

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, AUGUST 23TH, 1865, 7½ 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 at first roll-call :

Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, Schmidt Seidensticker and Thompson—15.

Absent—Councilmen Lefever, MacArthur and Staub—3.

The proceedings of the regular session, held August 21st, 1865, were read and approved.

By Dr. Jameson—Petition :

INDIANAPOLIS, August 19, 1865.

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

We, the undersigned, respectfully petition the honorable Council of the City of Indianapolis, to have a pit filled on Arch street, between Jackson street and Massachusetts Avenue.

N. Veach,
A. Kown,
J. Young,

W. H. Case,
John W. Albert,
And 3 others.

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

By Mr. Emerson—Petition :

INDIANAPOLIS, August 28, 1865.

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

We the undersigned subscribers and property holders, would most respectfully petition your honorable body to pass an ordinance allowing the grading and graveling, with pit gravel, of North street, between Blackford and Minerva streets, said street being almost in an impassable condition.

Daniel H. Lintner,	John W. Smith,
Wm. N. Keesee,	Wm. Courtney,
Michael McGlinn,	And 3 others.

Which, on motion, was referred to the Board of Public Improvements, with instructions to report an ordinance.

By Mr. Seidensticker—Petition :

INDIANAPOLIS, August 28, 1865.

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

The undersigned, property holders along St. Clair street, respectfully petition your honorable body to have St. Clair street, between East and Massachusetts Avenue, opened of the uniform width of sixty feet, that being the general width of said street except at the corner of St. Clair and East streets, where, for a depth of 180 feet, it is only 40 feet wide.

J. E. Lidlum,	Wm. Kown,
Wm. M. Mitchell,	H. Kettenbach,
Matthew Arbuckle,	And 4 others.

Which, on motion, was referred to the Commissioners of the City of Indianapolis, and the City Clerk directed to call meeting of same.

By Mr. Glazier—Petition :

INDIANAPOLIS, August 28, 1865.

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

The undersigned citizens of the Seventh Ward of the city of Indianapolis, Indiana, respectfully petition your honorable body to order the opening of a street from the present terminus of New Jersey street, (at Merrill street,) by continuing the same (New Jersey street) southward, in a direct line with the said New Jersey street, and of equal width as the same now is, until it reaches McCarty street. For which your petitioners will ever pray.

Henry Raymond,	E. T. Sinker,
Joseph W. Davis,	N. Simpson,
Chas. C. Hunt,	And 43 others.

Which, on motion, was referred to the Commissioners of the City of Indianapolis.

By Mr. Grosvenor—Petition :

INDIANAPOLIS, August 28, 1865.

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

Your petitioner would respectfully represent that the pavement now being put down on the south side of Kentucky Avenue, between Illinois and Tennessee streets, if put down as directed by City Engineer, will bring the inner

side of the pavement two inches above the door sill of my property. Your petitioner would ask that the grade of the inner side of the walk in front of my said property, may be put down two inches, which if down will still leave a fall of five (5) inches from the inside of walk to the outside, or curb, and your petitioner will ever pray.

H. E. HEZEKIAH.

Which, on motion, was referred to the Committee on Streets and Alleys.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, August 23, 1865. }

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 recommend to your honorable body that they have had prepared an ordinance for the grading and graveling of West street between Merrill and McCarty streets, as petitioned for by property holders, which they recommend to be read the 1st and 2nd time and then laid over until the 2d meeting in February 1866.

HENRY COBURN, }
AD. SEIDENSTICKER, } *Board.*

Which, on motion, was laid upon the table.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, August 23, 1865. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that they find the following persons the lowest bidders, and that the contracts be awarded them:

Martin L. Coyner to grade, gravel, pave and curb Vermont street and sidewalks, between Pennsylvania and Meridian streets, at the following prices: Grade 48 cents per cubic yard; gravel \$1.48 cents per cubic yard; curb 25 cents per lineal foot; paving \$1.00 per superficial yard.

Andrew Stewart to grade and gravel James street, between Indiana Avenue and St. Clair street, at the following prices: Grade 69 cents per cubic yard; gravel \$1.65 cents per cubic yard.

HENRY COBURN, }
AD. SEIDENSTICKER, } *Board.*

Which, on motion, was concurred in and the contracts awarded as recommended.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, August 23, 1865. }

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 recommend to your honorable body that the property holders on west side of Missouri street be allowed to grade and gravel their

sidewalk, between South and Merrill streets, and that the ordinance now before the Council be stricken from the files.

HENRY COBURN,
AD. SEIDENSTICKER, } *Board.*

Which, on motion, was concurred in and the prayer of the petitioners granted, providing, the work be done under the direction of the Civil Engineer.

By Mr. Coburn, from the Committee on Acts and Claims :

INDIANAPOLIS, August 28, 1865.

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

The Committee on Accounts and Claims, to whom was referred the report of the Committee on Fire Department and Cisterns to report an ordinance to allow Wm. Wood to settle with him on the following basis :

1st. That Mr. Wood be allowed the full amount of his bill for the cisterns on corner of East and McCarty and Vermont and Davidson streets.

2d. The Committee on Fire Department and Cisterns recommend that the contract for the three cisterns be forfeited ; but in consideration of Mr. Wood's efforts to perfect them, he be allowed the sum of \$257.95.

We would report that Mr. Wood refused to accept the allowance, and is now at work repairing them, and that he wants nothing until they are finished to the satisfaction of the Council.

H. COBURN,
J. H. KAPPES, } *Committee.*

Which, on motion, was laid upon the table.

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

PETITION OF WILLIAM Y. WILEY AND JAMES WILEY FOR VACATION OF CERTAIN STREETS AND ALLEY.

Be it remembered, That at a meeting of the Common Council of the city of Indianapolis, held on the 21st day of August, 1865, the Committee on Streets and Alleys made a report recommending that the prayer of the above named petitioners be granted, and that all the streets and alleys mentioned in their petition be vacated, which report of such Committee was, at such meeting of the said Common Council, concurred in.

Now come the petitioners, William Y. Wiley and James Wiley, and produce proof that they have given proper notice of the pendency of their petition to the Common Council to vacate all the streets and alleys designated in Phillips' subdivision of parts of out-lots one hundred and sixty-four (164) and one hundred and sixty-five, (165) of the city of Indianapolis, by advertising for twenty (20) days successively, from the 19th day of July, 1865, both days inclusive, in the *Indianapolis Daily Gazette*, a newspaper of general circulation, printed and published in the city of Indianapolis, which proof is as follows, to-wit:

STATE OF INDIANA. }
MARION COUNTY. } ss:

Personally appeared before me, Charles O. Farnsworth, one of the publishers of the Indianapolis Daily Gazette, a newspaper of general circulation, printed and published in the City of Indianapolis, in the county aforesaid,

who being duly sworn upon his oath declared that the notice of which the following is a true copy, to-wit:

"Notice is hereby given that the undersigned will apply to the Common Council of the City of Indianapolis on the 14th day of August, A. D. 1865, or as soon thereafter as can be heard, to vacate all the streets and alleys in out-lots Nos. 164 and 165, in the city of Indianapolis, Marion county, Indiana.
WM. Y. WILEY,
JAMES WILEY."

Was duly published in said paper for twenty days successively, from the 19th day of July, 1865, to the 7th day of August 1865, both inclusive.

CHAS. O. FARNSWORTH.

Subscribed and sworn to before me this 15th day of August 1865.
[SEAL.] Witness my hand and Notarial Seal.

LUTHER R. MARTIN, *Notary Public.*

Also, by posting up written notices at three of the most public places in the neighborhood of said streets and alleys, which is as follows, to-wit:

STATE OF INDIANA, }
MARION COUNTY. } ss:

I, R. J. Moulton, swear that I did on the 25th day of July, A. D. 1865, put up Notices of which the following is a full and true copy to-wit:

"Notice is hereby given that the undersigned will apply to the Common Council of the city of Indianapolis, on the 14th day of August, A. D., 1865 or as soon thereafter as can be heard, to vacate all the streets and alleys in out-lots No. 164 and 165, in the city of Indianapolis, Marion county, Ind.
WM. Y. WILEY,
JAMES WILEY."

At the three following most, public places in the immediate neighborhood of the streets and alleys mentioned in the said notice to-wit: One at the south west corner of West and St. Clair streets, one at the south east corner of St. Clair street and Indiana Avenue, and one at the corner of the corporation line and West street, so help me God.

R. J. MOULTON. [SEAL.]

Subscribed and sworn to before me this 26th day of July 1865.

[SEAL.] Witness my hand and Notarial Seal.

GEO. A. BOWLUS, *Notary Public.*

And no person appearing to object to said vacation, and it appearing to the satisfaction of the Council that the petitioners, William Y. Wiley and James Wiley, are the sole owners of said out-lots number one hundred and sixty-four (164) and one hundred and sixty-five (165), and the Council being fully advised in the premises, do now order and decree that all the streets and alleys in said subdivision of said out-lots number one hundred and sixty-four, and one hundred and sixty-five of the city of Indianapolis, be, and each and all of the same are hereby vacated.

From the Civil Engineer—Report:

INDIANAPOLIS, August 28, 1865.

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

The Civil Engineer would respectfully report—

Ist. The contract and bond of James Huffer for grading and graveling Noble street and sidewalks, between Virginia Avenue and South street for your approval.

2d. Also, the contract and bond of Wm. Kown for grading and graveling Wabash street and sidewalks, between Noble and East streets.

3d. Also, the contract and bond of Thomas Wren for grading and graveling Tennessee street and sidewalks, between Garden and McCarty streets.

4th. Also, the contract and bond of H. Timmermann for grading and graveling Central street and sidewalks, between Liberty and Noble streets.

5th. Also, the contract and bond of Anton Richter, F. Richter and Richard Carr for grading and graveling McCarty street and sidewalks, between Virginia Avenue and a point where the extension of the west line of New Jersey street would strike McCarty street.

6th. Also, the contract and bond of C. E. Whitsit, for grading, paving, curbing and bouldering the sidewalk on the east side of Illinois street, between Washington and Louisiana streets.

7th. Augustus Richter, the contractor for grading and bouldering Tennessee street and curbing the outer edge of the sidewalks with stone, between Washington and Market streets, has completed the same according to contract, and an estimate is herewith reported for the same.

8th. Your honorable body, at its last meeting directed the Civil Engineer to report the cause of the break in the brick sidewalk on Virginia Avenue, between the Central Railroad track and Delaware street, the Engineer would respectfully report that sometime ago the Council passed an ordinance to pave with brick the outer edge of said sidewalk nine feet wide, and no provision was made in the ordinance to secure the inside edge, although the contractor finished the same according to contract. To make it secure it should be curbed with plank on the inside and properly backed with earth.

9th. You also directed the Civil Engineer to report a profile of the continuation of New Jersey street, between McCarty and Merrill streets; a profile was made covering the limits named above May 28, 1860, and can be seen at the Engineer's office.

Courtland E. Whitsit, the contractor for grading and paving with brick the sidewalk on the north side of Washington street, between Alabama and Noble streets, has completed the same according to contract, and an estimate is herewith reported for your approval.

JAMES WOODS, *Civil Engineer.*

On motion, so much of the Engineer's report of the Civil Engineer as relates to contracts and bonds for public works was concurred in, and the contracts and bonds accepted and approved.

By Mr. Fletcher :

Resolved, That the first and final estimate, as reported and certified to by the Civil Engineer, in favor of August Richter & Co., for grading, bouldering and curbing the outer edge of the sidewalks with stone, Tennessee street, between Washington and Market 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 passage of the resolution, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, Schmidt Seidenticker and Thompson—15. Noes, none.

So the resolution passed.

On motion, so much of the report as relates to the break in the sidewalk on Virginia Avenue, between the Central Railroad track and Delaware street, was laid upon the table.

By Dr. Jameson :

Resolved, That the first and final estimate, reported and certified to by the Civil Engineer, in favor of C. E. Whitsit, for grading and paving the sidewalk on the north side of Washington street, between Alabama and Noble 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 passage of the resolution, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, Schmidt, Seidensticker and Thompson—15. Noes, none.

So the resolution passed.

On motion, the balance of the Engineer's report was concurred in.

The sealed proposals for the grading and graveling of the alley running North and South through square No. 32, was referred to the Board of Public Improvements.

By Mr. Loomis :

Resolved, That the party to whom was awarded the contract of paving Virginia Avenue on the south side, between Delaware street and the Union Railroad track, be, and is hereby directed to make said pavement complete by properly banking up the same on the inner side of said sidewalk in such a way as to preserve the same.

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

Dr. Jameson moved—

That the property owners owning lots bordering on the north half of alley running north and south through square No. 39, be permitted to grade and gravel the same at their own expense, and that the Engineer is hereby directed to set the proper stakes. And that any surplus earth in said part of alley, be used for filling gutters on New York street opposite said square.

Which motion was adopted.

Mr. Emerson moved—

That the Street Commissioner be directed to either boulder or bridge the gutter on the east side of West street at the intersection of Michigan street, as the crossing has become almost impossible.

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

Mr. Brown moved—

That a Committee of three be appointed, of whom the Mayor shall be one, to confer with the "Indianapolis Gas Light and Coke Company," and ascertain upon what terms a contract can be made with said company for furnishing the city with gas.

Which motion was adopted.

Councilmen Brown and Kappes were selected to act with His Honor the Mayor as such Committee.

By Mr. Brown :

WHEREAS, In the opinion of the Council, danger exists from dogs running at large, of the extension of the disease of hydrophobia: Therefore,

Be it resolved, That the Mayor be, and he is hereby, directed to issue his Proclamation against dogs running at large for sixty days, according to the provisions of the ordinance on that subject.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Fletcher, Glazier, Grosvenor, Kappes, Loomis, Schmidt Seidensticker and Thompson—14.

Councilmen Jameson voting in the negative—1.

So the resolution passed.

On motion, the Council adjourned.

Present at roll-call on adjournment: Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, Schmidt, Seidensticker and Thompson—15.

JOHN CAVEN, *Mayor*.

ATTEST :

C. S. BUTTERFIELD, *City Clerk*.