

PROCEEDINGS
OF THE
COMMON COUNCIL.

ADJOURNED SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
WEDNESDAY, AUGUST 11, 1869, 7½ O'CLOCK, P. M. }

The Common Council met pursuant to adjournment.

Present—Hon. John S. Newman in the chair, and the following members :

Councilmen Brown, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Shepherd, Thalman, Thoms, Whitsit, Wiles and Woodburn—14.

Absent—Councilmen Harrison, Locke, Pyle and Weaver—4.

REPORTS FROM CITY OFFICERS.

The City Clerk made the following report :

INDIANAPOLIS, Aug. 11, 1869.

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

The City Clerk respectfully reports to the Council the following Contract and Estimates :

1st. Contract and bond of John A. Whitsit for building cisterns at certain localities in the City of Indianapolis, is presented for your approval.

2d. First and final estimate allowed Daniel Mahoney for grading and graveling the east sidewalk on Ellen street, from North street to Indiana Avenue, is presented for your approval.

3d. First and final estimate allowed Fearry & Dillon for grading and paving with brick the north sidewalk on North street, from Delaware street to Pennsylvania street, is also presented for your approval.

4th. First and final estimate allowed Hanway & Lefever for grading and graveling New Jersey street and sidewalks, from Merrill street to the first alley north of Merrill street, is also presented for your approval.

5th. First and final estimate allowed Samuel Lefever for grading, paving with brick, and curbing the outside edge of the sidewalk with stone the west sidewalk on Alabama street from Ohio to New York street, is also presented for your approval.

Respectfully submitted,

D. M. RANDELL, *City Clerk.*

Which was concurred in, and the contract and bond of John A. Whitsit approved.

Also the following resolution :

Resolved, That the foregoing first and final estimate allowed Samuel Lefever for grading, paving with brick, and curbing the outside edge of the sidewalk with stone, the west sidewalk on Alabama street, from Ohio to New York 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, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Shepherd, Thalman, Thoms, Whitsit, Wiles and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Daniel Mahoney for grading and graveling the east sidewalk on Ellen street, from North street to Indiana 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, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Shepherd, Thalman, Thoms, Whitsit, Wiles and Woodburn—14.

No Councilman voting in the negative.

So the resolutions were adopted.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Hanway and Lefever for grading and graveling New Jersey street and sidewalks, from Merrill street to the first alley north of Merrill street, 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 then being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Shepherd, Thalman, Thoms, Whitsit, Wiles and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Fearry and Dillon for grading and paving with brick the north sidewalk on North street from Delaware street to Pennsylvania street, 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, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Shepherd, Thalman, Thoms, Whitsit, Wiles and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

On motion by Mr. Heckman, the Chief Fire Engineer and City Civil Engineer were invited to accompany the Committee to the City of Peoria, Illinois, to witness a test of the Holly System of Water Works.

By common consent Dr. Woodburn was excused from serving on the Special Committee to visit Peoria, he being unavoidably detained on account of business.

Mr. Wiles moved that the necessary expenses of the Committee be paid.

Mr. Marsee moved to amend by saying that the expenses of all Councilmen who may choose to go be paid.

The question being on the amendment,

Those who voted in the affirmative were Councilmen, Brown, Kahn, Marsee, Newman, Shepherd, Thoms, Whitsit and Wiles—8.

Those who voted in the negative were Councilmen Cottrell, Gimber, Heckman, Kennington, Thalman and Woodburn—6.

So the amendment was adopted.

The question then being on the original motion,

Those who voted in the affirmative were Councilmen Marsee, Newman, Shepherd, Thalman, Thoms, Whitsit, Wiles and Woodburn—8.

Those who voted in the negative were Councilmen Cottrell, Gimber, Heckman and Kennington—4.

Messrs. Brown and Kahn being excused from voting.

So the motion, as amended, was adopted.

Mr. Kahn moved to reconsider the vote taken at the last meeting instructing the President of the Council to invite such citizens as he thought proper.

Which motion was lost.

ORDINANCES ON SECOND READING.

General ordinance No. 45—1869, establishing a Board of Health, &c., was called up, and, on motion by Mr. Cottrell, was postponed until the next regular meeting.

Special appropriation ordinance No. 32—1869, appropriating money to the City Hospital for the month of July, 1869, was read the second time and ordered to be engrossed.

ORDINANCES ON THIRD READING,

City Book Being in order, the above special appropriation ordinance, No. 32, 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, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Whitsit, Wiles and Woodburn—15.

Councilman Gimber voting in the negative.

So the ordinance passed.

NEW BUSINESS.

Mr. Cottrell offered the following motion:

RR That the City Marshal be directed to notify the various Railway Companies to have a flag-man at their crossing on East street.

Which was adopted.

Also, the following resolution :

WHEREAS, The Common Council of Indianapolis, acting in concert with the citizens Building Committee, having abandoned the intention of erecting a house for a "Home for the Friendless" on the property donated by S. A. Fletcher, Sr., and have selected another locality on which to build: Therefore,

Be it resolved, That the Common Council of Indianapolis will receive proposals at their stated meeting on Monday, August 23d, 1869, for the purchase of all the building material placed on the property as above mentioned, by the Common Council of Indianapolis: *Provided*, That no such sale shall be consummated without the consent of S. A. Fletcher, Sr., the donor of the land on which the building material is placed.

Resolved, That the City Clerk be, and he is hereby, directed to advertise the building material as above mentioned for sale to the highest bidder, subject to the provisions as above.

Which was referred to the City Attorney.

Mr. Marsee offered the following motion :

That the Street Commissioner be directed to notify Joshua M. W. Langsdale to repair the sidewalk in front of his property on Washington street, in front of Arnholter's Saddler's Shop.

Which was adopted.

Mr. Marsee presented the following remonstrance :

INDIANAPOLIS, Aug. 9, 1869.

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

GENTLEMEN:—We, the undersigned, property holders on South New Jersey street, between McCarty street and Noble's estate, respectfully remonstrate against the completion of the street improvement by the contractor, August Richter, for the reason that the ordinance provides for screened, River gravel while the contractor improves the street with unscreened gravel.

We ask your Committee for relief in this matter, lest we shall be compelled to resist the payment for said improvement. Respectfully,

Wm. G. Chetester, Hermann Jasper,
John J. Wenner, Christ. Muhlemann,
G. E. Heammerle, And 8 others.

In reference to which Mr. Wiles made the following report :

INDIANAPOLIS, Aug. 11, 1869.

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

GENTLEMEN:—Your Committee on Contracts beg leave to report that complaint has been made to us on two different occasions, by citizens on the line of that part of South New Jersey street which is now under contract to August Richter, in reference to the quality of the materials used by said Richter, and that we directed the Civil Engineer to examine into the matter and to notify said Richter of the complaint being made, unless in his (the Engineer's) opinion the material being used was according to the contract, and now as the Engineer reports that the material being used by said Richter is not as good as the contract requires, and that there is about one square of the contract completed with that kind of material, we suggest that in our

opinion, in order to save litigation and expense, it would be best to give the matter prompt attention. We therefore move that the whole matter be referred to the Committee on Streets and Alleys and Civil Engineer with power to determine as to what is to be done with that part of said contract already completed.

Respectfully,

WM. D. WILES,
ISAAC THALMAN, } Committee.
HENRY GIMBER, }

Which was concurred in, with the following additional instructions:

That the Civil Engineer be instructed to see that the contractor complies with his contract, and that any imperfect work already done shall be made perfect, according to contract.

Mr. Shepherd offered the following motion:

That Henry Berey be permitted to place a pump in the City Well corner of South and Tennessee streets, fronting his property, so that it does not interfere with an ordinance regulating the fixing of pumps, and that he be required to build a sink to be used with the same.

Which was adopted.

Mr. Thoms offered the following motion:

That the Street Commissioner be directed to repair the sidewalk on the north-west corner of Washington and New Jersey streets.

Which was adopted.

Mr. Wiles offered the following resolution:

Resolved, That any and all resolutions establishing any fixed weight or weights for lamp-posts be, and the same are hereby, rescinded.

The question being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Whitsit, Wiles, and Woodburn—14.

Councilman Woodburn voting in the negative.

So the resolution was adopted.

Mr. Wiles offered the following motion:

That the City Clerk advertise for proposals to furnish lamp-posts required under ordinances passed prior to the first instant, and the work under which has not yet been done, said bids to be at a rate per pound, the Committee on Gas Light and City Gas Inspector to decide as to best weight of such posts.

Which was adopted.

Dr. Woodburn offered the following motion :

That the Street Commissioner be directed to notify the officers of the Citizens' Street Railway Company to raise or lower the tracks of their Railway on Illinois street, between Ohio and First streets, as the work of graveling such street progresses, under the existing contract for such improvement; and in case such officers shall fail to do so, the Street Commissioner shall do such work and report the costs thereof to the Council, that steps may be taken to collect the same of such Railway Company.

Which was adopted.

Dr. Woodburn presented the following remonstrance :

INDIANAPOLIS, Aug. 11, 1869.

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

The undersigned, owners of the property fronting on Pratt street, between Illinois and Tennessee streets, would respectfully remonstrate against the passage of the ordinance now before your body to grade and gravel said street, as they have not asked for nor do they desire the same.

JAS. M. TOMLINSON,
J. H. ROSS.

Which was referred to the Committee on Streets and Alleys.

On motion the Council adjourned.

Daniel Macauley
~~DANIEL MACAULEY~~, Mayor.

ATTEST:

B. M. Ransdell
~~B. M. RANSELL~~, City Clerk.