

PROCEEDINGS

OF THE

COMMON COUNCIL.

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
MONDAY, AUGUST 16TH, 1869, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

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

Councilmen Brown, Cottrell, Gimber, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Whitsit, Wiles and Woodburn—16.

Absent—Councilmen Harrison and Weaver—2.

The proceedings of the regular session held August 9, 1869, and of the adjourned session, held August 11, 1869, were read and approved.

Dr. Woodburn moved to postpone the consideration of the resolutions of Mr. Brown, offered at the regular meeting of August 9th, 1869, relating to the subject of sewerage, until the next regular meeting.

Mr. Locke called for the ayes and noes on the motion to postpone.

Those who voted in the affirmative were Councilmen Marsee, Newman, Pyle, Thoms, Whitsit, Wiles and Woodburn—7.

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

So the motion to postpone was adopted.

By unanimous consent Mr. Brown introduced general ordinance No. 47—1869, entitled :

**AN ORDINANCE** providing an uniform system for numbering buildings.

Which was read the first time.

Sealed proposals for public work were opened and read by the Clerk, and referred to the Committee on Contracts.

#### REPORTS FROM COMMITTEES.

Mr. Thalman, from the Committee on Streets and Alleys, made the following report :

INDIANAPOLIS, Aug. 16, 1869.

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

GENTLEMEN:—The Committee on Streets and Alleys would respectfully report to your honorable body on sundry papers referred to them :

1st. A remonstrance was referred to your Committee, signed by John N. Scott, L. M. Phipps, Thos. E. Holbrook and others, remonstrating against the improvement of the east sidewalk on Alabama street by grading and paving with brick, under an ordinance now pending for the improvement of said sidewalk from Market street to Massachusetts Avenue; on that portion owned by the remonstrants there is a good graveled sidewalk, and therefore we would recommend that the ordinance be amended to read from Market st. to New York street.

2d. A petition was also referred to your Committee, signed by Wm. McCarty, Wm. Schomburg and others, asking the Council to have the gutters cleaned on Davidson street. We would recommend that the Street Commissioner be directed to clean out the gutters on said street.

3d. A remonstrance was also referred to your Committee, signed by E. H. Perkins and others, against grading and graveling the alley between Coburn and Daugherty street. As the work is already done there can be no action on the remonstrance, and would therefore recommend that the same be laid on the table.

4th. A motion was also referred directing the Street Commissioner to plank the crossing of Alabama street at its intersection with Wyoming street. We have examined said crossing and find that said work should be done, and that the Street Commissioner be directed to do the work.

5th. A motion was also referred directing the Street Commissioner to remove, within thirty days, at the expense of the owners, all signs and shade trees that are more than four feet square, standing on or near the curb stones before business property, between Circle and Delaware streets. We are opposed to cutting down shade trees, and do not find any signs between the limits named, except the sign of the Sinnissippi Insurance Company that could be taken down, and therefore recommend that the motion be laid on the table.

6th. A petition was also presented from John Curley and others, asking that the grade of the alley be changed between Stevens and McCarty streets. As the grading of this alley has just been completed according to the grade established by the Civil Engineer, we recommend that in the grade established by him there be no change made.

Respectfully submitted,

ISAAC THALMAN,  
JOHN L. MARSEE, } Committee.  
C. HECKMAN,

The question being on concurring in the first paragraph of the report,

Mr. Thoms called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Heckman, Kahn, Kennington, Locke, Marsee and Thalman—7.

Those who voted in the negative were Councilmen Cottrell, Gimber, Newman, Pyle, Thoms, Wiles and Woodburn—7.

So that paragraph of the report was not concurred in.

The remainder of the report was concurred in.

Mr. Marsee presented the following from the Chief Fire Engineer :

INDIANAPOLIS, Aug. 16, 1869.

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

GENTLEMEN:—As it is necessary that some person should act as an Assistant to the Chief Fire Engineer during his absence, I would appoint Daniel Glazier to act as my Assistant during my absence to Peoria, Illinois, and ask that you confirm said appointment, there being no extra expense to the city.

Respectfully,

CHARLES RICHMANN, *Chief Fire Engineer.*

Which was received, and Mr. Glazier confirmed as Deputy.

By consent, Mr. Kahn presented the following petition :

OFFICE OF TRUSTEES OF PUBLIC SCHOOLS, }  
Indianapolis, August 16, 1869.

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

GENTLEMEN:—The undersigned, Trustees of the Public Schools of the City of Indianapolis, respectfully represent :

That there was in the employ of the Board last year 78 Teachers, whose aggregate compensation for the school year of ten months, was \$44,470.07.

For the school year commencing in September, 1869, some fourteen additional Teachers will be required, involving an increase of about \$11,000 in expense, making the amount required to meet the pay roll for tuition for the school year, about \$55,000. This amount is expected to cover the tuition expenses for the colored schools, organized this year for the first time.

The total revenue apportioned to the city under the General School Law

of the State, is but \$24,600 per annum for tuition purposes, which sum, it is obvious to your honors, is entirely inadequate to the maintenance of your schools at the present rate of efficiency.

In view of these facts, the undersigned Trustees respectfully and earnestly request your honorable body to levy a tax of eleven (11) cents on each \$100 of taxable property, and twenty-five (25) cents on each taxable poll within the limits of the city, to be placed upon the tax duplicate, in accordance with the provisions of an Act of the General Assembly of the State of Indiana, passed March 6, 1867, for tuition purposes.

Respectfully,

W. H. L. NOBLE, }  
J. C. YOHN, } Trustees.  
JOHN R. ELDER, }

Which was received.

Also, general ordinance No. 48—1869, entitled:

AN ORDINANCE levying a tax for Common School purposes.

Which was read the first time.

Mr. Thoms, from the Committee on Printing and Stationery introduced special appropriation ordinance No. 33—1869, entitled:

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

Which was read the first time.

#### REPORTS FROM CITY OFFICERS.

The Market Master made the following report:

INDIANAPOLIS, Aug. 16, 1869.

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

GENTLEMEN:—I have the honor to transmit to you my report as Market Master for the quarter ending August 10, 1869.

Stalls occupied by Butchers in the East Market, I have sold 33, vacant 3. 18 Gardeners stalls on the south side of Market, and 5 stalls on the north side of said Market were sold as coffee stands; 4 stalls at the west end of the Market House were sold to fish dealers, and 40 Gardeners stalls were sold on the north side, vacant 4; so that the East Market stalls and stands are nearly all occupied. The market at that place is beginning to look very promising.

The West Market is in no way an institution of any great strength, and is only visited to a small extent. Only a very few of the stalls and stands are occupied. The house itself is at present dangerous for occupation

T. W. PEASE, *Market Master.*

Which was received.

The City Civil Engineer made the following report:

INDIANAPOLIS, Aug. 16, 1869.

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

GENTLEMEN:—I hereby report the following work finished according to contract:

F. J. Blume for grading and graveling Illinois street and sidewalks from Ray street to the Corporation line south: 9'

Length on the east side,	-	-	-	-	827 feet 6 inches.
Length on the west side,	-	-	-	-	829 feet 10 inches.
				-----	
Total length,	-	-	-	-	1657 feet 4 inches.
At 69 cents per lineal foot,	-	-	-	-	\$1,143 56

Also, Daniel Mahoney, for grading and graveling Washington street and south sidewalk, between the western arm of the Canal and White River: W'

Length on the north side, 294 feet, at 77 cents per lineal foot,	-	-	-	-	\$226 38
Length on the south side, 279 feet, at \$1.00 per lineal foot,	-	-	-	-	279 00
				-----	
Total estimate,	-	-	-	-	\$505 38

Also, John Schier, for grading and graveling the extension of Alabama st. and sidewalks, between McCarty and Wyoming streets: a'

Length on the east side,	-	-	-	-	240 feet.
Length on the west side,	-	-	-	-	252 feet.
				-----	
Total length,	-	-	-	-	492 "
At 96 cents per lineal foot,	-	-	-	-	\$472 32

Also, Michael Foust, for grading the alley running north and south through out-lot 104, between Sinker street and the first alley north of Sinker street: a'

Length on east side,	-	-	-	-	285 feet.
Length on west side,	-	-	-	-	286 feet.
				-----	
Total length,	-	-	-	-	571 feet.
At 15 cents per lineal foot,	-	-	-	-	\$85 65

Also, that Hiram Seibert has finished Sinker street, and that I recommend that he be allowed his estimate.

Also, Fearry & Dillon, for grading and paving the east sidewalk on Meridian street, between Pratt and St. Joseph streets, 393 feet, at 60 cts. per foot, \$235.80. m'

Respectfully, R. M. PATTERSON, *Civil Engineer.*

Which was concurred in, except that part referring to Sinker street, which was referred to the Councilmen from the 7th Ward, together with the Civil Engineer.

The City Clerk made the following report :

INDIANAPOLIS, Aug. 16, 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. First and final estimate allowed Deloss & Jerome B. Root for erecting lamp-posts, lamps and fixtures on Alabama street from Washington street to Pogue Run. is presented for your approval.

Also, first and final estimate allowed same parties for erecting lamp posts, lamps and fixtures on Vermont street, between Delaware and Alabama sts.

Also, contract and bond of Daniel Mahoney, for grading and graveling the alley running from Delaware street west to Pennsylvania street, through Danforth & Knox's subdivision of the south-east part of out-lot 173.

Also, first and final estimate allowed Francis J. Blume for grading and graveling Illinois street and sidewalks from Ray street to the Corporation line south.

Also, first and final estimate allowed Michael Foust for grading the alley running north and south through out-lot 104, between Sinkers street and the first alley north of said street.

Also, first and final estimate allowed Fearry & Dillon for grading and paving with brick the east sidewalk on Meridian street, between Pratt and St. Joseph streets.

Also, first and final estimate allowed Daniel Mahoney for grading and graveling Washington street and the south sidewalk from the western arm of the Canal to White River.

Respectfully submitted,

D. M. RANDELL, *City Clerk.*

Which was concurred in and the contract and bond approved.

Also the following resolution :

*Resolved,* That the foregoing first and final estimate allowed Deloss & Jerome B. Root for erecting lamp-posts, lamps and fixtures on Alabama street, from Washington street to Pogue Run, and on Vermont street, between Delaware and Alabama 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, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Wiles and Woodburn—15.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following resolution :

*Resolved,* That the foregoing first and final estimate allowed Francis J. Blume for grading and graveling Illinois street and sidewalks from Ray st. to the Corporation line south, 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, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Wiles and Woodburn—15.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed Michael Foust for grading the alley running north and south through out-lot 104, between Sinker street and the first alley north of said 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, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Wiles and Woodburn—15.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed Feary and Dillon for grading and paving with brick the east sidewalk on Meridian st., between Pratt and St. Joseph 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 then being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Wiles and Woodburn—15.

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 Washington street and south sidewalk, from the western arm of the Canal to White River, 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, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Wiles and Woodburn—15.

Councilman Woodburn voting in the negative.

So the resolution was adopted.

The City Gas Inspector made the following report :

OFFICE OF CITY GAS INSPECTOR, }  
Indianapolis, Aug. 14, 1869. }

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

GENTLEMEN:—I have this day accepted and approved the following work, as done according to contract :

*n* Deloss & Jerome B. Root, for erecting public gas lamps on New York st., between Delaware and Alabama streets, two intermediate lamps at \$37 each, \$74.00. Respectfully submitted,

GEO. H. FLEMING, *City Gas Inspector.*

Which was concurred in.

The Street Commissioner made the following report :

INDIANAPOLIS, Aug. 16, 1869.

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

GENTLEMEN:—I would respectfully invite your attention to the fact that the appropriation for street repairs is now exhausted, and that under existing laws I shall be obliged to stop the work until more money is appropriated for that purpose. Most respectfully,

AUGUSTUS BRUNER. *Street Commissioner.*

Which was received.

By consent, Mr. Brown introduced special appropriation ordinance No. 34—1869, entitled :

*S* AN ORDINANCE appropriating money for repairing streets.

Which was read the first time, and, by unanimous consent, the rules were suspended and the ordinance was read the second and third times and placed upon its passage.

The question being, shall the ordinance pass ?

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

Those who voted in the negative were Councilmen Cottrell and Kennington—2.

So the ordinance passed.

The City Treasurer made the following report :

OFFICE OF CITY TREASURER, }  
Indianapolis, Aug. 13, 1869. }

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

GENTLEMEN:—I have the honor to report that most of the property holders in the vicinity of Dillon street (out-lot 91), against whom an assessment of



benefits by the City Commissioners for the opening of said street was made, wholly refuse to pay such benefits, and it is my opinion that in case the same be advertised for the non-payment of such assessment, and offered for sale, that no one will purchase the same, and thereby additional costs be made to the city, and respectfully suggest that the City Attorney be instructed to examine into the matter.

Very respectfully,

Your obedient servant,

ROBT. S. FOSTER, *City Treasurer.*

Which was referred to the City Attorney.

ORDINANCES ON SECOND READING.

On motion, the following ordinances were read the second time and ordered to be engrossed.

Special ordinance No. 78—1869.

Special ordinance No. 79, “

Special ordinance No. 80, “

Special ordinance No. 81, “

Special ordinance No. 82, “

Special ordinance No. 83, “

Special ordinance No. 84, “

Special ordinance No. 85, “

Special ordinance No. 86, “

Special ordinance No. 87, “

Special ordinance No. 88, “

Special ordinance No. 90, “

Special ordinance No. 91, “

Special ordinance No. 93, “

Special ordinance No. 77—1869, providing for grading and paving the east sidewalk of Alabama street, between Market street and Massachusetts Avenue, was called up and read the second time.

Mr. Kahn moved to strike the ordinance from the files.

Dr. Woodburn called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Heckman, Kahn, Kennington, Marsee, Shepherd and Thelman—7.

Those who voted in the negative were Councilmen Cottrell, Gimber, Locke, Newman, Pyle, Thoms, Whitsit, Wiles and Woodburn—9.

So the motion to strike from the files was lost.

The ordinance was then ordered to be engrossed.

By consent, Dr. Woodburn presented the following remonstrance :

INDIANAPOLIS, Aug. 11, 1869,

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

GENTLEMEN:—We, the undersigned, citizens and resident property holders on Indiana Avenue, between the Canal and West street, do respectfully remonstrate against improving the sidewalk with brick pavement at the present time, as the same would be a burden upon your remonstrators, which they are wholly unable to bear this fall. We would, therefore, pray that all parts of an ordinance calculated for the improvement of said portion of the north side of Indiana Avenue be stricken out. And for which we in duty bound will ever pray.

Henry Voight,  
Andrew Denk,  
Henry Byrd, Agent,

William Franklin,  
Barnhard Walker.

Which was received.

By consent, Mr. Shepherd introduced special ordinance No. 94—1869, entitled :

AN ORDINANCE to provide for grading and graveling Cumberland street from Missouri to West streets.

Which was read the first time.

Mr. Gimber presented the following communication :

INDIANAPOLIS, Aug. 16, 1869.

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

GENTLEMEN:—The undersigned, Councilmen from the 6th Ward, respectfully suggest that Joseph W. Davis, late Councilman and Chief Fire Engineer, be invited to accompany your Committee and Councilmen to Peoria, Illinois. As neither of us can go we would like to be represented by Mr. Davis.

HENRY GIMBER.  
ROBERT KENNINGTON.

Which was received, and Mr. Davis formally invited by the President.

On motion the Council adjourned

*Daniel Macauley*  
~~DANIEL MACAULEY~~, Mayor.

ATTEST:

*W. M. Russell*  
~~W. M. RUSSELL~~, City Clerk.