

PROCEEDINGS  
OF THE  
COMMON COUNCIL

---

ADJOURNED SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS,  
WEDNESDAY, OCTOBER 9TH, 1867, 7 O'CLOCK, P. M. }

The Common Council met pursuant to adjournment.

Present—His Honor, the Mayor, Daniel Macaulley, in the chair,  
and the following members:

Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Jameson, Kappes, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—16.

Absent—Councilmen Henschen and Schmidt—2.

ORDINANCES ON SECOND READING.

Mr. Brown called up special appropriation ordinance No. 58—  
1867, entitled:

AN ORDINANCE to provide for the payment of sundry claims against the City  
of Indianapolis.

Which was read the second time and ordered to be engrossed.

Mr. Kappes called up special ordinance No. 71—1867, entitled:

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures  
complete, to burn gas, except the service pipe, on St. Joseph street, be-  
tween Delaware and Alabama streets,

Which was read the second time and ordered to be engrossed.

Mr. Burgess called up special ordinance No. 86—1867, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures, complete to burn gas, except the service pipe, on Georgia street, between Meridian and Illinois streets,

Which was read the second time and ordered to be engrossed.

ORDINANCES ON THIRD READING.

Mr. Brown called up general ordinance No. 101, entitled :

AN ORDINANCE to prevent trespassing upon the grounds known as the Governor's Circle.

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, Burgess, Coburn, Colley, Cottrell, Foster, Geisel, Goddard, Kappes and Woodburn—10.

Councilman Davis voting in the negative—1.

So the ordinance passed.

Mr. Brown called up special appropriation ordinance No. 58—1867, entitled :

AN ORDINANCE to provide for the payment of sundry claims against the City of Indianapolis.

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, Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Kappes and Woodburn—11.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Kappes called up special ordinance No. 71—1867, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures, complete to burn gas, except the service pipe, on St. Joseph street, between Delaware and Alabama street.

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, Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Kappes and Woodburn—11.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Burgess called up special ordinance No. 86—1867, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures, complete to burn gas, except the service pipe, on Georgia street, between Meridian and Illinois 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, Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Kappes, Stanton and Woodburn—12.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Goddard called up special ordinance No. 89—1867, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures, complete to burn gas, except the service pipe, on Tennessee street, between Washington and Maryland 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, Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Jameson, Kappes, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Brown called up general ordinance No. 107, entitled :

AN ORDINANCE authorizing "The Indianapolis and St. Louis Railroad Company" to construct and maintain a track through the City of Indianapolis, and prescribing the terms thereof.

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, Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Jameson, Kappes, Loomis, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Brown called up general ordinance No. 108, entitled :

AN ORDINANCE authorizing the Bellefontaine Railway Company to construct, maintain and use a track through East Second street, and to change or

deviate from the line of its present track between Market and New York streets.

Which was referred, along with the remonstrance, to a Special Committee consisting of Messrs. Geisel, Stanton and Brown.

UNFINISHED BUSINESS.

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

INDIANAPOLIS, Oct. 9, 1867.

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

GENTLEMEN:—Your Committee beg leave to introduce the report of the Superintendent of Hospital, together with an ordinance appropriating \$442.25, on account of City Hospital for the month of September, 1867.

J. HENRY KAPPES, }  
W. H. LOOMIS. } *Committee.*  
HENRY GEISEL, }

Which was concurred in.

Also, the following:

RECAPITULATION OF THE MONTHLY REPORT OF EXPENDITURES OF THE CITY HOSPITAL, ENDING SEPTEMBER 30, 1867.

Total expenditures for the month .....	\$445 50
Aggregate number of days for which subsistence, etc., was furnished.....	709
Average expense per capita per diem.....	\$0 62

Amount received from patients for board \$50.00.

Which was concurred in.

Also, the following:

RECAPITULATION OF THE MONTHLY REPORT OF THE CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL ENDING SEPTEMBER 30, 1867.

Number of patients in Hospital at last report .....	23
Number of patients received in Hospital since last report.....	11
Number of patients born in Hospital since last report.....	2
Number of patients discharged from Hospital since last report.....	16
Number of patients died in Hospital since last report.....	2
Number of patients remaining in Hospital at present report.....	18

Which was concurred in.

Also, the following:

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING OCTOBER 5, 1867.

Number of patients in Hospital at last report.....	21
Number of patients received in Hospital since last report .....	7
Number of patients born in Hospital since last report .....	0
Number of patients discharged from Hospital since last report.....	4
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report .....	24

Which was concurred in.

Mr. Kappes introduced special appropriation ordinance No. 59—1867, entitled :

AN ORDINANCE appropriating money for the payment of sundry claims on account of the City Hospital for the month of September, 1867.

Which was read the first time by its title.

The City Auditor made the following report:

INDIANAPOLIS, Oct. 7, 1867.

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

The City Auditor respectfully reports to Council:

1st. A contract and bond of Messrs. Kruger & Roney for building one 1200 barrel cistern at the corner of Gregg and East streets.

2d. A contract and bond of Messrs. Kruger & Roney for building one 1200 barrel cistern at the corner of Tennessee and Walnut streets.

3d. A contract and bond of Samuel Hanway for grading and graveling Wabash street and sidewalks, between Illinois and Tennessee streets.

4th. A contract and bond of Feary & Dillon for grading, paving and curbing the sidewalk on the north side of Washington street, between Mississippi and Missouri streets.

5th. A contract and bond of Feary & Dillon for grading, paving and curbing the sidewalk on the south side of Washington street, between Mississippi and Missouri streets.

6th. A contract and bond of Feary & Dillon for building one 1200 barrel cistern at the corner of Alabama and Cumberland streets.

7th. A contract and bond of Feary & Dillon for building one 1200 barrel cistern at the corner of North and Winston streets.

8th. The first and final estimate of Richard Carr for grading and graveling Kentucky Avenue and sidewalks from West street to White River.

Respectfully,

JOHN G. WATERS, *City Auditor.*

Which was received, and bonds approved, and contracts awarded.

Also, the following resolution :

*Resolved,* That the foregoing first and final estimate allowed Richard Carr for grading and graveling Kentucky Avenue and sidewalks between West street and White River, at one dollar and twenty-five cents per lineal foot, 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 adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Jameson, Kappes, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—15.

Councilman Foster voting in the negative—1.

So the resolution was adopted.

The Chief Fire Engineer made the following report :

INDIANAPOLIS, Oct. 7, 1867.

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

GENTLEMEN:—I would respectfully report to your honorable body that I have sold, under the direction of the Committee on Fire Department, the Hand Fire Engine No. 5, Spirit of 7th and 6, for the sum of three hundred and fifty dollars in cash, which has been paid over to the City Treasurer, as per quietus herewith presented.

Very respectfully,

GEORGE W. BUCHANAN, *Chief Fire Engineer.*

Which was concurred in.

The Street Commissioner made the following report :

INDIANAPOLIS, Oct. 9, 1867.

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

I respectfully report that the bridge on Benton street across Pogue's Run is in such a bad condition that it will break down when a heavy load goes over the same. I would advise the Council that they order that stone abutments be built when the said bridge be renewed, on account that a part of the stone abutments are there already.

AUGUST RICHTER, *Street Commissioner.*

Which was referred to the Committee on Bridges.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }  
Indianapolis, Oct. 7, 1867. }

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

GENTLEMEN:—The City Clerk would respectfully report the following affidavits on file in his office for the collection of street assessment by precept, as follows:

James Mahoney against the Bellefontaine Railway Company for \$232.24.  
S. W. & R. H. Patterson against G. Smith for \$23.04.  
S. W. & R. H. Patterson against S. Patterson for \$27.36.  
S. W. & R. H. Patterson against S. J. Carter for \$25.20.  
S. W. & R. H. Patterson against Laura Sinks for \$25.20.  
S. W. & R. H. Patterson against T. B. Elliott for \$233.28.

And would recommend that you order the precepts to issue.

Respectfully,

D. M. RANSELL, *City Clerk.*

Which was concurred in.

Dr. Jameson introduced special appropriation ordinance No. 60—1867, entitled :

AN ORDINANCE appropriating moneys to the Ladies Orphan Asylum.

Which was read the first and second times, and referred to the Committee on Benevolence and City Attorney.

Mr. Stanton presented the following petition :

INDIANAPOLIS, Oct. 9, 1867.

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

Your petitioner, James A. Kealing, represents to your honorable body that on or about the 28th day of December, 1862, he purchased two hundred and forty-six feet, fronting on Washington street, off of the front end of that part of out-lot 83, beginning 20 feet west of the north-east corner of said out-lot, and running thence west 20 feet. That said lot is 420 feet deep, terminating on Maryland street. That since said 28th day of December, 1862, the taxes upon the whole of said lot, viz., twenty feet wide and four hundred and twenty feet deep, have been assessed against the said James A. Kealing. That he has paid the taxes upon the whole of said lot for the years 1862 and 1866, inclusive, amounting to thirty-nine dollars and twenty cents.

Wherefore, your petitioner prays your honorable body that so much of said city taxes which he has paid, which should have been paid by the owner of the 174 feet of said lot fronting on Maryland street, be refunded to him.

James A. Kealing swears that the above petition is true in substance and in fact.

JAMES A. KEALING.

Subscribed and sworn to before me, this 9th day of October, 1867.

DAVID V. BURNS, N. P.

Which was referred to the Finance Committee.

Mr. Stanton, also, presented the following petition :

INDIANAPOLIS, Oct. 7, 1867.

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

GENTLEMEN:—The undersigned most respectfully petition your honorable body to grant a permit for us to gravel the sidewalk in front of our lots on the east side of North West street at our own expense.

MARTIN & WILEY,  
DANIEL AGEN,  
F. BAKER.

Which was granted, and the Civil Engineer instructed to set the proper grade stakes.

Mr. Geisel offered the following motion :

That the Street Commissoner be directed to build culverts on Railroad street between Ohio and North streets, and one on Ohio street between Winston and Davidson streets.

Which was referred to the Board of Public Improvements.

Mr. Foster presented the following petition :

INDIANAPOLIS, Sept. 28, 1867.

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

Your petitioners respectfully ask your honorable body to pass an ordinance to grade and gravel Merrill street and sidewalks, from the east side of West street to the west side of Missouri street.

Your petitioners would further state that the above portion of Merrill st.

is much traveled, and part of it is so low as to become very muddy in wet times.

Thomas Curn,  
John A. Williams,

David J. Williams,  
Mrs. Richard Williams.

Which was referred to the Committee on Streets and Alleys.

Mr. Cottrell offered the following motion:

That the Street Commissioner place a bridge over the gutter on the south side of Wyoming street, at its intersection with the third alley east of Delaware street, so as to make a good wagon crossing.

Which was adopted.

Mr. Geisel offered the following motion:

That the Street Commissioner be directed to notify the Bellefontaine Railway Company to open and enlarge the culverts on the corner of Winston and Ohio streets sufficient to drain the water from Winston street, and, also, the culvert on Ohio street where the same crosses the Railroad track.

Which was adopted.

Mr. Brown introduced special ordinance No. 91—1867, entitled:

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures, complete to burn gas, except the service pipe, on Illinois street, between South and Garden streets.

Which was read the first and second times and ordered to be engrossed.

Mr. Brown offered the following motion:

That a select committee of three be appointed to inquire whether the contractor for paving portions of Louisiana street, between Meridian and Illinois streets, has complied with his contract, and whether the work has been done in a workmanlike manner.

Which was adopted.

His Honor, the Mayor, appointed as such committee Messrs. Brown, Kappes and Woodburn.

Mr. Brown made the following report:

INDIANAPOLIS, Oct. 9, 1867.

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

The Committee on Streets and Alleys, to whom was referred the petition of Orrin Aborn and others, beg leave to report that there has been no objection, in the shape of remonstrances, filed or presented against the proposed vacation of ten (10) feet on each side of Broadway street where the same is now 100 feet in width, and that proof of publication has been made, in due form, of the giving notice, as required by law, of the pendency of the peti-



tion aforesaid. Your committee recommend that the prayer of the petition be granted, and that an order of vacation be passed.

AUSTIN H. BROWN, }  
H. COBURN, } *Committee.*  
J. W. DAVIS, }

Which was concurred in.

Mr. Brown, also, made the following report :

INDIANAPOLIS, Oct. 9, 1867.

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

The Committee on Streets and Alleys, to whom was referred the petition of John W. Byrkit and others, beg leave to report the following resolutions.

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

Which was received.

Also, the following resolution :

*Resolved,* That the City Clerk notify the Commissioners for appraising and assessing the damages and benefits accruing to the owners of lots or lands through which any street is proposed to be constructed, that they will be required to meet at the City Council Chamber, in Indianapolis, on Monday the 11th day of November, 1867, for the purpose of hearing and examining the matters and things contained in the petition presented to the Common Council by John W. Byrkit and others, asking that 25 feet off of the north side of out-lot 124 be vacated, so as to make Norwood street fifty (50) feet in width, and to appraise and assess the damages and benefits accruing to the owners of lots or lands through which such proposed street may be constructed, and to make report thereon to this Council.

*Resolved,* That the City Clerk be directed to give the notice to property owners or agents required to be given in such cases by section 63 of the City Charter, to the owners or agents of property to be affected by the opening of the proposed street.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Jameson, Kappes, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the resolution was adopted.

Mr. Kappes, from the Committee on Printing, reported that they were not in favor of paying Mr. Logan for City Directories furnished City Offices.

Which was concurred in.

Mr. Brown made the following report :

INDIANAPOLIS, Oct. 7, 1867.

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

The Committee on Streets and Alleys, to whom was referred the communication of Thomas Wren, dated August 12, 1867, beg leave to return the

same, the matter complained of being now in the hands of the Committee on Finance, the City Attorney, Engineer and Treasurer.

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

Which was received.

Mr. MacArthur offered the following resolution :

*Resolved,* That the contract of Joseph Schwartz, which expired on the 15th day of September, be declared forfeited, and that the same be awarded to Samuel Hanway, he being the next lowest bidder for grading and graveling Osage street, running north and south between Ohio and New York sts., his bid being 23 cents per lineal foot on each side of the street between the points named.

Which was referred to the City Attorney.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }  
*Indianapolis, Oct. 7, 1867. }*

*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 that Aaron Frazee is the lowest bidder to grade and pave the sidewalks on Indiana Avenue, between Illinois and Mississippi streets, his bid being 64 cents per lineal foot.

We have examined the remonstrance of Mr. Bambarger and others, and find some names of non-residents on it, therefore we would recommend that a remonstrance of that kind be not entertained, and the work be let to the above named party.

Also, that the petition of A. Bird, in reference to paving Indiana Avenue, be not granted.

Also, that S. W. & R. H. Patterson are the best bidders to grade and gravel Bright street and sidewalks, between New York and North streets, bid being 75 cents per lineal foot on each side of street.

Also, that the Indianapolis Gas Light and Coke Company are the only bidders for the erection of lamps and fixtures on Michigan street, between Meridian and Pennsylvania streets.

Respectfully submitted,

JNO. B. MACARTHUR, }  
SAMUEL GODDARD, } *Board.*  
W. H. LOOMIS. }

Which was concurred in.

Also, the following :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }  
*Indianapolis, Oct. 9, 1867. }*

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

GENTLEMEN:—Your Board have examined the bids referred for the grading and paving of Circle street sidewalk on the inner side thereof, and ask to make the following awards :

To build sidewalk, inner side, of Circle street, according to specifications, James Mahony, his bid being seventy-seven and three-fourths cents ( $77\frac{3}{4}$ ).

To build Circle fence Thos. Huskinson, his bid being, according to specification, 84 cents.

In reference to the bids to furnish trees and boxes, your Board ask further time.

Respectfully submitted,

JNO. B. MACARTHUR, }  
SAMUEL GODDARD, } *Board.*  
W. H. LOOMIS, }

Which was concurred in.

On motion by Mr. Brown, the Council adjourned.

DANIEL MACAULEY, *Mayor.*

ATTEST:

D. M. RANDELL, *City Clerk.*