

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, JUNE 15TH, 1868, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

Present—Hon. A. P. Stanton in the chair, and the following members :

Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Stanton and Woodburn—15.

Absent—Councilmen Burgess, Colley and Seidensticker—3.

The following invitation was read and accepted :

INDIANAPOLIS, June 15, 1868.

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

You are cordially invited to attend the Closing Exercises of the Indianapolis Training School, which will take place at the Training School Building corner of Michigan and Blackford streets, on the mornings of Thursday and Friday of this week.

Very truly,

A. C. SHORTRIDGE.

Mr. Brown offered the following from the Board of Trustees of the City Schools :

OFFICE OF TRUSTEES OF PUBLIC SCHOOLS, }
Indianapolis, June 15, 1868. }

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

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

That there are now in the employment of the Board, and have been during the year, 62 Teachers, whose aggregate compensation is \$3,500 per month, or for the school year of ten months \$35,000.

That for the school year commencing in September, 1868, some 16 additional teachers will be required, which number, at the average rate of compensation now allowed, will involve a largely increased per cent. of expenditure for tuition.

That the total revenue apportioned to the City under the General School Law of the State, is but \$22,500, 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, we, the undersigned Trustees, respectfully and earnestly request your honorable body to levy a tax of ten cents on each \$100 of taxable property, and twenty-five cents on each taxable poll within the limits of the city, to be placed upon the County Duplicate, in accordance with the provisions of an act of the General Assembly of the State of Indiana, approved March 9, 1867.

THOMAS B. ELLIOTT, }
W. H. L. NOBLE, } Trustees.
CLEMENS VONNEGUT, }

Which was received.

Mr. Brown introduced general ordinance No. 146, entitled :

AN ORDINANCE levying a tax for Common School purposes.

Which was read the first time.

Mr. Brown moved that the rules be suspended and that the ordinance be read the second time.

The question being on a suspension of the rules, those who voted in the affirmative were Councilmen Brown, Coburn, Davis, Foster, Jameson, Kappes, Loomis and Stanton—8.

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

So the rules were not suspended.

Mr. Coburn offered the following motion :

That the Street Commissioner build a culvert at the crossing of Ohio and Pennsylvania streets.

Which was adopted,

Mr. Foster offered the following motion :

That the Civil Engineer be requested to report an estimate of the cost of building a bridge across the Canal on Merrill street, the said bridge to be the full width of the street (40 feet), and to be provided with stone abutments.

Which was adopted.

Mr. Foster offered the following motion :

That A. Wiegand be permitted to grade and gravel the sidewalk in front of his property on the west side of Missouri street, between South street and Kentucky Avenue, the work to be done at his own expense and under the direction of the City Civil Engineer, and the Civil Engineer be directed to set the grade stakes for the same.

Which was adopted.

Mr. Foster offered the following motion :

That the Street Commissioner be directed to raise the bridge across the Canal on South street to the grade of the street, and also extend the width of said bridge to the south line of the street about 25 feet.

Which was adopted.

Mr. Goddard introduced special ordinance No. 51—1868, entitled :

AN ORDINANCE to provide for grading and graveling the alley running north and south through out-lot one hundred and twenty-one, between Illinois and Maple streets.

Which was read the first time.

Mr. Geisel offered the following motion :

That the Civil Engineer be directed to employ James Brown and D. B. Hosbrook to assist him in determining what should be done in relation to the location of Jackson, Broad and Plum streets.

Which was adopted.

Mr. Geisel obtained leave of absence for the remainder of the evening.

Mr. Goddard offered the following motion :

That the Street Commissioner be authorized to put a culvert on the east side of West street across Kentucky Avenue; and that the Street Commissioner notify the Vincennes Railroad and Rolling Mill Companies to finish their part of said culvert at their expense.

Which was adopted.

Dr. Jameson presented the following petition :

INDIANAPOLIS, June 15, 1868.

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

The undersigned, your petitioner, wishes to grade and curb with stone the sidewalk in front of his residence on Market street, in Square 42, extending

from New Jersey street west to the alley, being front of lots 4, 5 and 6, in said Square, (202½ feet,) and pave with hard brick a breadth of 10 feet thereof the whole length.

He respectfully requests the permission of the Council to make said improvement, and that an order be passed directing the City Engineer to set the requisite grade marks. And your petitioner, as in duty bound, &c.

H. BATES.

Which was received, and the Civil Engineer directed to set the grade stakes.

Mr. Kappes introduced general ordinance No. 147, entitled :

AN ORDINANCE providing for the execution and delivery of Bonds of the City of Indianapolis to the Junction Railroad Company.

Which was read the first time.

Mr. MacArthur offered the following motion :

That the Street Commissioner be instructed to properly repair the culvert on Indiana Avenue at the first street east of Fall Creek Bridge.

Which was referred to the Board of Public Improvements.

Mr. MacArthur offered the following motion :

That the Street Commissioner be instructed to notify the Cincinnati, Indianapolis and Lafayette Railroad Co. to properly gravel the sidewalk on the east side of Missouri street, between Georgia street and Indiana Avenue, where their track is laid.

Which was adopted.

Mr. MacArthur offered the following motion :

That the City Marshal be instructed to notify Messrs. Aldrich & Gay to remove the fence across the sidewalk on Missouri street, between Michigan and North streets; also, that all the cord wood be removed therefrom.

Which was adopted.

Mr. Schmidt offered the following motion :

That the Street Commissioner be authorized to repair the gutters on Maryland street, between Alabama street and Virginia Avenue. Since bowldering the gutters on Alabama street the water from the gutters on said Maryland street has not sufficient outlet, the gutters have to be raised from three to four inches, and so the sidewalk on the south side of said work shall be done under the direction of the Civil Engineer and at the expense of the City.

Which was referred to the Board of Public Improvements.

Mr. Stanton offered the following motion :

That the City Civil Engineer be directed to examine the culvert across New York street at the crossing of Bright street and the gutter or ditch on west side of Bright street and south of New York street, and report what repairs or alterations are needed to put the same in proper condition.

Which was adopted.

Mr. Stanton, for Mr. Brown, offered the following motion :

That the consideration of the subject of any ordinance regulating or defining the duties of the Gas Inspector be postponed until the first Monday in August next.

Pending which, the following opinion of the City Attorney was called for :

INDIANAPOLIS, June 15, 1868.

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

GENTLEMEN :—I have examined the ordinance respecting the office of Gas Inspector, and respectfully submit that the Council have power to enact such an ordinance, if deemed necessary as a police regulation.

There is one section, however, which should be amended. I refer to the 13th. I do not think the Council have power to require the Gas Company to detach and re-adjust at their own cost meters which shall be found, upon examination, to be correct. In such a case they should be paid a reasonable compensation for their labor.

The Gas Inspector to-day showed me some amendments which will, I think, obviate the objection.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was received.

The ayes and noes were called for on the motion.

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

Those who voted in the negative were Councilmen Coburn, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Stanton and Woodburn—10.

So the motion was lost.

Mr. Stanton introduced general ordinance No. 148, entitled :

AN ORDINANCE to amend section one of an ordinance, entitled "An ordinance to prohibit the running at large in the City of Indianapolis of any swine, boar, sow or barrow, and to regulate the erection and keeping of pig styes and stables.

Which was read the first time.

Mr. Brown moved that the ordinance be rejected, and called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Coburn, Davis, Kappes, Schmidt and Woodburn—6.

Those who voted in the negative were Councilmen Cottrell, Foster, Goddard, Henschen, Jameson, Loomis, MacArthur and Stanton—8.

So the motion to reject was lost.

Mr. Henschen presented the following petition :

INDIANAPOLIS, June 13, 1868.

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

We, the undersigned, citizens of the 8th Ward of the City of Indianapolis, do hereby respectfully petition your honorable body to repeal the existing ordinance for the impounding and sale of hogs found at large on our streets.

John Brennan,	Henry Rodewald,
David Hoss,	Thomas Ellis,
Geo. Rosebrock,	And 55 others.

Which was received.

Dr. Woodburn introduced special ordinance No. 52—1868, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on St Clair street, between Meridian and Illinois streets.

Which was read the first time.

Dr. Woodburn introduced special ordinance No. 53—1868, entitled :

AN ORDINANCE to provide for grading and graveling Kankakee alley running north and south through Square 14, between Michigan and North streets.

Which was read the first time.

Dr. Woodburn introduced special appropriation ordinance No. 31—1868, entitled :

AN ORDINANCE appropriating money to aid in the erection of the abutments and piers of a bridge over White River at or near the crossing of the Crawfordsville Gravel Road.

Which was read the first time.

Dr. Woodburn moved that the rules be suspended and the ordinance read the second time.

The question being on a suspension of the rules, those who voted in the affirmative were Councilmen Brown, Davis, Foster, Goddard, Jameson, Kappes, Loomis, MacArthur, Schmidt, Stanton and Woodburn—11.

Those who voted in the negative were Councilmen Coburn, Cottrell and Henschen—3.

So the rules were not suspended.

Dr. Jameson offered the following motion :

That the ordinance relating to Junction Railroad Bonds be referred to a special committee of three, who shall report the necessary action in the premises.

Which was adopted.

The Chairman appointed as such Committee Councilmen Jameson, Brown and Seidensticker.

By consent, Mr. Kappes, from the Committee on Printing and Stationery, introduced special appropriation ordinance No. 32—1868, entitled :

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

Which was read the first time.

Mr. Brown moved that the rules be suspended and that the ordinance be read the second and third times and placed upon its passage.

The question being on a suspension of the rules, those who voted in the affirmative were Councilmen Brown, Coburn, Davis, Foster, Goddard, Jameson, Kappes, Loomis, MacArthur, Schmidt, Stanton and Woodburn—12.

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

So the rules were suspended and the ordinance 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, Coburn, Cottrell, Davis, Foster, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Stanton and Woodburn—14.

No Councilman voting in the affirmative.

So the ordinance passed

Sealed proposals for public improvements were referred to the Board of Public Improvements without reading.

The City Clerk made the following report :

INDIANAPOLIS, June 15, 1868.

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

The City Clerk respectfully reports to the Council :

1st. The contract and bond of James Mahoney for grading and paving the north sidewalk on Market street between New Jersey and Noble sts.

2d. First and final estate allowed Thomas Carr for grading and graveling Merrill street and sidewalks, between the east side of Kentucky Avenue and the west side of West street, which is presented for your approval.

Respectfully submitted,

D. M. RANSDELL, *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 Thomas Carr for grading and graveling Merrill street and sidewalks, between the East side of Kentucky Avenue and the west side of West 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, Coburn, Cottrell, Davis, Foster, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

Dr. Woodburn called up special appropriation ordinance No. 31—1868, entitled :

AN ORDINANCE appropriating money to aid in the erection of the abutments and piers of a bridge over White River, at or near the crossing of the Crawfordsville Gravel Road.

Which was read the second time and ordered to be engrossed.

Mr. Davis, from the Board of Public Improvements, made the following report :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, June 15, 1868. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that in relation—

1st. To the remonstrance of W. P. Noble and E. S. Alvord against the improvement of Ohio street from Winston street to the Corporation line, the Board would recommend the postponement of the passage of the ordinance for said improvement.

2d. That for the improvement of Vine street the Board would recommend that the ordinance be amended so as to provide for grading said street.

3d. That for the improvement of Wabash street and sidewalks Samuel Hanway is the lowest bidder, his bid being 23½ cents per foot.

4th. That for the paving and curbing of Mississippi street and sidewalk, west side, from the first alley north of Market street to Ohio street, Messrs. Feary & Dillon are the lowest and best bidders, their bid being for paving 65 cents, for curbing 22 cents.

5th. That for the curbing of the sidewalks of Meridian street, between Pogue Run and South street, G. W. Buchanan is the lowest bidder, his bid being 78 cents per foot.

6th. That in relation to the motion for the Street Commissioner to construct a wooden culvert across Indiana Avenue, east side, at Mississippi st., the Board are of opinion that a culvert is not needed at that point.

J. W. DAVIS,
HENRY COBURN,
SAMUEL GODDARD, } *Board.*

Which was concurred in, with the exception of the last paragraph, which was recommitted to the Board for further investigation.

Mr. Loomis offered the following resolution :

Resolved, That the owners of the following described real estate, to-wit: Out-lots Nos. 96, 97, 98, Fletcher, Stone, Hoyt & Witt's subdivision to the City of Indianapolis—Lot No. 322 on Elm street, between Cedar and Pine street west side, be and she is hereby required to fill and drain the same, as, in the opinion of this Council, there is a hole or excavation thereon in which water has or may become so stagnant and noxious as to be a nuisance, and injurious to the health and comfort of said city, and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby required to notify the owner thereof, as provided by an ordinance passed April 23, 1866, entitled: "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to drain or fill said excavation, as provided in said ordinance.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Goddard, Henschen, Kappes, Loomis, MacArthur and Stanton.

Those who voted in the negative were Councilmen Jameson, Schmidt and Woodburn—3.

So the resolution was adopted.

On motion, the Council adjourned.

DANIEL MACAULEY, *Mayor.*

ATTEST:

D. M. RANDELL, *City Clerk.*