

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS,  
MONDAY, MAY 13TH, 1867, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

Present—Honorable Sims A. Colley, President *pro tem.*, in the chair, and the following members :

Councilmen Brown, Colley, Kappes, Loomis, MacArthur, Schmidt and Seidensticker—7, of the old Council holding over ; and the following new members elect, who, having filed their certificates of election and oath of office with the City Clerk, in accordance with the provisions of the City Charter, appeared and took their seats, to-wit :

From the First Ward—P. H. Jameson.

From the Second Ward—Henry Coburn.

From the Third Ward—Joseph W. Davis and Dr. J. H. Woodburn.

From the Fourth Ward—Ambrose P. Stanton.

From the Fifth Ward—Samuel Goddard.

From the Sixth Ward—James Burgess.

From the Seventh Ward—Thomas Cottrell.

From the Eighth Ward—William H. Henschen.

From the Ninth Ward—Henry Geisel.

Absent—Councilmen Grosvenor—1.

The proceedings of the regular session held May 6th, 1867, and of the special session held May 8th, 1867, were read and approved.

Mr. Colley, President, *pro tem.*, then introduced Gen. Daniel Macauley, the Mayor elect, who, having filed his certificate of election and oath of office with the City Clerk, in accordance with the provisions of the City Charter, took his seat, and, also, delivered the following message :

*Gentlemen of the Council :*

In compliance with custom and the requirements of the "Charter," I have the honor to submit for your consideration the following remarks and recommendations :

First. We have reason to congratulate ourselves upon the rapid growth and general prosperity of our city under many adverse circumstances incident to the recent great national transition from civil war to peace.

Our city limits are being rapidly filled with an excellent class of buildings, and one after another of the old landmarks of "Indianapolis-as-it-was" gives way to important improvements in such quick succession that the many evidences of our advancement are, in all directions, prominent and gratifying.

We have much, as a community, to be thankful for. For our providential escape from the great pestilence which last year visited Cincinnati, St. Louis, Chicago and other surrounding places; for our almost wonderful exemption from the devastating fires so frequent in less fortunate cities; and also, for the acknowledged excellent condition of our finances, due in a great measure to the prudent and good management of our late Mayor and Common Council.

In the present condition of affairs, and where so little has been left undone, I have but few recommendations of importance to make, one of which, however, I feel it my duty to urge almost immediate action upon—the purchase of an additional Steam Fire Engine. I am aware the subject is not a new one, and that it has been for some time under advisement, but I am also aware that pending the discussion of the relative cost and merits of different engines, the city remains without the desired service and protection. A fire, destroying some valuable block of buildings, would, I am sure, develop the necessity for the prompt purchase of one, if not *two*, machines, and I beg that no such terrible lesson find us unprepared.

Another subject of vital importance to all is the immediate and stringent enforcement of proper laws relative to the cleanliness of the city. The danger of pestilence is by no means past, and neglect in this matter is an invitation too plain for *Cholera* to be disregarded.

I also recommend that the great interests involved in the erection of the proposed "House of Refuge" and "City Jail," be furthered by such early action as the Council is empowered to take.

As matters of minor importance and yet essential to comfort and propriety I would recommend the completion of lettering the names of streets and alleys on the street lamps or corner buildings; also, such action as will effectually abolish and prohibit the long endured nuisance common on our principal business streets, called *corner loafing*, and finally, such improvement of the "Governor's Circle" as will alter its present disgraceful appearance, too long a reproach in the very center of our beautiful city.

And now, gentlemen, our duties seem to me to be clear. Let our every action tend to the benefit and welfare of the city without fear or favor. Let us practice a wise economy; and with mutual forbearance and courtesy to each other in all our dealings, move unflinchingly forward with our charge in the front ranks of human rights and progress.

DANIEL MACAULEY, *Mayor.*

Mr. Loomis moved to refer the message to an appropriate Committee.

Dr. Jameson moved to amend by having the message printed in pamphlet form for the use of the members of the Council.

Which amendment was adopted.

Dr. Jameson moved that the regular order of business be suspended and the bonds of the City Officers be taken up.

Which was adopted.

The City Clerk presented the official bonds of the General City Officers elect, who, having otherwise qualified in accordance with the provisions of the City Charter, entered upon the duties of their respective offices, after having their bonds approved, as follows, to-wit :

ROBERT S. FOSTER, City Treasurer, giving as security John C. New, H. Bates, Jr., Deloss Root, Wm. J. Johnston, Samuel A. Johnston, Laz. Noble, Mansur H. Wright and John Bradshaw—penalty of bond \$600,000.00.

DANIEL M. RANSELL, City Clerk, giving as security Judson R. Osgood and Geo. W. Parker—penalty of bond \$5,000.00.

JOHN UNVERSAW, City Marshal, giving as security Wm. H. Craft—penalty of bond \$2,000.00.

WILLIAM HADLEY, City Assessor, giving as security Jacob T. Wright and Jonathan J. Wright—penalty of bond \$5,000.00.

JOHN N. SCOTT, City Judge, giving as security Benjamin Harrison—penalty of bond \$3,000.00.

All of which were severally accepted and approved.

Mr. Seidensticker presented the bond of JOHN W. COONS, as City Auditor, giving as security Charles Coulon, George W. Parker and Fred. Knefler ; also, the following communication :

INDIANAPOLIS, May 13, 1867.

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

Your petitioner, John W. Coons, would respectfully represent to your honorable body, that at a meeting of the Common Council, had and held on the 15th day of January, A. D. 1866, among other things the following proceedings were had, to-wit :

"Mr. Loomis then offered the following motion :

"That this Council now proceed to elect a City Auditor for the city of Indianapolis, to *serve as such for and during the term ending on the second Tuesday in May, A. D. 1867*, and until his successor shall be elected and qualified.

"Which motion was adopted.

His Honor, the Mayor, appointed Councilmen Coburn and Glazier as Tellers.

Councilman MacArthur nominated John G. Waters for the office of City Auditor.

The roll being called and the vote taken, it was ascertained that John G. Waters received 13 votes, Blank received 4 votes, and General McGinnis received 1 vote.

John G. Waters having received a majority of the votes cast, and being a majority of all the members of the Council, was declared duly elected to the office of City Auditor for the city of Indianapolis, *for the term ending on the second Tuesday in May, 1867, and that thereafter, to wit:*

On the 5th of March, 1866, the said John G. Waters as such Auditor, presented to the Council for approval his official bond, in the penal sum of \$5,000, and the same, among other things, recites as follows:

"Now the condition of the above obligation is such that whereas, the above bound John G. Waters was, on the 15th day of January, 1866, duly elected by the Common Council of the city of Indianapolis, to fill the office of City Auditor in and for the city of Indianapolis, Marion county, Indiana, *for the term ending the 2d Tuesday in May, 1867, and until his successor is elected and qualified.*"

Which bond was, by said Council, approved, and the said Waters entered upon the discharge of the duties of said office, for the *period and term aforesaid.*

And your petitioner would further represent, that afterwards, to-wit, on the first Tuesday in May, 1867, to-wit:

On the 7th of said month, at a regular election held in said city for the election of city officers, he was a candidate before the people of said city, at said regular election, for said office of City Auditor, and his opponent for said office at said election was one ——— Marshall, that each of their said names were printed upon their respective party tickets, and they were each voted for at said election for said office. That the vote which they each received is as follows:

In the First Ward your petitioner received 436 votes, and said Marshall received 198 votes.

In the Second Ward your petitioner received 421 votes, and said Marshall received 106 votes.

In the Third Ward your petitioner received 426 votes, and said Marshall received 167 votes.

In the Fourth Ward your petitioner received 395 votes, and said Marshall received 291 votes.

In the Fifth Ward your petitioner received 360 votes, and said Marshall received 517 votes.

In the Sixth Ward your petitioner received 418 votes, and said Marshall received 359 votes.

In the Seventh Ward your petitioner received 216 votes, and said Marshall received 322 votes.

In the Eighth Ward your petitioner received 349 votes, and said Marshall received 402 votes.

In the Ninth Ward your petitioner received 274 votes, and said Marshall received 424 votes.

That your petitioner received a majority of all the votes cast for said office, and was duly and legally elected thereto. He states that he is informed and believes that the Board of Canvassers of the votes cast at said election failed, neglected and refused to certify the vote thus cast for said office, that said Board of Canvassers unlawfully assumed, usurped and exercised the power to decide that no vacancy existed in said office of Auditor, and therefore, as he is informed, refused to certify the vote so cast for your petitioner, and notwithstanding the fact that your petitioner received a majority of all the votes cast for said office, and was duly and legally elected thereto, said Board of Canvassers failed, neglected and refused to certify that fact, as they were in duty bound to do under the law.

Your petitioner, therefore, in consideration of the facts aforesaid, represents to the Council that the period and term for which said Waters was elected has expired, and is at an end, and that the said Waters is no longer legally in office, and your petitioner, by virtue of his said election, by a majority of the qualified voters of the city of Indianapolis, who voted as aforesaid, claims said office, and he presents herewith, for approval by the Council, his official bond as such Auditor, and prays that the same may be in all things approved, and that by order of record said Council do direct that your petitioner have and enter upon the discharge of the duties of said office, and that the said Waters be directed to surrender and deliver up to your petitioner all the books, papers and records pertaining to and connected with said office, so that your petitioner may, without delay, in all things enter upon the discharge of his official duties in the premises, all of which your petitioner respectfully demands, as his legal right in the premises.

JOHN W. COONS.

HANNA & KNEFLER, Att'ys for Petitioners.

Mr. Seidensticker, also, offered the following motion :

That the communication of Mr. Coons, together with his bond, be referred to the City Attorney, with instructions to report on the petition.

Which was adopted.

Mr. Seidensticker offered the following resolution :

*Resolved*, That the Council do now proceed to ballot for and elect the officers, to be elected in the following order :

1. City Attorney.
2. Street Commissioner.
3. Civil Engineer.
4. Chief Fire Engineer.
5. Market Master.
6. City Sealer of Weights and Measures.
7. Wood Measurer for East Market.
8. Wood Measurer for West Market.
9. Sexton City Cemetery.
10. City Printer.
11. President *pro tem.* of Council.
12. Board of Health.

*Resolved further*, That the election of the members of the Board of Public Improvements, and of the Board of Police, be postponed to the next regular meeting.

Mr. Brown called for a division of the question, also, for the ayes and noes.

The question being on the adoption of the first resolution, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—17.

No Councilman voting in the negative.

So the resolution was adopted.

The question then being on the adoption of the second resolution, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—17.

No Councilman voting in the negative.

So the resolution was adopted.

Mr. Brown presented the following affidavits :

STATE OF INDIANA, }  
MARION COUNTY, } ss:

Dennis Shehan being first duly sworn, upon his oath, says that affiant has been in the employ of August Richter, the Street Commissioner, sixteen months within the last two years; that said Street Commissioner has been in the habit of paying off his hands on Sunday morning, between eight and ten o'clock. Affiant further says that during said sixteen months that he was in the employ of said Street Commissioner, he signed only two receipts that was filled up. All other receipts signed by affiant were blank receipts, so signed by him at the request of the said Street Commissioner.

DENNIS SHEHAN.

Sworn to and subscribed before me, this 13th day of May, 1867.

A. CURTIS, J. P.

STATE OF INDIANA, }  
MARION COUNTY, } ss:

David Gilchrist being first duly sworn upon his oath, says that he has been in the employ of Mr. August Richter about sixteen months within the last two years; that said Richter, he being Street Commissioner, was in the habit of paying off his hands on Sunday morning every two weeks. Affiant further says that during said sixteen months that he was in the employ of said Street Commissioner, all the receipts by him signed were blank receipts, except five or six, and so signed at the request of said Street Commissioner.

DAVID GILCHRIST.

Subscribed and sworn to before me, this 13th day of May, 1867.

A. CURTIS, J. P.

Mr. Seidensticker moved that the affidavits be laid upon the table.

Mr. Brown called for the ayes and noes.

The question being on the motion to lay on the table, those who voted in the affirmative were Councilmen Burgess, Coburn, Colley, Davis, Goddard, Jameson, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—12.

Those who voted in the negative were Councilmen Brown, Cottrell, Geisel and Henschen—4.

Councilman Kappes asked to be excused from voting.

So the motion to lay on the table was adopted.

His Honor, the Mayor, appointed Councilmen Brown and Coburn as tellers.

The Council then proceeded to ballot for City Officers, which resulted in the choice of the following named persons, viz. :

*City Attorney*—BYRON K. ELLIOTT.

*Street Commissioner*—AUGUST RICHTER.

*City Civil Engineer*—R. M. PATTERSON.

*Chief Fire Engineer*—GEORGE W. BUCHANAN.

*Market Master*—SAMPSON BARBEE.

*City Sealer of Weights and Measures*—AUGUSTUS BRUNER.

*Wood Measurer*—East Market—LOVE H. JAMESON.

*Wood Measurer*—West Market—JOHN FORD.

*Sexton City Cemetery*—GARRISON W. ALLRED.

In relation to the election of City Printer, Mr. Cottrell, with the consent of Council, offered the following resolution :

*Resolved*, That the Committee on City Printing are hereby instructed to advertise for proposals for doing what printing the city may require for the next two years, commencing May 21, 1867, and ending May 21, 1869.

Mr. Seidensticker raised to a point of order, that, inasmuch as the Council had agreed to go into an election of City Officers, that the resolution was out of order.

Which was sustained by the Chair.

Mr. Brown appealed from the decision of the Chair, and called for the ayes and noes.

Those who voted in the affirmative were Councilmen Burgess, Coburn, Colley, Davis, Goddard, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—13.

Those who voted in the negative were Councilmen Brown, Cottrell, Geisel and Henschen—4.

So the decision was sustained, and the election of City Printer and other officers resulted as follows :

*City Printer*—JAMES G. DOUGLASS.

*President, pro tem., of Council*—SIMS A. COLLEY.

*Board of Health*—DR. GEO. W. MEARS. DR. JOHN P. AVERY and DR. ROBERT N. TODD.

Mr. MacArthur moved that the Council draw for choice of seats.

Which motion failed.

The regular order of business was then taken up.

Mr. Brown offered the following motion :

That J. & P. Gramling be allowed the privilege of paving with flag stone, the sidewalk in front of their building on East Washington street, between Meridian and Pennsylvania streets, provided the same be done at their own expense, and to the satisfaction of the Civil Engineer.

Which was adopted.

Mr. Brown, also, offered the following motion :

That the City Clerk is hereby directed to report to this Council the returns of the election held in the Fifth Ward on the 7th of May, 1867, as made to him by the Board of Election of said Ward.

Which was adopted.

Mr. Coburn presented the following petition :

INDIANAPOLIS, May 13, 1867.

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

GENTLEMEN:—The undersigned, owner of the Macy House property, southeast corner of Market and Illinois streets, in said city, respectfully represents that he is desirous of re-laying the pavement on the Market street sidewalk, that the grade recently established, places the curb stone so high that it is impossible to conform to said grade without serious damage to his buildings; that at the time his buildings were erected, they were placed so as to conform to the then existing grade, wherefore your petitioner requests permission to make such deviation from the established grade as the circumstances require.

DAVID MACY,  
By SPANN & SMITH, Agt's.

Which was referred to the Board of Public Improvements and Civil Engineer.

Mr. Coburn offered the following motion :

That John H. Bradley be allowed to grade the alley running through square thirty-seven, between Massachusetts Avenue and New York street, and that the Civil Engineer be instructed to set the grade stakes.

Which was adopted.

Mr. Cottrell offered the following resolution :

*Resolved,* That the Judiciary Committee be and they are hereby instructed to inquire and report to the Common Council at its next regular meeting, how it happened that Mr. McSheppard, who received a majority of all the votes cast for Councilman in the Fifth Ward, at the recent election, is denied his seat in this body, while Mr. Goddard, who received a *large* minority for the same office, is admitted, and further, whether the law in relation to the election of Councilman does in fact provide that a candidate having the smallest number of votes at any such election shall be declared duly elected?

Mr. Seidensticker moved to lay the resolution on the table.



Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Burgess, Cournburn, Colley, Davis, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—12.

Those who voted in the negative were Councilmen Brown, Cottrell, Geisel and Henschen—4.

Councilman Goddard asked to be excused from voting.

So the resolution was laid upon the table.

Mr. Cottrell offered the following resolution :

*Resolved*, That the Street Commissioner be instructed to have the gutter on the east side of Delaware street, between South and Bicking streets, properly cleaned out.

Which was referred to the Board of Public Improvements.

Mr. Davis introduced special ordinance No. 29—1867, entitled :

AN ORDINANCE to provide for lighting with gas, Tennessee street, between Washington and Ohio streets,

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

Mr. Geisel offered the following motion :

That the Street Commissioner be instructed to fill up the gutters at the crossing of New York and Davidson streets.

Which was referred to the Board of Public Improvements.

Dr. Jameson offered the following motion :

That the Treasurer be directed to cash, on presentation, all warrants drawn in favor of City Lamp Lighter.

Which was adopted.

Mr. Kappes presented the following remonstrance :

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

INDIANAPOLIS, May 13, 1867.

GENTLEMEN:—The undersigned property holders, respectfully remonstrate against the grading and bouldering of Pennsylvania street, between Michigan and North streets, for the reason that the cost of said improvement would be very burdensome to them at present.

Frederick Ruschhaupt, Henry Day,  
E. C. Atkins.

Which was referred to the Board of Public Improvements.

Mr. MacArthur presented the following remonstrance :

INDIANAPOLIS, May 9, 1867.

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

We, the majority of the tax-payers, residents of Fayette street, do hereby remonstrate against the grading of the above named street for the present.

The undersigned are not in circumstances to pay for the grading and gravelling of this street, owing to the dullness of the times, the extraordinary high prices for everything that we eat or wear. Furthermore, this street can be graded for a good deal less money after a while than it would be done now.

Mr. Semmes,	James Callaghan,
John Carpenter,	Michael Griffin,
Edward Cropper,	And 12 others.

Which was referred to the Board of Public Improvements.

Mr. MacArthur offered the following motion :

That Fred. Stoelting be permitted to put a post at the corner of the sidewalk at the intersection of West and North streets, so as to prevent wagons from driving across said sidewalk.

Which was adopted.

Mr. Seidensticker presented the following petition :

INDIANAPOLIS, May 13, 1867.

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

The undersigned respectfully petitions for permission to curb and boulder the gutter along East street in front of lot 1, in block H, in this city, and also for paving with brick the sidewalk in front of said lot, under the direction of the Civil Engineer.

E. SMITH.

Also, the following motion :

That the prayer of the petitioner be granted, and the Engineer directed to set the proper grade stakes.

Which was adopted.

Mr. Seidensticker presented the following remonstrance :

INDIANAPOLIS, May 13, 1867.

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

The undersigned, property holders on Broadway, and owners of all the lots fronting that street south of the former car shop respectfully request your honorable body, the Mayor and Council of the City of Indianapolis, not to improve Broadway this season, but making first said street equally wide during its whole length from St. Clair street to the city limits.

Isaac N. Lane,	Charles Roesener,
Max. G. S. Stern,	Jos. D. Pattison.

Which was referred to the Board of Public Improvements.

Mr. Seidensticker offered the following motion :

That the Civil Engineer be instructed to examine whether the new track laid across Washington street by the Bellefontaine Railway Company is not above the regular grade, and if so, to notify said company to comply with the grade.

Which was adopted.

His Honor, the Mayor, presented the following petition :

INDIANAPOLIS, May 13, 1867.

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

You are all well aware that the last Legislature made an appropriation of fifty thousand dollars for a House of Refuge for juvenile offenders. It appears that this is not money enough to procure the grounds the Governor wants, and put up suitable buildings. In behalf of the tax-payers of our city, we would ask your honorable body to appropriate (\$5,000) five thousand dollars to the Governor to apply to that fund, for the location of the house in Marion county. The location of this house in our county is worth more to our citizens and county than any Agricultural College. We fear our county would send more pupils to the House of Refuge than we would to the Agricultural College. We have called on the County Commissioners for ten thousand dollars, which we think will be forth coming.

The Governor does not ask for this amount of money, but when we see as small a place as Plainfield offering ten thousand dollars, and the probability of the Governor locating this house near that village, it behooves us as citizens of the Capital of the State to do something to procure the location in this county, and near this city.

Taking into consideration these facts, we hope your honorable Council will make a donation of the \$5,000 to Governor Baker, to be applied to this fund already appropriated by the State, for the purpose of securing the location and building of said house for juvenile offenders near this city.

Respectfully,

ANDREW WALLACE.

Which was referred to the Judiciary Committee and City Attorney.

His Honor, the Mayor, announced the following Standing Committees :

*Accounts and Claims*—Henry Coburn, James H. Woodburn, and J. H. Kappes.

*Judiciary*—Sims A. Colley, Adolph Seidensticker, and A. P. Stanon.

*Finance*—Dr. P. H. Jameson, C. F. Schmidt, and T. Cottrell.

*Revision of Ordinances*—A. Seidensticker, Sims A. Colley, and T. Cottrell.

*Streets and Alleys*—A. H. Brown, Henry Coburn, and J. W. Davis.

*Fire Department and Cisterns*—Henry Coburn, J. H. Kappes, and J. W. Davis.

*Police*—Wm. H. Loomis, J. A. Grosvenor, and James Burgess.

*Markets*—J. B. McArthur, S. Goddard, and Wm. H. Henschen.

*Public Buildings*—Dr. P. H. Jameson, Dr. J. H. Woodburn, and Wm. H. Henschen.

*Gas Light*—C. F. Schmidt, S. Goddard, and J. B. McArthur.

*Printing and Stationery*—J. H. Kappes, A. H. Brown, and A. P. Stanton.

*Benevolence and Hospitals*—J. H. Kappes, W. H. Loomis, and Henry Geisel.

*Bridges*—Joseph W. Davis, James Burgess, and Henry Geisel.

Mr. Brown moved that a committee of three be appointed to report rules and regulations for the government of Council.

Which was adopted.

His Honor, the Mayor, appointed as such committee Councilmen Brown, Seidensticker and Stanton.

#### REPORTS FROM COMMITTEES.

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

INDIANAPOLIS, May 13, 1867.

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

GENTLEMEN:—Your Committee, to whom was referred the petition of Messrs. James Blake, President, and James M. Ray, Treasurer of the Indianapolis Benevolent Society, respectfully report in favor of an appropriation of \$500 to be carefully distributed by said Benvolent Society.

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

Which was concurred in.

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

INDIANAPOLIS, May 13, 1867.

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

GENTLEMEN:—Your Committee on Hospitals beg leave to present the weekly report of the Superintendent of the Hospital.

J. H. KAPPES, *Chairman.*

Which was received.

Also, the following :

#### RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING MAY 11, 1867.

Number of patients in Hospital at last report.....	29
Number of patients received in Hospital since last report .....	2
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 .....	27

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

## REPORTS FROM CITY OFFICERS.

The City Attorney made the following report :

INDIANAPOLIS, May 10, 1867.

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

GENTLEMEN:—In obedience to your directions, I have examined the provisions of the Charter respecting the term of office of the Councilmen elected at the late city election, and respectfully submit the following opinion :

The provisions of the Charter respecting the term of office of Councilmen are, like many of the provisions of the present Charter, confused and obscure, but I think the intention of the Legislature was to make the term of office of Councilmen elected at the recent election, to hold their office for two years. This is the only construction that will give effect and meaning to the provisions of the act, and harmonize the apparent conflict in the various provisions upon the subject.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

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

The City Auditor made the following report :

INDIANAPOLIS, May 13, 1867.

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

GENTLEMEN:—The City Auditor would respectfully report the following :

First and final estimate allowed the Indianapolis Gas Light and Coke Co., for erecting lamp posts, lamps and fixtures on South street, between Pennsylvania and Tennessee streets.

First and final estimate allowed the Indianapolis Gas Light and Coke Co., for erecting lamp posts, lamps and fixtures on Indiana avenue, between Tennessee and West streets.

First and final estimate allowed the Indianapolis Gas Light and Coke Co., for erecting lamp posts, lamps and fixtures on West street, between Vermont and Noble streets.

First and final estimate allowed D. Root for erecting lamp posts, lamps and fixtures on Virginia avenue, between South and Bradshaw streets.

First and final estimate allowed D. Root for erecting lamp posts, lamps and fixtures on Tennessee street, between Michigan street and the corporation line north.

First and final estimate allowed D. Root for erecting lamp posts, lamps and fixtures on New Jersey street, between New York street and Fort Wayne avenue.

JOHN G. WATERS, *City Auditor,*

Which was received.

Also, the following resolution :

*Resolved,* That the foregoing first and final estimate allowed the Indianapolis Gas Light and Coke Company, for erecting lamp posts, lamps and fixtures on South street, between Pennsylvania and Tennessee 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 adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn,

Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn  
—17.

No Councilman voting in the negative.

So the resolution was adopted.

*Resolved*, That the foregoing first and final estimate allowed the Indianapolis Gas Light and Coke Company for erecting lamp posts, lamps and fixtures on Indiana avenue, between Tennessee and West streets, 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 adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn  
—17.

No Councilman voting in the negative.

So the resolution was adopted.

*Resolved*, That the foregoing first and final estimate allowed the Indianapolis Gas Light and Coke Company, for erecting lamp posts, lamps and fixtures on West street, between Vermont and North 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 adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn  
—17.

No Councilman voting in the negative.

So the resolution was adopted.

*Resolved*, That the foregoing first and final estimate allowed D. Root for erecting lamp posts, lamps and fixtures on Virginia avenue, between South and Bradshaw streets, 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 adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn.  
—17.

No Councilman voting in the negative.

So the resolution was adopted.

*Resolved*, That the first and final estimate allowed D. Root for erecting lamp posts, lamps and fixtures on Tennessee street, between Michigan 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 adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn —17.

No Councilman voting in the negative.

So the resolution was adopted.

*Resolved*, That the first and final estimate allowed D. Root for erecting lamp posts, lamps and fixtures on New Jersey street, between New York street and Fort Wayne 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 adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn —17.

No Councilman voting in the negative.

So the resolution was adopted.

The City Civil Engineer made the following report:

INDIANAPOLIS, May 13, 1867.

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

The Civil Engineer would respectfully report the following amount of work finished according to contract:

John Schier, for grading and graveling Vermont street and sidewalks, between the Peru Railroad track and Winston street.

Length of north side	- - - - -	442 feet.
Length of south side	- - - - -	442 "
Total length of both sides	- - - - -	884 feet.
At \$1.07 per lineal foot	- - - - -	\$1 07
Total	- - - - -	\$945 88

Respectfully submitted,  
 JOSHUA STAPLES, JR., *Civil Engineer.*

Which was accepted and approved, and the City Auditor directed to prepare and report estimate.

The City Marshal made the following report :

INDIANAPOLIS, May 13, 1867.

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

GENTLEMEN:—I have appointed M. R. Scudder as my Deputy, and ask you to confirm the appointment.

Respectfully,

JOHN UNVERSAW, *City Marshal.*

The question being on concurring in the report, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—17.

No Councilman voting in the negative.

So the report was concurred in, and the appointment of Mr. Scudder, as Deputy Marshal, confirmed.

The City Clerk submitted the following report of the City Commissioners.

INDIANAPOLIS, May 7, 1867.

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

The Commissioners of Streets and Alleys respectfully submit the following report in the matter of the opening of Broadway street running north and south through a five (5) acre piece of ground, in out lot No. 181, from its terminus north of Arch street, to its terminus south of Vine street, in the city of Indianapolis.

That pursuant to the notices issued and served, they met at the office of the City Clerk on the 4th day of May, 1867, and proceeded to examine into the case above mentioned, and having duly examined the real estate through which it is proposed to open said street, and being advised in the premises, find that Broadway street, one hundred (100) feet in width, should be opened to the public to run north and south through a five (5) acre piece of ground, in out-lot No. one hundred and eighty-one (181,) to make the street continuous from St. Clair street to the Corporation line, as asked for by petitioners.

That the opening of said street is required for the welfare and convenience of the public.

That the value of the land to be appropriated, is four hundred dollars (\$400.)

That no part of the expense of such opening of such street should be borne by the city of Indianapolis.

That the persons below named are benefitted upon the real estate described, in the sums set opposite their respective names :

Unknown owners of a five acre piece of ground in out-lot No. 181, \$400.

And we assess the said sum against the persons aforesaid.

That the persons below named have sustained damages upon the following described real estate:

Unknown owners of a five acre piece of ground in out-lot No. 181, \$400.

And we assess the said sum against the persons aforesaid.

All of which is respectfully submitted.

SAMUEL M. SEIBERT,	} <i>Commissioners.</i>
JAMES C. YOHN,	
JAMES N. RUSSELL,	
THOMAS SCHOOLEY,	
WILLIAM BRADEN,	



Which was referred to the City Attorney.

ORDINANCES ON SECOND READING.

Mr. Brown called up special ordinance No. 26—1867, and moved to amend so as to read “between McCarty and Ray streets,” instead of “between McCarty street and Corporation line south.”

Which amendment was adopted.

The ordinance, as amended, was then read the second time and considered as engrossed.

Mr. Davis called up special ordinance No. 29—1867, which was read the second time, and ordered to be engrossed.

ORDINANCES ON THIRD READING.

Mr. Brown called up special ordinance No. 26—1867, entitled:

AN ORDINANCE to provide for lighting with gas Meridian street, (or Bluff Road,) between McCarty and Ray 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, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—17.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Loomis called up special ordinance No. 27—1867, entitled:

AN ORDINANCE to provide for the erection of lamp-posts on South street, between Virginia Avenue and School 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, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—17.

No Councilman voting in the negative.

So the ordinance passed.

## UNFINISHED BUSINESS.

Mr. MacArthur presented the following communication :

INDIANAPOLIS, May 13, 1867.

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

GENTLEMEN:—The undersigned would respectfully ask your honorable body, in making appropriations for the poor to be given to the Indianapolis Benevolent Society, to require that said Society will distribute it to every person in need, without distinction of religious creed, and the petitioners as in duty bound, will ever pray.

AUG. BESSONIES,  
Pastor St. John's Church.

Which was referred to the Committee on Benevolence and Hospital.

Mr. Seidensticker offered the following motion :

That the list of Standing Committees be printed for the use of the Council.

Which was adopted.

Mr. Seidensticker, also, offered the following motion :

That the appointment of Registers for the different Wards of the City, under the Registry Law, be made the special order for the meeting to be held on the 27th of May.

Which was adopted.

Mr. Seidensticker moved that general ordinance No. 81—1867, prescribing rules and regulations for the government of the Council, and to change the meetings of the Council, be referred to the Committee on Rules.

Which was adopted.

Mr. Kappes, from the Committee on Benevolence and Hospital, introduced special appropriation ordinance No. 25—1867, entitled :

**AN ORDINANCE** appropriating money for the relief of the poor and suffering of the City of Indianapolis,

Which was read the first time by its title, and, on motion, was read the second time and ordered to be engrossed.

On motion by Mr. Seidensticker, the Council adjourned.

DANIEL MACAULEY, *Mayor.*

ATTEST:

C. S. BUTTERFIELD, *City Clerk.*