

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS,  
MONDAY, JUNE 29TH, 1868, 7½ 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 Coburn, Davis, Foster, Geisel, Henschen, Jameson,  
Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and  
Woodburn—13.

Absent—Councilmen Brown, Burgess, Colley, Cottrell and God-  
dard—5.

The proceedings of the regular session held June 22d, 1868, were  
read and approved.

General ordinance No. 149, relating to markets and prohibiting  
the sale of sundry articles during certain hours, being the special  
order, was taken up and read the second time.

Dr. Jameson moved that the ordinance be engrossed.

Mr. Geisel called for the ayes and noes.

The question being on engrossment, those who voted in the affirmative were Councilmen Geisel, MacArthur, Stanton and Woodburn—4.

Those who voted in the negative were Councilmen Coburn, Davis, Foster, Henschen, Jameson, Kappes, Loomis, Schmidt and Seidensticker—9.

So the motion to engross the ordinance was not adopted.

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

INDIANAPOLIS, June 27, 1868.

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

GENTLEMEN:—The Special Committee, to whom was referred the compromise and adjustment of certain actions against the city, respectfully submit the following report:

The committee adjusted said actions upon the terms contained in a written agreement executed by the plaintiffs in said actions, and your committee on behalf of the city, a copy of which we transmit herewith.

Your committee respectfully represent that in their judgment the adjustment is highly advantageous to the city, as no costs or expenses beyond the sum of one hundred and fifty dollars is paid by the city, and the sewer provided for is one which could not be left unprovided without subjecting the city to continual and harrassing litigation. Its necessity is urgent and imperative. If the complainants had succeeded in recovering judgment for barely nominal damages, the costs alone would have exceeded the sum the city has agreed to pay, and in agreeing to construct the temporary sewer nothing more is undertaken than what must in any event have been done within a very brief period to prevent the continual washing away of lots adjoining Virginia River.

Your committee respectfully recommend that a wooden sewer be constructed as agreed, and that the Civil Engineer be instructed to prepare proper plans and specifications, and to advertise for proposals therefor.

Respectfully,

JOHN B. MACARTHUR,	} Committee.
WM. H. HENSCHEN	
P. H. JAMESON,	
BYRON K. ELLIOTT,	

Whereas Michael Lee, John B. Kelley, and certain other persons have certain actions pending in the Marion Civil Circuit Court against the City of Indianapolis, for injuries alleged to have been caused by a drain or ditch dug by said city and known as Virginia River; and whereas the said John B. Kelley, as agent of all the said plaintiffs, and the Special Committee of said City, have compromised and adjusted said causes upon terms following, to-wit:

The said City of Indianapolis undertakes and agrees to construct a wooden sewer along and through an alley running from Virginia Avenue, the distance which said ditch was dug through a public alley of said city, the capacity thereof to be equal to the sewer or culvert commonly called "Richter's," and the same to be strongly and securely constructed, and the grade of said alley to be made to conform to the established grade of Stevens street. The distance is estimated to be three hundred and eighty-six feet. The said

city to also pay the said plaintiffs the sum of one hundred and fifty dollars, and do the work aforesaid within ninety days.

In consideration whereof the said plaintiffs agree to dismiss all actions now pending against said City of Indianapolis, and to release all claims and demands whatsoever against said City of Indianapolis.

In witness of which the said John B. Kelley for himself and in behalf of the other complainants Lucial Kelley, R. S. Luken Pardick, — Golomeyer, Thomas Wall, and Michael Lee, and John B. MacArthur, P. H. Jameson, Wm. H. Henschen and Byron K. Elliott, Special Committee of the Common Council, have hereto set their hands this 26th day of June, 1868.

(Signed,)

JOHN B. KELLEY,

JOHN B. MACARTHUR, }  
WM. H. HENSCHEN, } *Committee.*  
P. H. JAMESON, }  
BYRON K. ELLIOTT, }

Which were concurred in.

On motion by Mr. MacArthur, the City Clerk was directed to advertise for bids for the aforesaid work.

#### REGULAR ORDER OF BUSINESS.

Mr. Geisel offered the following motion :

That S. J. Pickerill be, and is hereby, permitted to grade and gravel the sidewalk in front of his property on Plum street, under the direction of the Civil Engineer.

Which was adopted.

Mr. Geisel introduced special ordinance No. 56—1868, entitled :

**AN ORDINANCE** to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Chatham street, between St. Clair street and Massachusetts Avenue.

Which was read the first time.

Mr. Henschen presented the following remonstrance :

INDIANAPOLIS, June 29, 1868.

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

We, the undersigned property holders on the line of the proposed improvement of Virginia Avenue, between East and Stevens street, do most respectfully but earnestly protest against the bowldering of said street at the present time. Our taxes are already burdensome, and we do not feel able to pay for such an improvement at present. We are aware that our street has been in bad condition for some time, being caused by digging it up to put in a street Railroad; but it has now become settled and firm again, and we believe that with the present solid foundation it could be made one of the best thoroughfares in the city by the application of from 4 to 6 inches of good River gravel at a small expense.

Mary R. Gilmore,  
Hubbard Williams,  
R. L. Lukens,

W. G. Wright,  
C. E. Whitsit,  
And 16 others.

Which was referred to the Board of Public Improvements.



Dr. Jameson presented the following from the ex-City Auditor.

INDIANAPOLIS, June 29, 1868.

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

GENTLEMEN:—The following City Orders remained on my hands at the expiration of my term as City Auditor, which I have paid over to the City Treasurer and have taken his receipt for the same:

No. 3007.	E. T. Nelson, taxes refunded	-----	\$ 60
" 752.	John Lawn, " "	-----	5 00
" 753.	" " " "	-----	5 00
" 4947.	W. H. H. Terrill, " "	-----	20 00
" 4948.	" " " "	-----	20 00
" 4949.	" " " "	-----	20 00
" 4950.	" " " "	-----	17 20
" 7213.	W. H. Craft, gas fixtures	-----	100 00
" 7214.	" " " "	-----	150 00
" 7212.	" " " "	-----	100 00
Total-----			\$437 80

Respectfully submitted,

JOHN G. WATERS, late City Auditor.

Which was received.

Dr. Jameson offered the following motion :

That the Gas Inspector be directed to employ some competent person to remove the gas post on South Illinois street, in front of E. C. Atkins & Co.'s Saw Works, to such place as shall not incommode the business of the locality.

Which was adopted.

Dr. Jameson presented the following communication :

INDIANAPOLIS, June 29, 1868.

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

GENTLEMEN:—Before another meeting of your Council I will commence the change of the Roberts Chapel property into a business block. The first work will be the removal of the tower, provided the same is removed. If you desire to keep up the Town Clock it may remain there by your making a slight change in the tower and repainting the same, with the dials of the clock, and keeping it wound. If you do not wish to incur this expense, which will probably be about \$100, you will please order the clock removed, that I may also remove the tower. Respectfully submitted,

E. B. MARTINDALE.

In reference to which Mr. Seidensticker offered the following motion :

That the Chief Fire Engineer be directed to have the Town Clock taken down and properly cared for.

Which was adopted.

Mr. Kappes presented the following petition :

INDIANAPOLIS, June 29, 1868.

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

We petition your honorable body to open Michigan street from its present eastern terminus to the Corporation line. In its present condition it obstructs travel to and from the city, and is of great inconvenience and loss to those of our citizens living or doing business in the neighborhood of said street or on the county road running east, which is a continuation of the same, having no outlet without going one half mile out of our way ; whereas if the above street be opened to the Corporation line it will greatly enhance our property, facilitate travel, and be a direct and material benefit to those of us living contiguous to said street. We therefore pray your honorable body to give the matter your earliest attention.

J. C. Adams,  
D. J. Barker,  
John O. Whitsit.

W. H. Harris,  
W. Y. Wiley,  
And 58 others.

Which was received, and the City Clerk directed to give the proper notice to the Commissioners and property holders for the opening of said street.

Mr. Loomis presented the following petition :

INDIANAPOLIS, June 29, 1868.

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

The undersigned petitioners pray your honorable body that you will do, or cause to be done, the draining or filling up of a pond where the water stands and becomes stagnant and unhealthy to the citizens in the vicinity of said pond ; said pond is in the rear of lots 23, 24 and 25 of Bradshaw and Holmes' subdivision of the City of Indianapolis, and south of Buchanan street, and your petitioners will ever pray, &c.

Wm. Martindale,  
Thomes Ellis,  
Henry Rodewald,

George Meyers,  
A. S. Ray,  
And 40 others.

Also, the following resolution :

*Resolved*, That the owners of the following described real estate, to-wit: Lots Nos. 23, 24 and 25 of Bradshaw and Holmes' subdivision to the City of Indianapolis, 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.

In reference to which Dr. Jameson offered the following motion :

To amend by substituting that the papers in the case be referred to the Committee on Revision of Ordinances, with instructions to prepare a suitable ordinance and resolutions under the existing Charter for the filling of lots and abatement of this character of nuisances.

Which was adopted.

Mr. Loomis offered the following motion :

That the City Marshal be, and is hereby, directed to notify the Citizens' Street Railway Company to repair the streets upon which their tracks are laid, as per the provisions of section 5 of their Charter, passed and approved December 11th, 1863.

Which was adopted.

Mr. Loomis, also, offered the following motion :

That the Street Commissioner be directed to properly enlarge the present culvert under Virginia Avenue at the crossing of Virginia River, under the direction of the Board of Public Improvements.

Which was adopted.

Mr. Loomis, also, offered the following motion :

That whereas the Common Council of the City of Indianapolis granted a Charter to the Citizens Street Railway Company Dec. 11, 1863; and whereas the Common Council by ordinance subsequently attempted to repeal said Charter granted to said Railway Company; and whereas there is question in doubt of the legality of said ordinance; therefore be it

*Moved,* That the City Attorney be directed to examine the said ordinance, together with the Charter granted to said Company, and report to Council whether or not the said ordinance is legal and binding under the terms of said Charter.

Which was adopted.

Mr. Loomis introduced general ordinance No. 151—1868, entitled :

AN ORDINANCE granting special license to Marcus L. Hare to carry on a Concert Hall on Court street, in the City of Indianapolis.

Which was read the first time.

Mr. Loomis presented the following petition :

INDIANAPOLIS, June 25, 1868.

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

GENTLEMEN:—The undersigned, your petitioner, sole owner of the property lying on both sides of New Jersey street, between Merrill and McCarty sts., respectfully request your honorable body to pass an ordinance for the grading of the entire street between said points, including the sidewalks; and also to gravel 15 feet in width in the center of said street with screened River gravel, gravel to be 12 inches in thickness in the center, sloping to 4 inches at the sides.

A. G. STEVENS,  
By M. E. DOWNIE.

Which was received.

Also, special ordinance No. 57—1868, entitled :

AN ORDINANCE to provide for grading and graveling New Jersey street between Merrill and McCarty streets.

Which was read the first time.



Mr. MacArthur offered the following motion :

That the Board of Public Improvements be instructed to report on the ordinance referred to them ordering the improvement of the sidewalk on Elizabeth street, between Indiana Avenue and North street.

Which was referred to the Board of Public Improvements.

Mr. Seidensticker presented the following petition :

INDIANAPOLIS, June 29, 1868.

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

Your petitioners, butchers frequenting the City Markets and owning regular stalls in the City Markets, respectfully represent that they are desirous of securing the sale of good, healthy meats in the markets, and the city generally. To secure this result, desirable to all, we respectfully recommend the appointment of a suitable person, to serve as Meat Inspector for this city, to examine and approve or condemn all animals before killing, which are to be sold in the Markets or Meat-shops of the city; also, all meats offered for sale.

2. The amendment of the Market Ordinance, so that no person shall be permitted to sell meat in the outside stalls as long as there are inside stalls unoccupied.

H. T. Rouse,  
L. Davis,  
G. Sindlinger,

Adam Mueller,  
John Stellwagen,  
And 25 others.

Which was referred to the Committee on Markets and Market Master, with instructions to report as soon as possible.

Mr. Seidensticker introduced general ordinance No. 152, entitled :

AN ORDINANCE relative to trespass on houses.

Which was read the first time.

Mr. Seidensticker introduced special ordinance No. 58—1868, entitled :

AN ORDINANCE to provide for the grading and graveling of Ohio street, between Davidson street and the Corporation line east.

Which was read the first time.

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

On motion by Mr. Geisel, John Welsh was permitted to withdraw his bid for the improvement of Michigan street.

#### REPORTS FROM BOARDS.

Mr. Seidensticker, from the Board of Police, made the following report :

INDIANAPOLIS, June 29, 1868.

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

GENTLEMEN:—Your Board of Police ask to report the following as their action under and by the ordinance creating your Board of Police.

We have appointed the herein named persons on the Police Force of the City, to serve during the current year, unless they shall be sooner discharged for sufficient cause.

Chief of Police, Thos. S. Wilson. Lieutenants of Police, Henry Paul and George Taffe.

We have also appointed the following Patrolmen :

First Ward—Day run, George Bennett. Night run, Robert Barbee and Thomas Horniday.

Second Ward—Day run, James N. Stevens. Night run, E. P. Hoppe and A. J. Wells.

Third Ward—Day run, Hannibal Taffe. Night run, John Cahill and Allen Thornbrough.

Fourth Ward—Day run, Wm. Bolan. Night run, Wm. Brennemer and Michael Murphy.

Fifth Ward—Day run, Samuel Buser. Night run, Fred. Sheigert and John T. Brown.

Sixth Ward—Day run, J. P. Duvall. Night run, Hiram Minick and O. B. Boardman.

Seventh Ward—Day run, Wm. Williams. Night run, George Buser and Francis Otwell.

Eighth Ward—Day run, L. M. Russell. Night run, A. H. Catterson and August Reick.

Ninth Ward—Day run, J. T. Murphy. Night run, Pauline Landormie and George Thomas.

We have also conferred Police powers upon the following named persons as members of the Merchants' Police :

Chief, Col. A. D. Rose.

Patrolmen—John Spellman, John Scantlin, John Trask, H. P. Thomas, Daniel May, Robert Bates, J. F. Miller, Robert Campbell, George Shaw, and Allen North.

Your Board have also conferred Police powers upon Jacob Bisbing, Union Depot Marshal, and four Assistants. Also upon sundry Watchmen at the Freight Depots, Hotels, etc.

We earnestly request, at your hands, an appropriation sufficient to white-wash and otherwise repair the present Police office.

All of which is respectfully presented.

ADOLPH SEIDENSTICKER, *Prest. Board Police,*  
A. P. STANTON.

W. H. LOOMIS, *Secretary Board.*

Which was concurred in.

#### REPORTS FROM CITY OFFICERS.

The City Clerk made the following report :

INDIANAPOLIS, June 29, 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 Hiram Seibert for grading and bowldering, and also curbing, the outside edges of the sidewalks with white oak plank, from the south side of Pogue Run. The Council will please read this bond and contract through, and see if it is all right, as the bid of the party giving it is a very peculiar one.

2d. The contract and bond of Deloss Root and Jerome B. Root for the



erection of lamp-posts, lamps and fixtures on Vermont street, between Illinois and Tennessee streets.

Respectfully submitted,

D. M. RANSELL, *City Clerk.*

Per JOHN G. WATERS, Deputy.

The contract and bond of Hiram Seibert was referred to the City Attorney, with instructions to report next Monday night.

The contract and bond of D. Root & Co. was approved.

The City Treasurer presented the following :

OFFICE OF CITY TREASURER, }  
Indianapolis, June 29, 1868. }

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

GENTLEMEN:—Having appointed John Pyle Deputy City Treasurer, for the purpose of collecting delinquent taxes, I respectfully ask that you confirm him as such.

Respectfully, &c.,

ROBT. S. FOSTER, *City Treasurer.*

Mr. Seidensticker offered the following resolution :

*Resolved,* That John E. Pyle be confirmed as Deputy Treasurer.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Coburn, Davis, Foster, Geisel, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the resolution was adopted.

The Chief Fire Engineer made the following report :

INDIANAPOLIS, June 29, 1868.

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

GENTLEMEN:—Your Chief Fire Engineer would most respectfully report that there are several dilapidated sheds and pens at the No. 2, and also at No. 3, engine houses, which need replacing by new and more substantial sheds, for the purpose of storing away coal, fuel, shavings for bedding, kindling, &c., costing from \$50 to \$75 each. I would ask for permission to have the same built.

I would further state that, since the completion of the telegraph, several more instruments have been put in, and that the whole number of boxes now in service are 46. There are yet mischievous persons who are frequently interfering with said boxes by giving alarms on the same. I would recommend that a reward be offered for the detection of such persons. I would further recommend and ask that at least one of the watchmen on the tower be retained, for the present, to watch during the night, say from 11 P. M. to 5 o'clock A. M., until this system has been more thoroughly tried.

I understand that some time since bids were received for the removing of the old bell tower to the No. 2 engine house, and that the bids for doing this work were near eight hundred dollars. I would call your attention to the fact that the front part of the No. 2 engine house is in a bad condition, and

that said part of building will have to be rebuilt before long. Should you direct to have the alarm bell removed, I would ask that you would take into consideration the rebuilding of the front part of said engine house, with a view of placing the bell on the same. This would make the location permanent, and at the same time put the house in good condition, and the cost would be comparatively but little more than the removing of the old tower.

I would also call your attention to a resolution passed by your honorable body, instructing the engineer to sink a pipe or tube into the earth for the purpose of securing a supply of water for fire purposes, and state that arrangements have been made to procure the tools now used by the Indianapolis Gas Light & Coke Company for the same purpose, but I am unable to tell how soon these tools can be had. Their well, being now 93 feet deep, has, as yet, failed to furnish enough water to supply an engine. Should you desire to have this work done at once, then the necessary tools will have to be made. I ask for instructions in this matter.

I would also report that the No. 2 engine has been thoroughly overhauled and repainted, and will be in service within a few days, there being then three good engines in service, one to each company, and with the arrangement of the telegraph, there will be no further necessity of running the whole department to all the alarms. I would therefore recommend that the different companies attend alarms given from the following boxes, unless called out by giving a second alarm, or other signal given by the Chief Engineer, as follows:

<i>No. of Box.</i>	<i>No. of Companies.</i>	<i>No. of Box.</i>	<i>No. of Companies.</i>
2	Whole Department.	35	Whole Department.
3	Nos. 2 and 3	36	Nos. 1 and 2
4	Whole Department.	37	Whole Department.
5	Whole Department.	41	Nos. 1 and 3
6	Whole Department.	42	Whole Department.
7	Nos. 2 and 3	43	Whole Department.
12	" 2 and 3	45	Whole Department.
13	" 2 and 3	46	Whole Department.
14	" 2 and 3	47	Nos. 1 and 3
15	" 2 and 3	51	" 1 and 3
16	Whole Department.	52	" 3 and 2
17	Nos. 1 and 2	53	" 3 and 2
18	Whole Department.	54	" 3 and 2
21	Nos. 1 and 2	56	" 3 and 2
23	Whole Department.	57	" 3 and 2
24	Whole Department.	61	" 3 and 2
25	Whole Department.	62	Whole Department.
26	Whole Department.	63	Whole Department.
27	Nos. 1 and 2	64	Whole Department.
31	" 1 and 2	65	Whole Department.
32	" 1 and 2	67	Whole Department.
34	" 1 and 2	71	Nos. 2 and 3

The hook and ladder wagon and extra hose reel to attend all alarms, by this arrangement there would be, at most times, one company at the house, thereby saving the wear and tear of apparatus and horses.

I would further state that Mr. Yelton, the officer appointed to take charge of the telegraph, must necessarily be away from the engine house many times, and in case of an alarm, could not be there to drive out the hose reel, which was also made a part of his duty. If desired to drive this reel to all fires, it will be necessary to employ some person for this purpose.

I would further call your attention to the necessity of passing an ordinance for the regulation and government of the fire department, prescribing the duties of officers and members, there being no ordinance now on that subject.

Allow me also to urge the necessity of building more cisterns, and recommend that cisterns holding, not to exceed six hundred barrels, are best adapted to our purpose. They are more easy to be built secure, and are

large enough for all parts of the city, except where there might be a large number of business and manufacturing establishments, and we could build two cisterns of that capacity for the same amount that it would cost to build one to hold twelve hundred barrels.

All of which is respectfully submitted,

CHARLES RICHMANN, *Chief Fire Engineer.*

Which was referred to the Committee on Fire Department.

On motion by Mr. Seidensticker, the Council adjourned.

DANIEL MACAULEY, *Mayor.*

ATTEST:

D. M. RANDELL, *City Clerk.*