

PROCEEDINGS

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, DECEMBER 13TH, 1869, 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 Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Wiles and Woodburn—16.

Absent—Councilmen Brown and Whitsit—2.

The proceedings of the regular session held December 6, 1869, were read and approved.

Sealed proposals were opened and read, and referred to the Committee on Contracts.

Business was then resumed in the order in which it was left off at last meeting, viz :

CALL OF THE ROLL.

Dr. Woodburn moved that the vote by which the contract was awarded to Samuel Lefever, for grading and graveling Louisiana street, from East street to Noble street, be reconsidered, and the City Clerk be instructed to re-advertise for proposals for same.

Which motion to reconsider was adopted, and the City Clerk so instructed.

Dr. Woodburn presented the following communication :

INDIANAPOLIS, Dec. 13, 1869.

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

GENTLEMEN:—I am directed to inform you, that this Company will sell to the city its property, on the corner of Kentucky avenue and Illinois street—a plat of which is enclosed—at a fair price, accepting in payment ten per cent. bonds, redeemable at the pleasure of the city.

The lot contains a building 70 feet 6 inches in length, by 50 feet wide, built for the State Bank of Indiana, of the choicest materials and in the most substantial manner, which is in every way well suited for the wants of the city. The basement story is eight feet high, and contains six large rooms, with a wide hall. This story could be arranged for a City Prison at very small cost, being well lighted, and the walls very thick, with no building contiguous. The first floor contains six large and commodious offices, with two large fire-proof vaults, one of them being also burglar-proof, and containing in addition a large first-class iron and burglar-proof safe. The ceilings are high, and the rooms in every way airy and pleasant. The second floor contains a fine large hall, and also four large and three small rooms, two of them containing large fire-proof vaults. The roof is of tin, and the whole building is practically fire-proof.

Very respectfully,

President Franklin Life Insurance Company.

This Company will sell the property, with or without reserving forty feet of the vacant ground on Illinois street, spoken of in a former communication, for building another office for its own use.

Which, on motion, was referred to a select committee composed of Councilmen Brown, Locke and Wiles, and the Committee on Public Buildings, with instructions to confer with the parties, and ascertain if they will take the lot on Maryland street, now owned by the city, in part payment.

Mr. Kahn moved that the report of the Committee on Streets and Alleys, made to Council on the 29th day of November, 1869, and concurred in, which vote was reconsidered December 6, 1869, be re-concurred in.

The question being on the adoption of the motion. :

Mr. Newman called for the ayes and noes.

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Heckman, Kahn, Kennington, Marsee, Shepherd, Thalman, Thoms, Wilas and Woodburn—11.

Those who voted in the negative were Councilmen Harrison, Locke, Newman, Pyle and Weaver—5.

So the motion to reconcur was adopted.

Dr. Woodburn offered the following motion :

That the Committee on Judiciary be authorized to employ a competent person to make a correct list of additions to this city, and report the same to Council at next meeting, for annexation.

Mr. Newman moved to amend, by instructing the City Civil Engineer to survey the different additions proposed to be annexed, and describe the same by metes and bounds.

Which amendment was adopted.

Dr. Woodburn's motion, as amended, was then adopted.

Dr. Woodburn presented the following communication from the Street Commissioner :

INDIANAPOLIS, Dec. 13, 1869.

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

GENTLEMEN:—On the 28th day of September, 1869, I was directed by your honorable body to proceed to repair such bridges over the canal and Pogue's run as, in my judgment, needed repairs; provided that I did not spend more than \$50 on any one bridge.

In obedience to said instructions, I proceeded to repair the bridge over the Canal on Ohio street, and after tearing up a part of it, I find that it cannot be made safe by an expenditure of less than \$150.

Respectfully submitted,

AUGUSTUS BRUNER. *Street Commissioner.*

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

Dr. Woodburn offered the following resolution :

Resolved, That the City Treasurer report to this Council on next Monday evening the amount of fines and costs paid over to him by the Mayor, from May 1, 1869, to December 1, 1869.

Mr. Newman moved to lay the resolution on the table, and called for the ayes and noes.

The question being to lay on the table.

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Harrison, Kahn, Kennington, Locke, Marsee, Newman, Shepherd, Thalman and Wiles—11.

Those who voted in the negative were Councilmen Heckman, Pyle, Thoms, Weaver and Woodburn—5.

So the motion to lay the resolution on the table was adopted.

His Honor, the Mayor, announced that the specified time for the acceptance of the charter granted the Water Works Company of Indianapolis, would very soon expire, this being the last meeting within the thirty days, and that he had been informed the Company would not accept the charter, as passed by the Council. He said that he deemed the enterprise of too much importance to the city, to allow this opportunity of securing Water Works to pass, at least without making some effort to effect a compromise which would be satisfactory to the Company, and at the same time secure to the city all the rights necessary. He therefore suggested and recommended that the rules be suspended, for the purpose of receiving and deciding the matter.

Dr. Woodburn moved that the rules be suspended, for the purpose of taking up and deciding the question of Water Works.

The question being on the suspension of the rules.

Those who voted in the affirmative were Councilmen Cottrell, Harrison, Heckman, Kahn, Kennington, Locke, Pyle, Thalman, Thoms, Weaver, Wiles and Woodburn—12.

Those who voted in the negative were Councilmen Gimber, Marsee, Newman and Shepherd—4.

So the rules were suspended.

Mr. Kahn introduced general ordinance No. 58, 1869—entitled :

AN ORDINANCE to amend an ordinance entitled, "An ordinance authorizing the Water Works Company of Indianapolis to construct, maintain and operate Water Works, and supply pure water to the city and citizens of Indianapolis, defining their powers and privileges, and prescribing their duties," ordained and established November 15, 1869.

Which was read the first time and, on motion by Mr. Cottrell, referred to a select committee, composed of Councilmen Brown, Wiles and Kahh, with instructions to confer with the Water Works Company.

Mr. Cottrell introduced general ordinance No. 59, 1869—entitled :

AN ORDINANCE to amend section nine of an ordinance entitled, "An ordinance authorizing the Water Works Company of Indianapolis to construct, maintain and operate Works, and supply water to the city and citizens of Indianapolis, defining their powers and privileges, and prescribing their duties."

Which was read the first time.

Mr. Newman moved that the ordinance introduced by Mr. Cottrell, be substituted for the ordinance introduced by Mr. Kahn.

Which motion was adopted.

Dr. Woodburn moved that the ordinance be read the second time.

Mr. Shepherd rose to a point of order and stated that the ordinance could not be read the second time, without a suspension of the rules.

His Honor, the Mayor, decided, that the former suspension of the rules covered the first, second and third reading and passage of the ordinance, if the Council saw fit to do so.

Mr. Cottrell appealed from the decision of the Chair.

The question being, shall the decision of the Chair stand?

Those who voted in the affirmative were Councilmen Cottrell, Harrison, Heckman, Kahn, Kennington, Newman, Pyle, Thalman, Thoms, Weaver and Wiles—11.

Those who voted in the negative were Councilmen Locke, Marsee and Shepherd—3.

So the decision of the Chair was sustained.

Mr. Shepherd moved to adjourn.

Which motion was lost.

The ordinance was then read the second time and ordered engrossed.

Mr. Marsee moved to adjourn.

Which motion was lost.

The ordinance was then read the third time and placed upon its passage.

The question being, shall the ordinance pass?

Those who voted in the affirmative were Councilmen Cottrell, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver and Wiles—13.

Those who voted in the negative were Councilmen Gimber and Shepherd—2.

So the ordinance passed.

On motion, the Council adjourned.

Daniel Macauley
DANIEL MACAULEY, Mayor.

ATTEST:

A. M. Rowdell
~~City Clerk~~, City Clerk.