

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, JANUARY 18TH, 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 Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—16.

Absent—Councilmen Burgess and Colley—2.

The proceedings of the regular session, held Jan. 11th, 1869, were read and approved.

REGULAR ORDER OF BUSINESS.

Mr. Brown returned papers to Council, relating to the subject of Water Works, and, on his motion, they were referred to the Committee on Claims.

Mr. Foster offered the following motion :

That the Street Commissioner be instructed to properly plank the crossings of the Vincennes and White River Iron Company's tracks at the crossing of West street, and that the cost of such planking be paid by the above

Company, the above Company having been notified by the Street Commissioner to do said work Nov. 9th, 1868.

Which was adopted.

Also, the following motion :

That Mr. Charles Neighbors be permitted to grade and gravel in front of his lot, on the south east corner of Mississippi and garden streets, said work to be done at his own expense, and under the direction of the Engineer.

Which was adopted.

Also, the following motion :

That the Street Commissioner be instructed to fill the wagon track with gravel in the center of Kentucky Avenue, from Tennessee to Missouri sts.

Which was referred to the Board of Public Improvements.

Mr. Geisel offered the following motion :

That the City Treasurer be directed to report by the next meeting what amount of money has been paid over as proceeds from the City Hay Scales by the Wood Measurer of the East Market.

Which was adopted.

Mr. Goddard presented the following communication :

INDIANAPOLIS, Jan. 18, 1869.

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

GENTLEMEN:—The resolution offered by a member of the Council, and which was referred to the Committee on Benevolence, stating that it was inexpedient to finish the House of Refuge and instructing the Mayor to deed the land back to the donor, prompts me, in behalf of the Sisters of the Good Shepherd, to renew their offer made to you some years ago, to finish the house, provided they can obtain the title (and I am confident they can, if it is relinquished by the city to the grantor,) and pay the city, if required, for improvements.

I would, therefore, suggest, to facilitate the transaction, that the City Council appoint a committee to confer with the original committee, appointed years ago, at Masonic Hall, to see to that matter, said committee consisting of Dr. Athon, W. P. Fishback, and the undersigned.

Very respectfully,

AUG. BESSONIES,
Pastor of St. John's Church.

Which was referred to a Special Committee composed of Councilmen Cottrell, Kappes and Geisel.

Mr. Henschen presented the following communication :

STATE OF INDIANA, }
MARION COUNTY, } ss:

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

Charles A. Simon, of Indianapolis, Marion county, Indiana, upon his oath states, that he is owner of lot No. 29, in Young's subdivision of out-lot No

181, in the City of Indianapolis; that on about the 18th of November, 1868, an estimate was allowed by the Common Council against him, as owner of said lot, for the grading and graveling of Arch street; that shortly thereafter said estimate was presented to him by James Stewart, in whose favor said estimate was granted, and that affiant promised to pay the same shortly after; that in the same week, about the 23d day of December, 1868, affiant said Scheier, being then sick and unable to write, received said money through grading and graveling said street, and then and there paid him the sum of sixteen dollars and ten cents, which is the full amount of the estimate; that called upon John Scheier, who was the partner of said Stewart in the work of the hands of his wife, and promised to send affiant a receipt for said assessment.

And affiant further says, that assessment receipt was not so sent to him, but about a week afterwards James Stewart called again upon him and informed him, affiant, that only 60 cents of the amount paid by him had been credited upon the assessment, and the balance upon a claim due to said Scheier individually for building a cistern, which was not yet due and will not be for some time. Affiant says that said application was contrary to his orders, instructions and intentions, and to compel affiant into the payment of an unjust claim said Stewart afterwards filed his affidavit for a precept. Affiant submits that the issue of a precept under such circumstances was unjust and unauthorized, and respectfully asks that it be rescinded. All of which facts he says are true.

CHARLES A. SIMON.

Subscribed and sworn to before the undersigned this 18th day of January, 1869.
A. SEIDENSTICKER, Not. Public.

Which was received.

Mr. Henschen moved to reconsider the vote by which the precept was ordered to be issued.

The question being to reconsider, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the vote was reconsidered.

Mr. Loomis offered the following motion :

That the Street Commissioner be directed to cause the crossings to be cleaned and kept clear during the muddy season whenever the same may be necessary, having special reference to the crossings of Washington street and the crossings contiguous thereto, and about the Post Office.

Which was adopted.

Mr. Loomis offered the following resolution :

WHEREAS, Thomas Cottrell, in making his charges and specifications before the Board of Police, now in hearing before said Board, prefers a charge against John Unversaw, City Marshal, (see charge):

AND WHEREAS, The said Board have no jurisdiction in the premises :

AND WHEREAS, The said City Marshal does request the Common Council for a full investigation of said charge before Council, in order to justify him, the said City Marshal, before the people, and to vindicate his good name. Therefore,

Be it resolved, That the Common Council will investigate the said charge so made against said City Marshal on the — day of — next.

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

That inasmuch as Mr. Cottrell is now satisfied that after investigation with Judge Scott and others, the charge against Marshal Unversaw is groundless, the resolution be laid on the table.

Which was adopted.

Mr. MacArthur offered the following motion :

That the Street Commissioner be directed to place a few loads of gravel at the corner of St. Clair street and Indiana Avenue.

Which was adopted.

Also, the following motion :

That the Street Commissioner be instructed to properly repair with good gravel the north part of the East Market Square, the same being now of lower grade than the newly improved alley north, therefore all the water flows on said part of the Square.

Which was adopted.

Also, the following motion :

That the Street Commissioner be instructed to repair with good gravel that part of the sidewalk on New York street, at the intersection of Blackford street, it having been washed away by water.

Which was adopted.

Mr. Stanton presented the following communication :

INDIANAPOLIS, Jan. 18, 1869.

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

GENTLEMEN:—I hereby appoint John S. Bray Deputy Assessor, and ask your honorable body to confirm the same to legalize the assessments he may make for the City, he having been appointed by John Reynolds Deputy Assessor for the Township, vice Levi Wilmington resigned.

WM. HADLEY, *City Assessor.*

Which was received.

The question being to confirm said Bray as Deputy Assessor,

Those who voted in the affirmative were Councilmen Brown, Curn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson,

Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—16.

No Councilman voting in the negative.

So the motion to confirm was adopted.

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

REPORTS FROM BOARDS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Jan. 11, 1869.

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

GENTLEMEN:—The Board of Public Improvements, to whom was referred the several bids, would report that:

Charles Roney is the lowest bidder to grade and pave the west sidewalk of Delaware street, between St. Clair and Pratt streets, his bid being 74 cents per lineal foot.

We respectfully recommend that the contract be awarded said Charles Roney.

Respectfully,

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

Attest:

D. M. RANDELL, Clerk.

Which was concurred in.

REPORTS FROM COMMITTEES.

Mr. Kappes, from the Committee on Benevolence, made the following report:

INDIANAPOLIS, Jan. 18, 1869.

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

GENTLEMEN:—Your Committee, to whom was referred the communication of a Committee from the Young Men's Christian Association, respectfully report that an appropriation of \$300 be made and placed at the disposal of the Board of the Young Men's Christian Association.

Yours respectfully,

J. H. KAPPES,
W. H. LOOMIS, } *Committee.*

The question being on concurring in the report, those who voted in the affirmative were Councilmen Coburn, Davis, Goddard, Kappes, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—9.

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

So the report was concurred in.

Mr. Kappes, also, made the following report :

INDIANAPOLIS, Jan. 18, 1869.

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

GENTLEMEN:—Your Committee, to whom was referred the petition of certain "unfortunate females," beg leave to report that the means of transportation will be furnished to any one of said "unfortunates" on application to His Honor, the Mayor.

Respectfully,
J. H. KAPPES, }
W. H. LOOMIS, } *Committee.*

Which was concurred in.

By consent, Dr. Jameson called up the following resolution offered at the meeting of December 14, 1868 :

Resolved, That in conformity with the order of the Marion County Commissioners, made on September 14, 1867, certified by the County Auditor, and filed in the office of the Clerk of the Council "The City Treasurer be directed to deliver to the Treasurer of the Board of Trustees of the Indianapolis Home for Friendless Women the three thousand dollars (\$3,000), and any interest thereon, contributed by said Commissioners to the object of such a Home, and which has been by said Board ordered to be paid to the Treasurer of said Board," whose receipt shall be taken therefor and filed in the office of the Clerk of the Council.

Which was adopted.

REPORTS FROM CITY OFFICERS.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }
Indianapolis, Jan. 18, 1869. }

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

GENTLEMEN:—The City Clerk respectfully reports to the Council that there are on file in his office the following affidavits for the collection of street assessment by precept, as follows :

Samuel Hanway vs. John Hooper, for \$24.96.
" " vs. G. W. & E. J. Albert, for \$25.60.
" " vs. Joseph Bailey, for \$25.60.
Wm. Kown vs. S. V. & A. J. B. Flowers, for \$12.50.

And would respectfully recommend that you order the precepts to issue.

Respectfully, D. M. RANSELL, *City Clerk.*

Which was concurred in.

The City Gas Inspector made the following report :

INDIANAPOLIS, Jan 18, 1869.

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

GENTLEMEN:—During the month of December, the City Police reported to me a schedule of the public lamps not lighted, making an aggregate of 1923 $\frac{3}{4}$ hours, which at four cubic feet of gas per hour gives a deficit in gas supply of 7,695 cubic feet, the money value of which would have been \$24.62. I called the attention of the President of the Gas Company to the reports of the Police, and am happy to say that the Lamplighters employed by the Company confirmed the statements of the Police, and the deduction of \$24.62 is shown in the bill of the Company, now in the hands of the Committee on Accounts and Claims.

GEO. H. FLEMING, *City Gas Inspector.*

Which was concurred in.

ORDINANCES ON SECOND READING.

Mr. Davis called up general ordinance No. 171—1868, entitled :

AN ORDINANCE to repeal an ordinance entitled " An ordinance directing the City Clerk to issue an annual licence to L. D. Goldsberry & Co. to carry on theatrical performances in the Hall of the Exchange Building, on North Illinois street.

Which was read the second time.

The question being on engrossment, those who voted in the affirmative were Councilmen Coburn, Davis, Goddard, Jameson, Kappes, Loomis, Schmidt, Seidensticker, Stanton and Woodburn—10.

Those who voted in the negative were Councilmen Cottrell, Foster, Geisel, Henschen and MacArthur—5.

So the motion to engross was adopted.

Mr. Loomis called up general ordinance No. 173—1868, entitled :

AN ORDINANCE establishing and bounding the Wards of the City of Indianapolis.

Mr. Loomis moved to strike out all after the ordaining clause, and insert the following :

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That section 1st of an ordinance passed August 31st, 1863, entitled " An ordinance establishing and bounding the Wards of the City of Indianapolis," be so amended to read as follows, to-wit :

That the said City be divided into nine Wards, to be bounded and described as follows :

FIRST WARD.

All that part of said city bounded on the south by New York street, on the west by Meridian street, on the north by North street, (from Meridian street to the termination of North street east, thence east on the continuation of a line from the center of North street to the Corporation line) and on the east by the Corporation line, shall constitute the First Ward.

SECOND WARD.

All that part of said city bounded on the south by the northern boundary of the First Ward, on the west by Meridian street, and on the north and east by the Corporation line, shall constitute the Second Ward.

THIRD WARD.

All that part of said city bounded on the south by Washington street (from Meridian street west to Mississippi street), on the west by Mississippi street, from Washington street north to the intersection of Indiana Avenue, thence north-west by Indiana Avenue to West street, and thence north by West st., to the Corporation line, on the north by the Corporation line, and on the east by Meridian street and Circle street, (running east of the Governor's Circle,) shall constitute the Third Ward.

FOURTH WARD.

All that part of said city bounded on the south by Washington street, on the west by White River and the Corporation line, on the north by the Corporation line, and on the east by the western boundary of the Third Ward, shall constitute the Fourth Ward.

FIFTH WARD.

All that part of said city bounded on the north by Washington street from White River to Delaware street, on the east by Delaware street, running south to Merrill street, on the south by Merrill street, running west from Delaware street to Illinois street, thence north by Illinois street to Garden street, thence west by Garden street to Mississippi street, thence north by Mississippi street to Henry street, thence west by Henry street to Missouri street, thence north by Missouri street to South street, thence west by South street to Kentucky Avenue, thence south-west by Kentucky Avenue to White River, and on the west by White River and the Corporation line, shall constitute the Fifth Ward.

SIXTH WARD.

All that part of said city bounded on the north by the southern boundary of the Fifth Ward, on the east by Delaware street south to Madison Avenue, thence south by Madison Avenue to the Corporation line, on the south by the Corporation line, and on the west by White River, north to Kentucky Avenue, shall constitute the Sixth Ward.

SEVENTH WARD.

All that part of said city bounded on the north by Washington street, on the east by East street, on the south by the Corporation line, and on the west by Madison Avenue and Delaware street, shall constitute the Seventh Ward.

EIGHTH WARD.

All that part of said city bounded on the north by Washington street, on the east and south by the Corporation line, and on the west by East street, shall constitute the Eighth Ward.

NINTH WARD.

All that part of said city bounded on the south by Washington street (from the Corporation line west to Meridian street), on the west by Meridian street

and Circle street, (running east of the Governor's Circle,) on the north by New York street, and on the east by the Corporation line, shall constitute the Ninth Ward.

SEC. 2. The several Wards shall extend to the center of the streets designated as their boundaries.

SEC. 3. This ordinance shall take effect and be in force from and after its passage.

A lengthy discussion ensued on the amendment, when Dr. Jameson called for the previous question, which was sustained by the following vote :

Affirmative—Councilmen Coburn, Goddard, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—10.

Negative—Councilmen Cottrell, Foster, Geisel and Henschen—4.

Councilman Davis being excused from voting.

On motion, the amendment was then adopted.

On motion, the ordinance was ordered to be engrossed.

ORDINANCES ON THIRD READING.

Dr. Jameson called up general ordinance No. 173—1868, establishing and bounding the Wards of the City of Indianapolis.

Dr. Jameson moved that the ordinance be read the third time and placed upon its passage.

After some debate, Dr. Jameson demanded the previous question, which was sustained by the following vote :

Affirmative—Councilmen Coburn, Davis, Goddard, Jameson, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—9.

Negative—Councilmen Cottrell, Foster, Geisel, Henschen, Kappes and Schmidt—6.

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 Coburn, Davis, Goddard, Jameson, son, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—9.

Those who voted in the negative were Councilmen Cottrell, Foster, Geisel, Henschen and Schmidt—5.

Councilman Kappes being excused from voting.

So the ordinance passed.

On motion, the Council adjourned.

DANIEL MACAULEY, *Mayor*.

ATTEST:

D. M. RANDELL, *City Clerk*.