

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, FEBRUARY 24TH, 1868, 7 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, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—16.

Absent—Councilmen Burgess and Colley—2.

The proceedings of the regular session held February 17th, 1868, were read and approved.

His Honor, the Mayor, announced that the special order for the session was the election of a Gas Inspector.

On motion, the special order was deferred until there was a full Council, several Councilmen not yet having arrived, and the regular order of business was taken up.

Mr. Brown offered the following motion :

That the City Marshal be directed to open Catherine street through outlot 27.

Which was adopted.

Mr. Brown presented the following memorial :

INDIANAPOLIS, Feb. 24, 1868.

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

GENTLEMEN:—The memorial of the undersigned, proprietors of the American Fire Alarm and Police Telegraph, respectfully sheweth :

That, according to the records of the United States Patent Office, Dr. William F. Channing, of Boston, first conceived the idea of Telegraphic Fire Alarm in the year 1845; that a telegraph of this nature was, after various efforts and delays, introduced into the City of Boston by himself and Moses G. Farmer, of Salem, Mass., during the years of 1851 and 1852; who, subsequently, obtained numerous patents on the system as a whole and in detail, under the name and style of "The American Fire Alarm and Police Telegraph," which were duly transferred and assigned to the undersigned.

Your memorialists further show that one or more of these patents clearly cover and protect the single circuit signal system of key and bell Fire Alarm and Police Telegraph, as operated in the cities of Cleveland and Detroit, and that a patent for any so-called *improvements* on the well known gong or bell striker, does not convey the right to use our said single circuit signal system submitted in a proposal to your honorable body in good faith by our agent, Mr. Elliott, during your session of the 10th instant.

Your memorialists further show that they have expended a large amount of money and many years of time in perfecting their telegraph, and would respectfully ask a more full and thorough investigation of their claims in the premises before a decision is made by your honorable body. And your memorialists will ever pray.

GAMEWELL & CO.

Which was laid on the table.

Mr. Cottrell offered the following motion :

That the Committee on Revision of Ordinances be instructed to report an ordinance to provide for a flagman on the crossing of Alabama and Louisiana streets.

Which was adopted.

Mr. Davis introduced special ordinance No. 1—1868, entitled :

AN ORDINANCE to provide for grading and paving with brick the sidewalk on the east side of Meridian street, between Pratt and First streets.

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

Mr. Davis, also, introduced special ordinance No. 2—1868, entitled :

AN ORDINANCE to provide for grading and paving the west sidewalk on Illinois street from North to First streets.

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

Mr. Davis presented the following petition :

INDIANAPOLIS, Feb. 14, 1868.

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

Your petitioners, "The Austin Powder Company," herein present that in consequence of the late ordinance of your honorable body directing the removal of their magazine, situated on the Davidson property, east of the city, they are deprived of the facilities necessary for properly conducting their business as before the passage of said ordinance. They therefore petition that permission be given them to erect a magazine south-west of the Old Cemetery, near the eastern bank of White river, on or near the ground occupied by the magazines of the Dupont and Miami Powder Companies. The erection of which magazine in said place will not, as they verily believe, interfere with the peace and safety of any portion of the citizens of your city. And so your petitioners will ever pray.

AUSTIN POWDER CO.

Per S. Beck, Agent.

On motion by Mr. Goddard, the petition was laid on the table.

Mr. Davis offered the following motion :

That the Street Commissioner be, and is hereby, directed to notify the persons owning or controlling the property on the north side of Washington street, between Meridian and Illinois streets; also, on the west side of Illinois street, between Washington and Market streets, to properly repair the sidewalks on said streets.

Which was adopted.

Mr. Goddard offered the following motion :

That the Street Commissioner be authorized to put a culvert in Maryland street at the crossing of Kentucky Avenue and Tennessee street.

Which was adopted.

Mr. Goddard, also, offered the following motion :

That Mr. Berg be allowed to put a shed roof over the doors on his premises on South and Tennessee streets.

Which was referred to the Board of Public Improvements.

Mr. Goddard, also, offered the following motion :

That Messrs. Ebbert & Co. be allowed to put a sign in front of their shop over the sidewalk on Kentucky Avenue.

Which was referred to the Committee on Revision of Ordinances.

Mr. Loomis offered the following motion :

That G. B. Jones be permitted to construct a blind drain through and in the alley in the rear of his lots on Short street and Virginia Avenue, and between Coburn and Daugherty streets, at his own expense.

Which was adopted.

Mr. Loomis offered the following resolution :

Resolved, That a license be granted by the City Clerk to Rabjohns & Co. for Theatrical performances, to be held at Mozart Hall, on Delaware street, for one year, on the same terms as the same privileges were granted to the Metropolitan Theater, and also to Morrison's Opera Hall.

Which was referred to the Committee on Revision of Ordinances, with instructions to report an ordinance on the subject at the next meeting of Council.

Mr. MacArthur presented the following petition :

INDIANAPOLIS, Feb. 22, 1868.

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

GENTLEMEN:—We, the undersigned property holders on Ellen street, respectfully petition your honorable body to have the east sidewalk of said street, between North street and Indiana Avenue, properly graded and graveled, at our expense. And your petitioners will ever pray.

Daniel Mahoney,	Michael Hurley,
John Larkin,	John M. Podd,
Daniel Wauh,	Joseph Madden.

Which was referred to the Board of Public Improvements.

Mr. MacArthur offered the following motion :

That the Street Commissioner be instructed to repair the crossings of the north sidewalk of West street, at the crossings of North and Walnut sts.

Which was adopted.

Mr. MacArthur presented the following petition :

INDIANAPOLIS, Feb. 17, 1868.

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

GENTLEMEN:—I respectfully ask that your honorable body will grant me permission to dig a well in front of my business house on lot No. 459, in out-lot No. 95, on Virginia Avenue.

AUGUST RICHTER.

On motion, the prayer of the petition was granted.

Mr. Seidensticker presented the following petition :

INDIANAPOLIS, Feb. 24, 1868.

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

The undersigned, citizens of the Ninth Ward, respectfully petition your honorable body to reconsider your action by which the gas light in public streets was ordered to be shut off after 12 o'clock, and to allow the gas light to be kept lighted as before.

Ph. Lehr,	Louis Kosg,
G. F. Stumph,	S. P. Landa,
H. Prigge,	And 157 others.

Which was referred to the Committee on Gas.

Mr. Stanton presented the official bond of O. H. P. Bly as City Lamp-Lighter.

Which was accepted and approved.

Dr. Woodburn offered the following motion :

That persons employed as Registers and Clerks, at the late city registry, be directed to file their accounts with the City Auditor, sworn to, and that said officer be directed to report an ordinance to this Council at its next meeting allowing the same.

Which was adopted.

Dr. Jameson offered the following motion :

That the Committee on Finance be directed to inquire the necessary steps to be taken in order to liquidate the Bank Debt of the city and continue the payment of cash for the ensuing year.

Which was adopted.

Dr. Jameson, also, offered the following motion :

That the County Physician be empowered to attend the City Prisoners confined in jail, and furnishing the necessary medicine, for the term of his office, (1 year,) for the sum of one hundred and fifty dollars, in full for all services and for all medicine furnished, and that no bills be paid to any other Physician.

Mr. Cottrell offered the following as an amendment :

That the City Council will not pay any amount whatever for medical attendance on city prisoners, while confined in the County Prison.

And called for the ayes and noes on its adoption.

Those who voted in the affirmative were Councilmen Cottrell, Davis, Foster and Geisel—4.

Those who voted in the negative were Councilmen Brown, Coburn, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—12.

So the amendment was lost.

Dr. Jameson's motion was then adopted.

By unanimous consent the City Assessor made the following report:

INDIANAPOLIS, Feb. 24, 1868.

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

GENTLEMEN:—I herewith submit the following report for the week ending February 17, 1868:

Weekly Report.	This Week's Report.				Last Week's Report.				Total Amount.			
	Lists.	Polls.	Dolls.	Cts.	Lists.	Polls.	Dolls.	Cts.	Lists.	Polls.	Dolls.	Cts.
February 1st, 1868.												
William C. Phipps.....	158	122	43,914	00	582	463	541,349	00	730	585	625,630	00
Asa M. Strong.....	137	106	52,885	00	569	493	136,384	00	706	599	189,260	00
H. P. Randail	323	222	554,307	00	595	478	305,683	00	918	700	859,990	00
Nelson Hoss.....	192	143	112,746	00	384	246	147,852	00	576	389	260,598	00
William Hadley.....	79	53	267,030	00	698	574	1,291,278	00	777	637	1,568,805	00
Samuel Strong	248	214	85,390	00	251	201	67,668	00	499	415	153,058	00
							Totals.....		4206	3325	3,646,974	00

Respectfully submitted,

WM. HADLEY, *City Assessor.*

Which was concurred in.

His Honor, the Mayor, presented the following communication:

INDIANAPOLIS, Feb. 24, 1868.

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

In the name of the late Calvin Fletcher, Sr., and as a memorial of him, we, the executors of his estate, desire to donate to the City of Indianapolis, through your honorable body, a portion of ground to be held perpetually as a public Park, for the use and benefit more especially of the citizens of Indianapolis.

The proposed donation corners with the city on the north-east, being situated between the "Pendleton" and "Pogue Creek" Gravel Roads, and contains about 30 acres.

The conditions of donation are few and simple, and refer mainly to the name to be given to the Park, to the care, improvement, and adornment of the grounds, and to the perpetual use of the same as a place of resort and recreation by the citizens of Indianapolis and the general public.

But as the specialties of the terms and stipulations connected with the intended donation can better be arranged by consultation, we respectfully request your honorable body to appoint a committee to confer with us in reference to the matter under consideration, at such time and place as you may be pleased to indicate.

Very truly yours,

E. T. FLETCHER,
S. A. FLETCHER, JR.,
INGRAM FLETCHER,
S. K. FLETCHER,
ALBERT E. FLETCHER.

Which, on motion, was referred to a special committee consisting of Messrs. Brown, Seidensticker, Woodburn and His Honor, the Mayor.

On motion, the Council proceeded to the election of Gas Inspector.

The following nominations were made :

David S. Durbin,	John G. Hanning,
Joseph Phipps,	Geo. Fleming,
C. H. White,	C. F. Devenish,
W. J. Elstun,	W. P. Smith,
J. H. McCloskey.	

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

The first ballot resulted as follows :

Fleming 7. Hanning 3. Elstun 2. Phipps 2. Durbin 1. Devenish 1. Necessary to a choice 9.

Second ballot—Fleming 8. Hanning 3. Elstun 3. Durbin 1. Devenish 1.

Third ballot—Fleming 8. Hanning 4. Elstun 4.

Fourth ballot—Fleming 8. Hanning 3. Elstun 5.

Fifth ballot—Fleming 8. Hanning 1. Elstun 7.

Sixth ballot—Fleming 9. Elstun 7.

George Fleming having received a majority of all the votes cast, was declared duly elected to the office of City Gas Inspector for the City of Indianapolis, as provided in the first section of an ordinance entitled "An ordinance creating the office of Gas Inspector, defining his duties, and fixing his salary," passed by the Common Council of the City of Indianapolis, February 17, 1868.

Mr. Schmidt asked and obtained leave of absence.

The report of the Committee on Fire Department and Special Committee on the subject of Fire Alarm Telegraph, laid over from last meeting was taken from the table.

Dr. Woodburn moved to postpone the further consideration of the subject until the first of April, 1868.

Upon which Mr. Seidensticker called for the ayes and noes.

The question being on postponement, those who voted in the affirmative were Councilmen Seidensticker and Woodburn—2.

Those who voted in the negative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur and Stanton—13.

So the motion to postpone was lost.

Mr. Davis moved that the report be concurred in, and that the committee be instructed to contract with the Cleveland Company.

Mr. Seidensticker called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur and Stanton—13.

Those who voted in the negative were Councilmen Seidensticker and Woodburn—2.

So the motion was adopted.

By unanimous consent Mr. Stanton, from Select Committee, made the following report :

INDIANAPOLIS, Feb. 24, 1868.

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

GENTLEMEN:—Your committee, appointed upon the affixing of the names of the streets upon the corners, respectfully report that the expense of this work, if well done, will probably reach the sum of three thousand dollars at least, and that in the present condition of the finances of the city, and in view of the necessity for a Telegraphic Fire Alarm and other much needed improvements, your committee respectfully submit that this is not a proper time to incur this expense, the said improvement being a convenience but not a necessity.

Respectfully,

A. P. STANTON,
HENRY GEISEL,
J. H. WOODBURN, } *Committee.*

Which was concurred in.

Dr. Woodburn introduced special appropriation ordinance No. 11—1868, entitled :

AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis.

Which was read the first and second times, and, by unanimous consent of the Council, the rules were suspended and the ordinance 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, Coburn, Cottrell, Davis, Foster Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

On motion by Dr. Jameson, the Council adjourned.

DANIEL MACAULEY, *Mayor*.

ATTEST:

D. M. RANDELL, *City Clerk*.