

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, MAY 20TH, 1867, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

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

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

Absent—Councilman Grosvenor.

The proceedings of the regular session held May 13th, 1867, were read and approved.

Mr. Brown offered the following motion :

That the Civil Engineer be required to measure the length of railroad track belonging to the several railroads within the city limits, and report to the Assessor for the purpose of taxation.

Which was adopted.

Mr. Brown, also, offered the following motion :

That the owner of the lot situated between the buildings owned by Elder & Harkness and Julia A. Mothershead, on the east side of Meridian street, between Washington and Maryland streets, be notified by the Street Commissioner to pave the sidewalk fronting said lot with brick.

Which was adopted.

Mr. Burgess offered the following resolution :

Resolved, That the City Attorney examine into and report to the Council as to whose duty it is to keep in repair Louisiana street, between Illinois and Meridian streets, and that he make his report at the next regular meeting.

The ayes and noes being taken under the Charter, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Henschen, Jameson, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

Mr. Burgess offered the following motion :

That the Board of Health be requested to, at once, inquire into and report to this Council the best means of cleansing and keeping clean the gutters on Illinois street.

Which was adopted.

Mr. Coburn presented the following petition :

INDIANAPOLIS, May 20, 1867.

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

The undersigned, owners of property fronting on Michigan street, between Pennsylvania and Meridian streets, petition your body to erect two lamp-posts, and furnish gas for the same, on the said square.

G. Schurmann,	R. Frank Kennedy,
Mrs. Jeremiah Foote,	Mrs. J. M. Moore,
L. R. Martin,	John C. New.
George D. Staats,	

Which was referred to the Committee on Gas, with instructions to report an ordinance.

Mr. Coburn presented the following petition :

INDIANAPOLIS, May 20, 1867.

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

GENTLEMEN:—Your petitioner asks a reduction of tax on her lot, being part of the north half of lot 2, square 44, city, one-fourth of this half lot is taken off. I have paid a tax of \$93, when the tax on the south half of lot 3, same square, and corner lot, with 202½ feet front, on an alley, is taxed \$82.50; and your appraiser put this lot 3 at \$500 more than was paid for it when property was at its highest, and my lot being only three-eighths of a lot, and an inside lot, I think you should reduce my lot one-third tax.

MRS. C. CLARK,
Per ANDREW WALLACE.

Which was referred to the Finance Committee.

Mr. Cottrell offered the following motion :

That the Civil Engineer be directed to report to this Council whether in his opinion the grade and street line stakes, as set by his predecessor on East street, between McCarty street and corporation line, are correct.

Which was adopted.

Mr. Cottrell, also, offered the following motion :

That the City Marshal be instructed to enforce the ordinance in reference to obstructing Pogue's Run.

Which was adopted.

Mr. Cottrell, also, offered the following motion :

That the Chief Fire Engineer be instructed to have the sleeping room in Engine House No. 3, properly plastered, and to purchase new beds, and to render the sleeping apartment of said engine house in a good comfortable condition.

Which was referred to the Committee on Fire Department.

Mr. Cottrell, also, offered the following motion :

That the Street Commissioner be instructed to have the present bridge over Pogue's Run, on New Jersey street, pieced out to the full width of said street.

Which was referred to the Committee on Bridges.

Mr. Cottrell, also, offered the following motion :

That the Street Commissioner be instructed to enforce the city ordinance in reference to the numerous plank crossings on the sidewalks.

Which was adopted.

Mr. Cottrell offered the following resolution :

Resolved, That from and after this date, no more proceedings of the Common Council be printed in pamphlet form.

Dr. Jameson moved to refer the resolution to the Committee on Printing and Stationery.

Mr. Cottrell called for the ayes and noes.

Those who voted in the affirmative were Councilmen Burgess, Coburn, Colley, Davis, Jameson, Loomis, MacArthur, Schmidt, Seidensticker and Woodburn—10.

Those who voted in the negative were Councilmen Brown, Cottrell, Geisel, Goddard, Henschen and Stanton—6.

So the resolution was referred to the Committee on Printing and Stationery.

Mr. Cottrell introduced special ordinance No. 30—1867, entitled :

AN ORDINANCE to provide for grading and paving with bowlder stones the gutter on the west side of Alabama street, between Maryland street and Virginia Avenue,

Which was read the first time, and, on motion, was referred to the Board of Public Improvements.

Mr. Cottrell introduced special ordinance No. 31—1867, entitled :

AN ORDINANCE to provide for the erection of lamp-posts and fixtures on South street, between New Jersey street and Virginia Avenue,

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

Mr. Cottrell introduced general ordinance No. 83, entitled :

AN ORDINANCE prohibiting officers or agents of the City of Indianapolis, from purchasing from any City Officer,

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

Mr. Davis offered the following motion :

That the Street Commissioner be, and is hereby directed to fill the ditches in the center of Tennessee street, between Indiana Avenue and Michigan street.

Which was referred to the Board of Public Improvements.

Mr. Davis, also, offered the following motion :

That the Street Commissioner be, and is hereby directed to construct or cause to be constructed, one or more steps at the corner of Louisiana and Meridian streets, so that people can get upon the sidewalks.

Mr. Coburn moved to refer to the Board of Public Improvements.

Dr. Jameson moved to lay Mr. Coburn's motion on the table.

Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Coburn, Colley, Jameson, MacArthur and Seidensticker—5.

Those who voted in the negative were Councilmen Brown, Burgess, Cottrell, Davis, Geisel, Goddard, Henschen, Kappes, Loomis, Schmidt, Stanton and Woodburn—12.

So the motion to lay on the table was not adopted.

The question then being on referring to the Board,

Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Coburn, Colley, Goddard, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—8.

Those who voted in the negative were Councilmen Brown, Burgess, Cottrell, Davis, Geisel, Henschen, Loomis, Stanton and Woodburn—9.

So the motion to refer to the Board was not adopted.

The question then recurring on the original motion,

It was adopted.

Mr. Davis offered the following resolution :

WHEREAS, Julius A. Grosvenor as a Representative in this Council from the Fifth Ward, having removed from the city, thereby vacating his seat in the City Council; therefore,

Be it resolved, That this Council do declare the seat of the said Julius A. Grosvenor vacant, and do hereby direct the City Marshal to give the proper notice that an election will be held in the Fifth Ward on the 11th day of June, 1867, for the election of a Councilman, to fill said vacancy.

Mr. MacArthur moved to refer to the Judiciary Committee.

Mr. Davis moved to lay Mr. MacArthur's motion on the table.

Which was adopted.

The question then being on the adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Burgess, Cottrell, Davis, Geisel, Henschen, Jameson, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—12.

Those who voted in the negative were Councilmen Coburn, Colley, Goddard, Kappes and MacArthur—5.

So the resolution was adopted.

Mr. Davis introduced special ordinance No. 32—1867, entitled :

AN ORDINANCE to provide for grading and bowldering the alley running north and south, through Square No. 55, between Washington and Market streets,

Which was read the first time by its title, and referred to the Committee on Streets and Alleys.

Mr. Davis introduced an ordinance providing for the repeal of an ordinance entitled "An ordinance establishing a Board of Public

Improvements for the City of Indianapolis, defining its powers and duties and regulating the construction of buildings," passed April 18th, 1864.

Mr. Seidensticker moved to reject the ordinance.

Mr. Davis called for the ayes and noes.

Those who voted in the affirmative were Councilmen Burgess, Coburn, Colley, Goddard, Jameson, Loomis, MacArthur, Schmidt, Seidensticker and Stanton—10.

Those who voted in the negative were Councilmen Brown, Cottrell, Davis, Geisel, Henschen, Kappes and Woodburn—7.

So the ordinance was rejected.

Mr. Davis presented the official bond of Robert M. Patterson as City Civil Engineer, giving as security John A. Bradshaw and V. T. Malott—penalty of bond \$1,500.

Which was accepted and approved.

Mr. Geisel presented the following petition :

INDIANAPOLIS, May 20, 1867.

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

The undersigned, citizens and resident property holders in the Ninth Ward of the City of Indianapolis, respectfully represent, that they own property and reside in the Ninth Ward as aforesaid, west of the Bellefontaine railroad track, and south and north of Biddle street and of the alleys running east and west and north and south of Biddle street; that the Bellefontaine railroad company has obstructed and is obstructing said street, by having erected and erecting across said street and alleys, immediately west of the aforesaid railroad track, fences, whereby your petitioners and the public at large, are prevented from passing through and enjoying said street and alleys as public streets or highways. Your petitioners further say, that by this obstruction erected by the aforesaid railroad company, they are prevented from approaching their property with any kind of a wagon, as it is impossible for them to turn around; and your petitioners further say, that said streets and alleys are public streets and alleys and extend east of the said Bellefontaine railroad track to the corporation limits, and that this obstruction is a material injury to your petitioners and to all the good citizens of this city, wherefore they pray that your honorable body will direct the Marshal of the city to have these obstructions removed and the aforesaid street and alleys properly opened according to the law in existence and the power in you vested, and your petitioners will ever pray.

Chas. Buck,
F. W. Miller,
Robert A. Jones,

Peter Shafer,
John Deer,
And 45 others.

Which was referred to the City Marshal, with instructions to enforce the law in relation to streets and alleys.

Mr. Geisel offered the following motion :

That the Street Commissioner be instructed to clean the gutters on Davidson street between North and New York streets, and lower the gutters between Vermont and New York streets so as to drain the water from Vermont street.

Which was referred to the Board of Public Improvements.

Mr. Geisel, also, offered the following motion :

That there be stone abutments put under the bridge at the crossing of Winston street.

Which was referred to the Board of Public Improvements.

Mr. Geisel, also, offered the following motion :

That there be a cistern built at the corner of North and Winston streets.

Which was referred to the Committee on Fire Department and Cisterns.

Mr. Goddard presented the following petition :

INDIANAPOLIS, May 20, 1867.

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

The undersigned would respectfully petition your honorable body for permission to erect a coal vault in front of his building in course of erection on the east one-fourth of lot three in square sixty-nine, and as in duty bound your petitioner will ever pray. The building is situated on the south side of Washington street, between Mississippi and Missouri street.

Respectfully,

JACOB TRAUB.

Which was referred to the City Civil Engineer.

Dr. Jameson offered the following motion :

That the Auditor be directed to settle with each of the late city officers, and report to the Council at his earliest convenience.

Which was adopted.

Dr. Jameson, also, offered the following motion :

That the Committee on Finance be empowered, at their discretion, to employ a competent book-keeper for a term of one month, to settle with the City Treasurer.

Which was adopted.

Dr. Jameson, also, offered the following motion :

That Wm. Kleinsmith be permitted to build a bridge at his own expense, across the gutter on the east side of New Jersey street at the crossing of the alley between Washington and Market streets.

Which was adopted.

Dr. Jameson introduced general ordinance No. 84, entitled:

AN ORDINANCE providing the manner in which certain claims against the city shall be audited and paid, and prescribing the duties of City Officers in violation thereto,

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

Dr. Jameson introduced special ordinance No. 26—1867, entitled:

AN ORDINANCE to amend an ordinance in relation to ten per cent. warrants,

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

Dr. Jameson introduced special appropriation ordinance No. 27—1867, entitled:

AN ORDINANCE appropriating moneys for the repairs of streets and bridges, &c., in the different Wards of the city during the fiscal year ending May 15, 1867,

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

Dr. Jameson introduced special appropriation ordinance No. 28—1867, entitled:

AN ORDINANCE to provide for the compensation of City Officers and members of the Police Force and Fire Department, for the fiscal year ending May 15, 1868,

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

Mr. Loomis presented the following communication:

INDIANAPOLIS, May 20, 1867.

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

I have assigned all my right title and interest in the contract with your honorable body to build a bridge over Pogue's Run on New York street, to Mr. Hiram Sibert, and ask you to consent to the same.

Yours respectfully,

GEO. W. BUCHANAN.

Which was accepted.

Mr. Loomis presented the official bond of George W. Buchanan as Chief Fire Engineer, giving as security Hiram Seibert and A. Curtis—penalty of bond \$1,500.

Which was approved.

Also, the official bond of August Richter as Street Commissioner.

Also, the following resolution in relation to the same :

WHEREAS, Certain charges have been preferred against August Richter, Esq., Street Commissioner, in and for said city; therefore,

Resolved, That the said complaints be referred to a special committee of three to be appointed by his Honor, the Mayor, and that said committee be, and are hereby authorized to send for witnesses and examine the same under oath, for and in behalf of said Commissioner and of the City of Indianapolis.

Which were laid over.

Mr. Loomis offered the following motion :

That the City Civil Engineer be directed to make an estimate of the probable cost of bowldering Virginia Avenue from Pogue's Run to the corporation line south east, taking as a basis, the price paid for bowldering McNabb street. Said estimate to be made per front foot, the Street Railway Co., paying their own as provided in their Charter.

Mr. Davis moved to refer to the Board of Public Improvements.

Mr. Loomis moved to lay Mr. Davis' motion on the table.

Mr. Davis called for the ayes and noes.

Those who voted in the affirmative were Councilmen Burgess, Cournburn, Goddard, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—9.

Those who voted in the negative were Councilmen Brown, Colley, Cottrell, Davis, Geisel, Henschen and Jameson—7.

So the motion to refer to the Board was laid upon the table.

The question then being on the original motion, it was adopted.

Mr. Loomis introduced special ordinance No. 32—1867, entitled :

AN ORDINANCE to provide for grading and graveling the alley running east and west between Huron, Elm, Cedar and Pine streets,

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

Mr. Seidensticker presented the following petition :

INDIANAPOLIS, May 14, 1867.

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

The undersigned citizens and members of the Maennerchor of Indianapolis, would respectfully request your honorable body to grant us the permission of building a frame "Sænger Hall" in the Court House yard, for the purpose of holding the next Sængerfest of the North American Sængerbund, which will be held here in the month of September next. The permission for building on the place above named has been granted us by the Honorable Board of County Commissioners of Marion county.

Respectfully yours,

Charles Coulon,
Thos. Dingelday,
C. Frese,

M. Leckner,
Thos. Sander,
And 11 others.

Mr. Brown moved the petition be granted, provided it be removed in 30 days.

Mr. MacArthur called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Coburn, Colley, Cottrell, Geisel, Goddard, Henschen, Kappes, Schmidt, Seidensticker, Stanton and Woodburn—12.

Those who voted in the negative were Councilmen Davis, Loomis and MacArthur—3.

So the petition was granted.

Mr. Seidensticker offered the following motion :

That the City Attorney be requested to examine whether the City Auditor under the new Charter, can be made a salaried officer, and to report his conclusions to the Financial Committee.

Which was adopted.

Mr. Stanton offered the following motion :

That the Street Commissioner be directed to place suitable foot bridges over the gutters at the crossing of Indiana Avenue and California street.

Which was adopted.

Mr. Stanton, also, offered the following motion :

That D. M. Marsh be permitted under the direction of the Civil Engineer, to improve the gutter in front of his residence at No. 370 North West street.

Which was adopted.

Mr. Stanton presented the official bond of Byron K. Elliott as City Attorney, giving as security S. A. Fletcher, Sr.,—penalty of bond \$1,500.

Which was approved.

Mr. Stanton presented the following affidavit :

INDIANAPOLIS, May 20, 1867.

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

STATE OF INDIANA, } ss:
MARION COUNTY,

Peter Wilkins a voter of said City of Indianapolis, hereby charges August Richter, the Street Commissioner of said city, as follows :

Charge 1st. Of misconduct in office while Street Commissioner.

Specification 1st. That said August Richter in said capacity as Street Commissioner, paid off the parties working for him upon the Lord's Day, doing so habitually.

Specification 2d. In taking blank receipts from workmen employed by

him, said receipts not stating the amount for which they were given nor the number of days work for which they were given, and then filling said blanks with larger amounts and numbers than they were given for, and collecting said larger amounts from the city, thereby defrauding the city. All this at sundry times and by divers receipts during the year 1865 and 1866.

Specification 3d. That in 1866 he paid the sum of \$15 to one Michael N. Sullivan for filling up a hole opposite said Sullivan's property, and then fraudulently took a receipt from said Sullivan for \$55, which latter sum said Richter collected of the city, thereby defrauding the city of \$40.

PETER WILKINS.

MARION COUNTY, ss :

May 20th, 1867, now personally appeared Peter Wilkins, and being duly sworn says that he is a voter of said city, that the foregoing charges and specifications made against the said August Richter are true as he verily believes.

Before me, EBEN KIMBALL, N. P

In relation to which Mr. Loomis called up the following resolution :

WHEREAS, Certain charges have been preferred against August Richter, Esq., Street Commissioner in and for this city; therefore,

Resolved, That the said complaints be referred to a special committee of three, to be appointed by his Honor, the Mayor, and that said committee be, and are hereby authorized to send for witness and examine the same under oath, for and in behalf of said Commissioner, and of the City of Indianapolis.

The ayes and noes being taken under the Charter, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Cottrell, Colley, 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.

His Honor, the Mayor, appointed as such Committee Councilmen Kappes, Cottrell and Burgess.

Dr. Woodburn presented the following petition :

INDIANANOLIS, April 29, 1867.

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

GENTLEMEN:—The undersigned, owners of property fronting on North street, between Illinois and Tennessee streets, respectfully petition for the passage of an ordinance for the erection of lamp posts and fixtures on said square, there being but the two intermediate posts necessary, and that said posts be located as follows, to-wit: The post on the south side of the street to be erected on the alley corner, corresponding with the east line of lot 19, (would be preferred,) or on the west line of lot 20, in square 7, as the Civil Engineer may determine; and the one on the north side of the street at the corner of the alley corresponding with the west line of lot 8 in out lot 7, by

being thus located they will afford light to the alleys and the five dwellings located between the points designated.

Very respectfully submitted,

L. Van Lanningham,
A. Pope,

H. B. Thurston,
R. Root.

Which was referred to the Committee on Gas.

Dr. Woodburn presented the official bond of Augustus Bruner, as Sealer of Weights and Measures, giving as security James Loucks and L. VanLanningham—penalty of bond \$1,500.

Which was approved.

Also, the official bond of Sampson Barbee, Jr., as Market Master, giving as security William C. Fletcher and Deloss Root—penalty of bond \$1,500.

Which was approved.

His Honor, the Mayor, presented the following communication :

INDIANAPOLIS, May 20, 1867.

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

GENTLEMEN:—You are respectfully requested to attend the Anniversary of the "Widow and Orphan Asylum" next Sunday, 27th inst., at First Baptist Church, at 3½ o'clock, P. M.

BY ORDER OF THE PRESIDENT,
And the Board of Directors of the Asylum.

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

On motion by Mr. Seidensticker, the regular order of business was suspended to elect a Board of Police and a Board of Public Improvements.

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

The Council then proceeded to ballot for Board of Police, which resulted as follows :

Councilmen Seidensticker, Loomis and Stanton having each received a majority of all the votes cast, were declared duly elected as such Board of Police, to serve as such for the term of two years or until their successors are elected and qualified.

The Council then proceeded to ballot for Board of Public Improvements, which resulted as follows :

Councilmen MacArthur, Goddard and Schmidt having each received a majority of all the votes cast, were declared duly elected as such

Board of Public Improvements, to serve as such for the term of two years, or until their successors are elected and qualified.

Mr. Davis moved that the Board of Police be instructed to appoint Thomas S. Wilson Chief of Police.

Mr. Loomis called for the ayes and noes.

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 motion was adopted.

Mr. Colley moved that the Council do now adjourn.

Mr. MacArthur called for the ayes and noes.

Those who voted in the affirmative were Councilmen Burgess, Colley, Henschen, Kappes and Schmidt—5.

Those who voted in the negative were Councilmen Brown, Coburn, Cottrell, Davis, Geisel, Goddard, Jameson, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—12.

So the motion to adjourn was not adopted.

Mr. Cottrell moved that when the Council adjourn it meet again Wednesday evening May 22, 1867, without extra pay.

Which was adopted.

On motion by Mr. Brown the Council adjourned.

DANIEL MACAULEY, *Mayor*.

ATTEST:

D. M. RANSELL, *City Clerk*.