

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, DECEMBER 21ST, 1868, 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 Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—15.

Absent—Councilmen Burgess, Colley and MacArthur—3.

The proceedings of the regular session, held Dec. 14th, 1868, were read, and the following vote ordered to be inserted, which was by mistake left out.

Mr. Schmidt moved to strike out section 13 of the morality ordinance, upon which the ayes and noes were demanded.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Henschen and Schmidt—7.

Those who voted in the negative were Councilmen Coburn, God-

dard, Jameson, Kappes, MacArthur, Seidensticker, Stanton and Woodburn—8.

So the motion to strike out was lost.

Afterward the vote was reconsidered, and Dr. Jameson moved to strike out said 13th section, which resulted as is recorded on page 431, of the session of December 14, 1868.

The remainder of the proceedings were approved.

His Honor, the Mayor, announced that the special order for the evening was the consideration of the ordinance making an appropriation for the Junction and Vincennes Railroad Companies.

The reports of the Special Committee made December 14, 1868, were called up and read.

Mr. Seidensticker, from Special Committee, made the following report:

INDIANAPOLIS, Dec. 21, 1868.

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

The undersigned Committee, on the petitions and ordinance of issuing bonds to the Junction Railroad and to the Indianapolis and Vincennes Railroad Companies, in accordance to the petitions, herewith present the ordinance for that purpose, with sundry amendments. Said ordinance contains the same provisions as were embraced in the former ordinances on that subject.

P. H. JAMESON,
AD. SEIDENSTICKER, } *Committee.*
AUSTIN H. BROWN,

Which was received.

General ordinance No. 167—1868, entitled:

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

Was taken up and read the second time.

After considerable discussion, the further consideration of the ordinance was postponed one week.

The ordinance protecting public morality, &c., was then taken up where it was left off at last meeting.

Mr. Brown moved to indefinitely postpone the ordinance.

The question being on postponement, those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster and Henschen—5.

Those who voted in the negative were Councilmen Coburn, Goddard, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—9.

So the motion to postpone was lost.

Mr. Davis moved to adjourn.

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

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

So the motion to adjourn was lost.

Mr. Brown moved to strike all between the two periods in the 15th section, from the word "all" to the word "gaming," and called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Henschen, Loomis and Schmidt—7.

Those who voted in the negative were Councilmen Coburn, Goddard, Jameson, Kappes, Seidensticker, Stanton and Woodburn—7.

There being a tie vote, His Honor, the Mayor, voted in the negative.

So the motion to strike out was lost.

Mr. Stanton moved to insert after the period, at the word gaming, the words "unless they prove they were there for a lawful purpose."

Mr. Davis called for the ayes and noes.

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

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

So the motion to amend was adopted.

A motion to adjourn by Mr. Davis was lost.

Mr. Brown moved to strike out section 15, and called for the ayes and noes.

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, Schmidt, Seidensticker, Stanton and Woodburn—10.

So the motion to strike out was lost.

Mr. Brown offered the following proviso, to be added to the 16th section :

Provided, That it shall not be lawful for any officer or policeman of said city to enter any such house, except in pursuance of a warrant of law duly issued by a proper officer.

The question being on its adoption, those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster and Henschen—5.

Those who voted in the negative were Councilmen Coburn, Goddard, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—9.

So the amendment was lost.

Mr. Schmidt moved to strike out the 19th section, and called for the ayes and noes.

Those who voted in the affirmative were Councilmen Loomis, Seidensticker and Schmidt—3.

Those who voted in the negative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Stanton and Woodburn—12.

So the motion to strike out was lost.

Mr. Brown moved to insert the word "skating," after the words "town ball," in the 19th section, and called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Coburn and Henschen—3.

Those who voted in the negative were Councilmen Foster, Geisel,

Goddard, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—10.

So the amendment was lost.

A motion by Mr. Loomis to strike out the 19th section was lost.

By consent, the words "on any common, street or alley," were inserted after the word Sunday, in lieu of the word "and," in the 19th section.

Mr. Brown moved to strike out all after the word "city," in the second line, down to and including the word "Board," in the 20th section.

Mr. Davis called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Geisel and Henschen—6.

Those who voted in the negative were Councilmen Coburn, Goddard, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—9.

So the motion to strike out was lost.

Mr. Brown moved to strike out the words "Chief of Police and Police Board," in the 20th section.

The ayes and noes being demanded, those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Geisel and Henschen—6.

Those who voted in the negative were Councilmen Coburn, Goddard, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—9.

So the motion to strike out was lost.

Mr. Geisel moved that the words "Chief of Police" be stricken out, and called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Geisel and Henschen—6.

Those who voted in the negative were Councilmen Coburn, Goddard, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—9.

So the motion to strike out was lost.

Mr. Cottrell moved to adjourn.

Mr. Davis called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Geisel and Henschen—6.

Those who voted in the negative were Councilmen Coburn, Goddard, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—9.

So the motion to adjourn was lost.

By consent, the word "written" was inserted between the words "special and orders;" and also, the word "except" was inserted in lieu of the word "or" just after the word Board, in the 20th section.

By consent, all before the word "any," in the first line of section 21, was stricken out, and also the words "said Marshal or his Assistant" in the same section; and also, by consent, the words "and subject to dismissal," were added at the end of section 21.

By consent, all pertaining to the Marshal or his Assistant was stricken out of the 22d section.

Mr. Brown moved to insert as the 23d section, the 13th section, which was stricken out.

Mr. Seidensticker moved to lay Mr. Brown's motion to amend on the table.

The ayes and noes being demanded, those who voted in the affirmative were Councilmen Coburn, Goddard, Jameson, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—8.

Those who voted in the negative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Henschen and Kappes—7.

So the motion to amend was laid on the table.

Mr. Cottrell moved to adjourn, and called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster and Henschen—5.

Those who voted in the negative were Councilmen Coburn, Goddard, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—9.

So the motion to adjourn was lost.

A motion was made to engross the ordinance.

The ayes and noes were demanded.

Those who voted in the affirmative were Councilmen Coburn, Goddard, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—9.

Those who voted in the negative were Councilmen Brown and Foster—2.

Councilmen Cottrell, Davis, Geisel and Henschen having retired from the Council Chamber.

So the motion to engross was adopted.

ORDINANCES ON THIRD READING.

Mr. Brown called up special appropriation ordinance No. 57—1868, entitled:

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

By consent, the Gas Company's bill for the past month, less \$15, was ordered to be incorporated in said ordinance.

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 Brown, Coburn, Goddard, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—10.

No Councilman voting in the negative.

So the ordinance passed.

Dr. Woodburn called up the ordinance protecting public morality, decency and order.

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 Coburn, Goddard, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—9.

Those who voted in the negative were Councilmen Brown and Foster—2.

So the ordinance passed.

By consent, Mr. Coburn, from the Committee on Claims, introduced special appropriation ordinance No. 58—1868, entitled :

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

Which was read the first time.

By consent, Dr. Jameson, from the Finance Committee, made the following report :

INDIANAPOLIS Dec. 21, 1868.

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

GENTLEMEN:—The Committee on Finance beg leave to report that an allowance of ninety-five dollars and fifty-five cents (\$95 55), be allowed to Samuel Lefever for taxes paid by him erroneously on sale for delinquent taxes.

Respectfully,

P. H. JAMESON,	} Committee.
C. F. SCHMIDT,	
THOS. COTTRELL,	

Which was concurred in.

Mr. Kappes presented the following invitation :

INDIANAPOLIS, Dec. 21, 1868.

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

The Managers of the Orphan Asylum will be glad to meet all the members of the City Council at the Asylum on Christmas day, Dec. 25, 1868, between the hours of two and five.

HANNAH T. HADLEY, President

MARY G. KITCHEN, Secretary.

Which was accepted.

By consent, Mr. Stanton presented the following petition :

INDIANAPOLIS, Dec. 15, 1868.

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

GENTLEMEN:—We, the undersigned property holders, residing in Indianapolis, respectfully petition your honorable body to take the necessary steps to having a house removed which is built on the alley running east and west in out-lot 160, in the rear of our property, so that said alley may be opened as far as it is laid out in the City Platt Book; as the house now stands it renders said alley entirely useless to us, and by ordering the removal of said building you will confer a great accommodation to all the citizens of our neighborhood. And your petitioners will ever pray, &c., &c.

Hampton Chedre,	Peter Panie,
Smith Craft,	David King,

Which was referred to the Committee on Streets and Alleys.

By consent, Mr. Brown offered the following motion :

That the City Treasurer be instructed to suspend the further publication in the papers of the notice to delinquent tax payers, and that the City Clerk prepare for publication the delinquent list.

Which was adopted.

By consent, Dr. Jameson presented the following petition :

INDIANAPOLIS, Dec. 21, 1868.

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

GENTLEMEN:—Your petitioner would respectfully represent that he obtained from the City, several years ago, a bond for a deed to lot No. 10, out-block 159, City Addition; that Robert Walpole had the bond in his care, and that since his death it cannot be found among his papers or effects; that he has paid taxes on said lot for more than ten years past; that he has never had from the city a deed to it; that he has now sold the lot to Andrew Baumann, and that he now wishes from the city a deed according to the facts existing.

Your petitioner prays your honorable body for an examination, and such action in the premises as is proper.

JULIUS PETTY.

Which was referred to the Finance Committee.

By consent, Mr. Stanton presented the following petition :

INDIANAPOLIS, Aug. 20, 1868.

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

Whereas I was damaged in the destruction of my goods by the late Democratic riot, as shown below. I hereby ask your due consideration and reparation, if in your judgment any be due me, from said above city. The following is the bill of damages:

4 boxes of cigars, at \$3.25 per box,	-	-	-	-	\$13 00
13 pounds of assorted candy, at 30 cents per pound,	-	-	-	-	3 90
20 pounds of lamb, at 15 cents per pound,	-	-	-	-	3 00
1 silver mounted revolver, stolen,	-	-	-	-	18 00
Money stolen, about	-	-	-	-	16 00
2 boxes of grapes, at \$1.00 per box,	-	-	-	-	2 00
Peanuts, about 7 or 8 pounds, at 20 cents per pound,	-	-	-	-	1 40
3 pecks of peaches,	-	-	-	-	2 63
12 or 15 pounds of green coffee at 22 cents per pounds,	-	-	-	-	2 64
Show case, broken,	-	-	-	-	1 00
Lost 13 chickens,	-	-	-	-	3 82
1 hatchet,	-	-	-	-	75
One-third of a box of tobacco, at \$7.60 per box,	-	-	-	-	2 76

Total damage in goods,	-	-	-	-	\$70 86
Cost of repairs to the house,	-	-	-	-	40 00

Total amount of damages, - - - - - \$110 86

This damage does not take into consideration the damage on the character of the house and the business carried on it.

JOS. BARRETT & BROWN.

Which was referred to the Committee on Claims and the City Attorney.

On motion, the Council adjourned.

DANIEL MACAULEY, *Mayor.*

ATTEST :

D. M. RANSELL, *City Clerk.*