts., with gravel and cinders.
13. Cleaned Pennsylvania street, between Washington and Ohio sts.
14. Cleaned Market street, between Pennsylvania and Circle sts.
15. Opened the gutters on Georgia street, between Meridian and Pennsylvania sts.
16. Opened the gutters on North street, between Indiana Avenue and Blockford street.
17. Built a culvert on Meridian and Pratt streets.
18. Built two culverts on Illinois and Louisiana streets.
19. Built a culvert on Pennsylvania street, near Railroad track.
20. Built two culverts on Noble and Meek streets.
21. Built two culverts on Fletcher Avenue and Cider street.
22. Built two culverts on St. Clair and East streets.
23. Laid seven foot bridges on Pennsylvania and Pratt streets.
24. Laid six foot bridges on Pennsylvania and St. Joseph streets.
25. Laid six foot bridges on Pennsylvania and St. Clair streets.
26. Laid one foot bridge on South and Alabama streets.
27. Laid one foot bridge on South street and Virginia Avenue.
28. Laid two foot bridges on Liberty and Market streets.
29. Laid one foot bridge on Delaware and St. Clair streets.
30. Laid two foot bridges on Mississippi and Ohio streets.
31. Laid one foot bridge on Pennsylvania and Maryland streets.
32. Laid one foot bridge on Alabama and North streets.
33. Laid one foot bridge on Alabama and St. Clair street.

34. Laid one foot bridge on Ft. Wayne Avenue and Walnut street.
35. Laid six foot bridges on Walnut and East streets.
36. Laid one foot bridge on New Jersey street and Virginia Avenue.
37. Laid two foot bridges on Noble and North streets.
38. Opened the gutters on Tennessee street, between Ohio street and Indiana Avenue.
39. Opened the gutters on Market street, between Delaware and Pennsylvania streets.

Respectfully submitted,

AUGUST RICHTER, *Street Commissioner.*

Which were accepted and approved.

Mr. Kappes, from the Committee on Benevolence and Hospital made the following report :

INDIANAPOLIS, Dec. 3, 1866.

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

GENTLEMEN :—Your committee beg leave to report that the average expense per capita, per diem, of the Hospital during the month of November, is \$1.02. The entire expense during the month of November amounts to four hundred and twenty-eight dollars, according to the accompanying vouchers. We beg leave to offer an ordinance appropriating moneys for the payment of sundry claims on account of the City Hospital for the month of November, 1866.

All of which is respectfully submitted.

J. H. KAPPES,
W. C. THOMPSON, } *Committee.*
W. H. LOOMIS,

Which was accepted and approved.

Mr. Kappes introduced special ordinance No. 144, entitled :

AN ORDINANCE appropriating money for the payment of sundry claims on account of the City Hospital, for the month of November, 1866,

Which was read the first time by its title and passed to a second reading.

Mr. Kappes, from the Committee on Benevolence and Hospital submitted the following recapitulation of the weekly report of the Superintendent of the City Hospital.

Number of patients in Hospital at last report	13
Number of patients received in Hospital since last report	1
Number of patients died in Hospital since last report	1
Number of patients remaining in Hospital	13

Which was received.

Also, recapitulation of monthly report of same, as follows : to-wit :

Number of patients in the Hospital at last report	13
Number of patients received in the Hospital since last report	8
Number of patients born in Hospital since last report	1
Number of patients discharged from Hospital since last report	8
Number of patients died in the Hospital since last report	1
Number of patients remaining in the Hospital at present	13

Which was received.

Also, recapitulation of monthly report of expenditures of City Hospital for month ending Nov. 30, 1866, to-wit:

Total expenditures for the month -----	\$421 15
Aggregate number of days for which subsistence, etc., were furnished---	4 11
Average expense per capita per diem -----	\$1 02

Which was received.

REPORTS FROM CITY OFFICERS.

The City Treasurer made the following report:

OFFICE OF CITY TREASURER, }
Indianapolis, Dec. 3, 1866. }

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

GENTLEMEN:—I would report that the City Clerk has sent to my office a certified copy of the Commissioners report of assessment of damages and benefits in the case of straightening the bed of Pogue's Run, and there being some question in regard to the legal manner to proceed in the matter, I have submitted the question to the acting City Attorney, and if, as he has decided, the amount of damages must first be tendered before the work is commenced, and the benefits cannot be collected until the work is completed, then I would report that, for want of the necessary amount of funds, I am unable to make the tender. Awaiting your instructions,

I am, with respect,

WM. H. CRAFT, *City Treasurer.*

Which was referred to the Finance Committee.

The City Auditor made the following report:

INDIANAPOLIS, Dec. 3, 1866.

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

The City Auditor respectfully reports to the honorable Common Council:

1st. First and final estimate allowed R. P. Dunning for grading and bowldering Cumberland street, between Delaware street and the first alley east of Delaware street, running north and south through square 63, made at \$107 per lineal foot.

2d. First and final estimate allowed John Schier for grading and graveling the sidewalks on Virginia Avenue, between Cedar and Elk streets, made at 24 cents per lineal foot on each side of the street.

3d. Contract and bond of Daniel Collins for grading and graveling the alley running north and south, through out-lot number 85, for 37 cents per lineal foot on each side.

Respectfully,

JOHN G. WATERS, *City Auditor.*

Resolved. That the first and final estimate allowed R. P. Dunning for grading and bowldering Cumberland street, between Delaware street and the first alley east of Delaware street running north and south through square sixty-three (63), 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 Allen, Brown, Coburn,

Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, Staub and Thompson—11.

No Councilman voting in the negative.

So the resolution passed.

Resolved, That the first and final estimate allowed John Schief for grading and graveling the sidewalks on Virginia Avenue, between Cedar and Elk streets, made at 24 cents per lineal foot on each side of the Avenue, be, and the same is hereby, adopted as the estimate of this Council, and the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, Staub and Thompson—11.

No Councilman voting in the negative.

So the resolution passed.

On motion the Contract and Bond reported by the City Auditor were accepted and approved.

The Street Commissioner made the following report :

INDIANAPOLIS, Dec. 3, 1866.

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

I notified the following different Railroad Companies with written notice :

1st. To the Indiana Central Railway Company to build a stone culvert under their track on Alabama street with intersection of Virginia Avenue, and also to plank said street full width thereof of their track, and one foot on either side; and to plank their track full width and one foot on either side thereof on New Jersey and Pennsylvania streets. Served said notice on the 23d day of April, 1866, and December 1, 1866, (second time.) I also notified said Company to plank said track with intersection of Noble street. Served June 27th, 1866, but the Company failed to do said work.

2d. To Peru and Indianapolis Railroad Company to plank full width of their track and one foot on either side thereof, on East and New Jersey streets. Served June 27, 1866, and Nov. 27, 1866, (second time,) and the said Company failed to do the work.

3d. To Bellefontaine Railroad Company to plank their track full width thereof, and one foot on either side, on New Jersey street, full width of said street. Served June 27, 1866, but they failed to do said work.

4th. To Lafayette & Indianapolis Railroad Company, to plank full width of their track, and one foot on either side thereof, on Washington street. Served June 27, 1866, and they failed to do the work; but I notified the Cincinnati & Indianapolis Railroad Company to do the work, and they promised to do it right away.

I also report that the Cincinnati & Indianapolis Railroad Company has their crossings in a good condition, and also, the Union and Madison & Indianapolis Railroad Companies

Respectfully submitted,
AUGUST RICHTER, *Street Commissioner.*

Which was referred to the City Attorney as to necessary plan to pursue by city to compel a compliance of the conditions of their right of way, and to report the necessary resolutions or ordinances.

His Honor, the Mayor, made the following report :

INDIANAPOLIS, Dec. 3, 1866.

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

GENTLEMEN:—The undersigned now reports that in compliance with a provision of section 25 of an ordinance ordained by this Council Nov. 3, 1866, authorizing the Indianapolis Water Works Company to construct Water Works for this City, said Company on the 5th day of November, 1866, filed with me their written acceptance of the terms and conditions of said ordinance, and that in further compliance with a provision of said section 25, on the 6th day of November, 1866, I made proclamation thereof in the Indianapolis Daily Journal, and Daily Evening Gazette, accompanying the same with a copy of said ordinance, and I further submit herewith said written certificate of acceptance.

Respectfully submitted,

J. CAVEN, *Mayor.*

Resolved, That the Indianapolis Water Works Company, hereby accept the terms and conditions recited in the ordinance passed by the Common Council of the city of Indianapolis, on the evening of the 3d day of November, 1866, entitled, "an ordinance authorizing the Indianapolis Water Works Company to construct, maintain and operate water works and supply water to the city and citizens of Indianapolis, defining their powers and privileges, and prescribing their duties," and we hereby accept of said ordinance which is in the words and figures following, to-wit:

[*Here insert.*]

STATE OF INDIANA, COUNTY OF MARION, }
CITY OF INDIANAPOLIS. }

This certifies that the above and foregoing is a true and correct copy from the records of the Board of Directors of the Indianapolis Water Works Company, of a resolution and order passed and adopted by the said Board of Directors of said Company on the 5th day of November, A. D. 1866, at a meeting of said Board held at the office of Martindale & Tarkington in said city of Indianapolis. In witness whereof Robert B. Catherwood, President of said Board of Directors has hereunto set his hand attested by the Secretary of said Board.

R. B. CATHERWOOD, *Prest.*

Attest.

JOHN S. TARKINGTON, *Sec.*

I acknowledge service of the above notice upon me this 5th day of November, 1866.

JOHN CAVEN, *Mayor.*

Which was received and ordered to be spread upon the minutes.

ORDINANCES ON SECOND READING.

On motion by Mr. Kappes, special ordinance No. 142—1866, was taken up, read the second time and ordered to be engrossed.

On motion by Mr. Loomis special ordinance No. 143, was taken up read the second time and ordered to be engrossed.

On motion by Mr. Kappes special ordinance No. 144, was taken up read the second time and ordered to be engrossed.

UNFINISHED BUSINESS.

Mr. Glazier offered the following motion :

That so much of the City Clerk's report made to Council August 20th 1866, as relates to an affidavit against A. Curtis for precept for street improvement, for \$60.04, be taken up and concurred in and the City Clerk directed to issue the precept.

Which was adopted and the City Clerk directed to issue the precept.

Mr. Grosvenor offered the following motion :

That a committee of three be appointed by this Council, of which the Mayor shall be one, to confer with the State Legislature in reference to the building, at an early day, of a House of Refuge near the city, for the detention and punishment of juvenile offenders. Also, in reference to the improvement of Circle Park by the State.

Which was adopted.

His Honor, the Mayor, appointed as members of such committee Councilmen Grosvenor and Thompson.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Nov. 24, 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 relation to property owners on North street, between Blackford and Minerva streets complaining that the Engineer had computed the grade counting both cut and fill, when it was customary to count the greater. The Engineer has made a separate calculation showing the amount of each under the old way as customary by all Civil Engineers of the city, there would be an over estimate on the whole job of \$771 26.

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

INDIANAPOLIS, Nov. 30, 1866.

To the Board of Public Improvements:

The following is the amount of work done on North street, by Messrs S. J. and R. H. Patterson, in detail:

Embankment or fill 2626.117 cubic yards, at 36 cents per yard,	\$919 14
Excavation or cut 2203.626 - - - - -	771 26 90-100
Total amount of Earth Work - - - - -	\$1,690 40 90-100
Graveling 1832.40, cubic yards, at 99 cents per yard - -	1,814 07 60-100
Total - - - - -	\$3,504 48 50-100

Respectfully submitted,

JOSHUA STAPLES, JR., *Civil Engineer.*

Which, on motion by Dr. Jameson, was received and accepted and approved and the City Auditor directed to prepare and report an estimate in accordance with the usual custom.

Mr. Coburn called up special ordinance No. 133—1866, entitled:

AN ORDINANCE to provide for the paving of a portion of the southeast sidewalk of Circle street, between Market and Meridian 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 Allen, Brown, Coburn, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, Staub and Thompson—11.

No Councilman voting in the negative.

So the ordinance passed.

On motion the Council adjourned.

JOHN CAVEN, *Mayor.*

ATTEST:

C. S. BUTTERFIELD, *City Clerk.*