

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS,  
MONDAY, SEPTEMBER 28TH, 1868, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

Present—J. W. Davis, in the chair, and the following members :

Councilmen Brown, Coburn, Cottrell, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—13.

Absent—Councilmen Burgess, Colley, Loomis, Stanton and Woodburn—5.

The proceedings of the regular session held Sept. 21st, 1868, were read and approved.

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

ORDINANCES ON SECOND READING.

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

Special ordinance No. 63—1868.

Special ordinance No. 67—1868.

Special ordinance No. 68—1868.

Special appropriation ordinance No. 46—1868.

Special ordinance No. 92—1868.

Special ordinance No. 69—1868.

Special ordinance No. 94—1868.

Mr. Geisel called up general ordinance No. 156—1868, repealing the ordinance creating the office of Gas Inspector.

Which was read the second time, and a motion to engross was lost.

ORDINANCES ON THIRD READING.

Mr. Kappes called up special appropriation ordinance No. 45—1868, entitled :

AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital, for the month of August, 1868.

Which 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, Coburn, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—12.

Councilman Cottrell voting in the negative.

So the ordinance passed.

Mr. Kappes called up special ordinance No. 83—1868, entitled :

AN ORDINANCE to provide for grading and graveling Walnut street and sidewalks between Pennsylvania and Delaware streets.

Which 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, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—13.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Kappes called up special ordinance No. 84—1868, entitled :

AN ORDINANCE to provide for graveling Walnut street and sidewalks, between Delaware and Alabama streets.

Which 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, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—13.

No Councilman voting in the negative.

So the ordinance passed.

Dr. Jameson called up special ordinance No. 87—1868, entitled :

AN ORDINANCE to provide for paving the west sidewalk of New Jersey street, between Massachusetts Avenue and St. Clair street.

Which 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, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—13.

No Councilman voting in the negative.

So the ordinance passed.

Mr. MacArthur called up general ordinance No. 112—1868, entitled :

AN ORDINANCE creating the office of Meat Inspector in and for the City of Indianapolis.

Which 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 Goddard, Henschen and MacArthur—3.

Those who voted in the negative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Jameson, Kappes, Schmidt and Seidensticker—10.

So the ordinance did not pass.

Mr. Kappes called up special appropriation ordinance No. 46—1868, entitled :

AN ORDINANCE appropriating money to aid in the erection of a Home for Friendless Women.

Which 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, Coburn, Davis, Goddard, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—9.

Those who voted in the negative were Councilmen Cottrell, Foster, Geisel and Henschen—4.

So the ordinance passed.

In reference to the above ordinance Mr. Brown offered the following motion :

*Ordered*, That J. Henry Kappes be, and he is hereby, appointed, on the part of the Council, to co-operate in the supervision of the application of the appropriation made by the Council for aiding in building a Home for Friendless Women.

Which was adopted.

Mr. Goddard called up special ordinance No. 82—1868, entitled :

AN ORDINANCE to provide for grading and graveling Eckert street and sidewalks, between Merrill street and Kentucky Avenue.

Which 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, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—13.

No Councilman voting the negative.

So the ordinance passed.

Mr. Brown called up special appropriation ordinance No. 47—1868, entitled :

AN ORDINANCE appropriating money for the repair of streets, alleys, sidewalks, building bridges and culverts, under the direction of the Street Commissioner.

Which 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, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—13.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Coburn called up special ordinance No. 63—1868, entitled :

AN ORDINANCE to provide for bowldering the alley running east and west, between Washington and Court streets, in Square 57.

Which 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, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—13.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Coburn called up special ordinance No. 67—1868, entitled :

AN ORDINANCE to provide for the lighting of Vermont street, between Delaware and Alabama streets.

Which 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, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—13.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Coburn called up special ordinance No. 68—1868, entitled :

AN ORDINANCE to provide for lighting with gas Fort Wayne Avenue, between Pennsylvania and Delaware streets.

Which 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, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—13.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Coburn called up special ordinance No. 69—1868, entitled :

AN ORDINANCE to provide for the lighting of New York street, between Delaware and Alabama streets.

Which 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, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—13.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Coburn called up special ordinance No. 94—1868, entitled :

AN ORDINANCE to provide for grading and graveling Wabash street and sidewalks between Delaware and Alabama streets.

Which 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, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—13.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Coburn called up special appropriation ordinance No. 44—1868, entitled :

AN ORDINANCE appropriating money for the purpose of sinking a tube below the surface of the earth to procure a supply of water for fire purposes.

Which 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, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—13.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Coburn called up special appropriation ordinance No. 43—1868, entitled :

AN ORDINANCE appropriating money for the use of the Fire Department.

Which 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, Coburn, Cottrell, Davis,

Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Schmidt and Seidensticker—13.

No Councilman voting in the negative.

So the ordinance passed.

UNFINISHED BUSINESS.

Dr. Jameson offered the following motion :

Whereas the 7-30 bonds, in the hands of the City Treasurer, which were purchased by the \$3,000 received from the Commissioners of Marion county towards a Home for Friendless Women, do not bear interest any longer, it is ordered that the said bonds and their coupons be collected and the proceeds deposited by the City Treasurer in such banking house in the city as will pay the highest interest thereon, until they are needed, under the order of such Commissioners, for the object designed.

Which was adopted.

Dr. Jameson obtained leave of absence for the remainder of the evening.

Mr. Brown introduced special ordinance No. 96—1868, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures, complete to burn gas, except the service pipe, on Madison Avenue, between Meridian and Pennsylvania streets.

Which was read the first time.

Mr. Brown presented the following bill :

INDIANAPOLIS, Sept. 28, 1868.

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

The City of Indianapolis,	To F. C. Griggs,	Dr.
To putting down 43 yards asphaltum pavement corner of Pennsylvania and Maryland streets, at \$1.50 per yard	- - -	\$64 50
Correct.	R. M. PATTERSON, Civil Engineer.	

Mr. Geisel, also, presented the following bill :

INDIANAPOLIS, Sept. 1, 1868.

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

The City of Indianapolis,	To H. M. Sockwell,	Dr.
For breaking buggy, paid James Buchanan for wood work and painting	- - -	\$9 25
Paid G. W. Vanantwerp for blacksmithing	- - -	3 00
Paid H. Suhalten, breaking harness	- - -	1 00
For use of buggy 6 days	- - -	4 50
Total,	- - -	\$17 75

Both referred to the Committee on Claims.

The City Clerk made the following report :

INDIANAPOLIS, Sept. 24, 1868.

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

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

1st. First and final estimate allowed Deloss and Jerome B. Root for erecting lamp-posts, lamps and fixtures on Chatham street, between St. Clair st. and Massachusetts Avenue, is presented for your approval.

2d. First and final estimate allowed Deloss and Jerome B. Root for erecting lamp-posts, lamps and fixtures on St. Clair street, between Meridian and Illinois streets, is also presented for your approval.

3d. By request of the contractor the contract and bond of Samuel Hanway for repairing Virginia Avenue and sidewalks, between the center of South street and the center of street.

4th. The contract and bond of Samuel Hanway for repairing Virginia Avenue, excluding the sidewalks, from the center of Stevens street to the Corporation line east.

5th. The contract and bond of James Stewart for grading and graveling Arch street and sidewalks, between Broadway and Jackson streets, is presented for your approval.

6th. The contract and bond of James Stewart for grading and graveling Choptank alley, between Walnut and North streets, is also presented for your approval.

7th. The contract and bond of Charles Rooney for paving, grading and curbing the west sidewalk on Mississippi street, between Wabash and Market streets, is also presented for your approval.

8th. The contract and bond of Charles Rooney for paving the east sidewalk on New Jersey street, between Massachusetts Avenue and Saint Clair street.

9th. The contract and bond of Samuel W. Patterson for grading and graveling Fayette street and sidewalks, between North and St. Clair streets.

10th. The contract and bond of R. P. Dunning for paving with brick the north sidewalk on Market street, between Illinois and Pennsylvania streets, is also presented for your approval.

11th. The contract and bond of David Sylvester for grading and graveling the center alley running north and south through Square No. 41, from Market to Ohio streets, is also presented for your approval.

Respectfully submitted,

DAN. M. RANSELL, City Clerk.

Per JOHN G. WATERS, Deputy.

Which was concurred in, and the contracts awarded.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed Deloss and Jerome B. Root for erecting lamp-posts and fixtures on Chatham street, between St. Clair street and Massachusetts Avenue, and on St. Clair street, between Meridian and Illinois 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 passage of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell,



Davis, Foster, Geisel, Goddard, Henschen, Kappes, MacArthur, Schmidt and Seidensticker—12.

No Councilman voting in the negative.

So the resolution passed.

Mr. Geisel offered the following motion :

That the Chief Fire Engineer advertise for proposals to erect a Tower on the No. 2 Engine House, to be received on the 5th of October, 1868.

Which was adopted.

Mr. Kappes introduced special ordinance No. 97—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. Joseph street, between Alabama and New Jersey streets.

Which was read the first time.

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

Mr. Cottrell presented the following remonstrance :

INDIANAPOLIS, Sept. 28, 1868

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

We, the undersigned property holders, do respectfully present this our remonstrance to your honorable body. We are against the grading and graveling the alley running north and south between High and New Jersey streets and Bicking street and Noble's estate. We are opposed to said alley for grading that we have not the means to pay for the work done there at present.

Christian Muhlemann	William Delaney,
August Ritter,	Jeoffrey Keating,
Christine Trieselmann,	And 7 others.

Which was referred to the Board of Public Improvements.

Mr. Cottrell offered the following motion :

That the Street Commissioner be instructed to have an amount of gravel, not exceeding one hundred yards, properly distributed on the east sidewalk on Delaware street, between Bicking and South streets, the same to be paid out of the Seventh Ward appropriation.

Which was adopted.

Mr. Cottrell, also, offered the following motion :

That the Civil Engineer be directed to report the amount yet due Feary & Dillon on cisterns built, one at the corner of Winston and North streets, and one at the corner of Alabama and Cumberland streets, and that the Chief Fire Engineer report the condition of said cisterns at the next meeting of Council.

Which was adopted.

Mr. Cottrell, for Dr. Jameson, introduced special ordinance No. 98—1868, entitled :

AN ORDINANCE to provide for grading and graveling the first alley north of Gregg street, between Fort Wayne Avenue and East street.

Which was read the first time.

Mr. Coburn presented the following petition :

INDIANAPOLIS, Sept. 28, 1868.

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

The undersigned, owners of the property fronting on the west side of Delaware street, between Ohio and Fort Wayne Avenue, in the City of Indianapolis, would respectfully petition your honorable body to have the sidewalk on the west side of Delaware street, between Ohio street and Fort Wayne Avenue, graded and paved with brick 9 feet wide. And your petitioners will ever pray, &c.

J. F. Wingate,  
T. B. Harvey,  
J. C. Yohn,

John Houck,  
Wm. C. Smock,  
And 9 others.

Which was received.

Also, special ordinance No. 99—1868, entitled :

AN ORDINANCE to provide for paving the west sidewalk of Delaware street, between Ohio street and Fort Wayne Avenue.

Which was read the first time.

Mr. Davis offered the following motion :

That the Civil Engineer be, and is hereby, directed to report a first and final estimate for the improvement of Railroad Avenue from Chesapeake st. to the first alley south.

Which was adopted.

Mr. Coburn introduced special appropriation ordinance No. 48—1868, entitled :

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

Which was read the first time.

Mr. Geisel moved that the vote rejecting the paragraph of the report of the Board of Public Improvements, made at last meeting, recommending that Mrs. Rhodius be allowed to erect a stairway in the alley, be reconsidered.

The question being on reconsidering, those who voted in the affirmative were Councilmen Brown, Davis, Foster, Geisel, Goddard, Henschel, Kapes, Schmidt and Seidensticker—9.

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

So the vote was reconsidered.

Mr. Geisel then moved that the aforesaid paragraph be concurred in, and called for the ayes and noes.

The question being on concurring in the report, those who voted in the affirmative were Councilmen Davis, Foster, Geisel, Goddard, Henschen, Schmidt and Seidensticker—7.

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

So the report was concurred in.

The Street Commissioner made the following report :

INDIANAPOLIS, Sept. 28, 1868.

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

GENTLEMEN:—Sometime ago I sawed off the handle of the pump of C. A. Elliott, in front of Elliott & Ryan's liquor store, on South Meridian street; said Elliott had neglected to keep the sink in repair so that it became a great nuisance, and that, too, after having been notified to fix said sink. Mr. Elliott brought suit against me before Esquire Fisher for damages. Judgment has been rendered against me for \$10 and the costs, amounting in all to \$14.40. I respectfully ask relief from your honorable body, as I was only doing what I believed to be my sworn duty as a City officer.

Respectfully submitted,

AUGUST RICHTER, *Street Commissioner.*

Which was referred to the City Attorney and Committee on Claims, with instructions, if found best, to incorporate the amount in the next ordinance of accounts.

The City Commissioners made the following report :

INDIANAPOLIS, Sept. 15, 1868.

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

The Commissioners of Streets and Alleys respectfully submit the following report in the matter of opening John street from its present eastern terminus to the corporation line:

That, pursuant to the notice issued and served, they met at the office of the City Clerk on the 14th of September, 1868, and proceeded to hear evidence in the matter aforesaid.

The Commissioners would respectfully state that the Bellefontaine Railway Company have deeded to the City of Indianapolis a street forty (40) feet wide, to be used as a public thoroughfare, and in the opinion of the Commissioners said street will be sufficient to serve the public interest.

All of which is respectfully submitted.

SAMUEL M. SEIBERT, }  
 JAMES C. YOHN, } *Com'rs.*  
 WILLIAM BRADEN, }  
 JAMES N. RUSSELL, }

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

That the report of the City Commissioners be referred back to them, with instructions to have all the interested parties summoned before them and heard upon the opening of the proposed street.

Which was adopted.

Mr. Cottrell offered the following motion :

That the Police Board be requested to instruct the Police of the City of Indianapolis that they will not interfere, either by attempting to promote or discourage the interests of either political party on the day of the coming election, (Oct. 13th, 1868,) and that they will not be permitted to enter the grounds surrounding the Court House during that day, except in the strict discharge of their duty as policemen, with the exception of being allowed sufficient length of time to poll their votes, after which they will immediately retire without the enclosure.

Which was referred to the Police Board.

On motion, the Council adjourned.

DANIEL MACAULEY, *Mayor.*

ATTEST:

D. M. RANDELL, *City Clerk.*