

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, FEBRUARY 1, 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. 18th, 1869, were read and approved.

REGULAR ORDER OF BUSINESS.

Mr. Brown presented the following petition :

INDIANAPOLIS, Jan. 30, 1869.

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

The undersigned, in behalf of the Hebrew Benevolent Society, would ask your honorable body for an appropriation of two hundred dollars (\$200) out of the City Treasury for the benefit of the Hebrew Benevolent Society, their means having all been exhausted, and fresh demands being made upon them

almost daily. Your honorable body well know that scarcely ever an Israelite, no matter how destitute applies to the City for aid, and in every instance calls upon his brethren in faith. The times being extremely hard we have to support many indigent families, and hence would kindly ask your honorable body for the above appropriation.

Very respectfully submitted,

In behalf of the Heb. Ben. Society,
H. BAMBERGER,
H. ROSENTHAL, President,
JOSEPH MAYER, Vice President,
Relief Committee.

Which was referred to the Committee on Benevolence.

Mr. Cottrell offered the following motions :

That the Committee on Revision of Ordinances be instructed to report an ordinance governing the Police Force, preventing any policeman from taking rewards from any persons, and more especially from strangers visiting our City.

That the Street Commissioner be instructed to place foot bridges across the gutters on Duncan street at its intersection with Alabama street, on the west side.

Which were adopted.

Mr. Cottrell introduced special ordinance No. 2—1869, entitled :

AN ORDINANCE to provide for graveling the west sidewalk of Alabama st., between the south side of Duncan street and the south side of South st.

Which was read the first time.

Mr. Cottrell introduced general ordinance No. 2—1869, entitled :

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

Which was read the first time.

Mr. Cottrell introduced general ordinance No. 3—1869, entitled :

AN ORDINANCE to amend section 17 of an ordinance protecting public morality, decency and order, passed December 21, 1868.

Which was read the first time.

Mr. Goddard presented the following petition :

INDIANAPOLIS, Feb. 1, 1869.

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

The undersigned would represent that they are doing a large business in lumber on Square 89 in this City, and that for the purpose of carrying on of said business it is necessary to be connected with the Railroad tracks, and we respectfully ask permission of your honorable body to lay a track from the Indianapolis, Cincinnati and Lafayette Railroad across the north side of Louisiana street and the alley in Square 89 into our yard.

COBURN & JONES.

Which was received.

Also, the following resolution :

Resolved, That the petition of Messrs. Coburn & Jones to lay a track from I., C. & L. Railroad track across Louisiana street and the alley in Square 89 be granted, provided said work be done to the satisfaction of the Civil Engineer, and that they keep the track and one foot on the outside of each rail thereof planked, and comply with the grade of the street.

Which was referred to the Board of Public Improvements.

Mr. Goddard presented the following petition :

INDIANAPOLIS, Jan. 25, 1869.

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

GENTLEMEN:—We, the undersigned, property owners and manufacturers on South Illinois street, south of South street, beg leave to petition your honorable body for the erection of a culvert at the intersection of Illinois and South streets, in order to turn the water from Illinois street on South street into Pogue Run for half a square, thereby relieving our manufacturing establishments from the terrible nuisance which is caused by the constant flow of sloop and water from the Bates House. Knowing that your honorable body intends to foster manufacturing in our city, we trust you will afford us relief.

Respectfully,

OSGOOD, SMITH & CO.,
E. C. ATKINS & CO.

Which was referred to the Board of Public Improvements.

Dr. Jameson introduced special ordinance No. 3—1869, entitled :

AN ORDINANCE to provide for the erection of lamp-posts and fixtures on Michigan street, between Alabama and New Jersey streets.

Which was read the first time.

Dr. Jameson presented the following communication :

INDIANAPOLIS, Jan. 25, 1869.

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

GENTLEMEN:—We, the undersigned, having been long well acquainted with James W. Hudson, late a soldier in Co. B., 83d Ohio Volunteers, we can state that he is an honest, faithful and true man, and would recommend him for a place on our Police Force.

Very respectfully,

Carlin Hamlin,
J. H. McKernan,
S. Yandes,
H. J. Lindley,
Samuel Lefever,

Samuel Flack,
John Rupp,
John Eberhardt,
John Ott,
John L. Potter.

Which was referred to the Board of Police.

Mr. Kappes presented the following petition :

INDIANAPOLIS, Feb. 1, 1869.

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

We, the undersigned, residents and property holders upon Fort Wayne Avenue, would respectfully petition your honorable body to have the gas mains laid upon said Avenue from Alabama street to New Jersey street.

Adam Dietz,	-	-	-	-	-	4	Lights.
George Fisher,	-	-	-	-	-	6	"
Conrad Traub,	-	-	-	-	-	4	"
Christian Shever,	-	-	-	-	-	2	"
Louis Sahn,	-	-	-	-	-	2	"
Everet Everets,	-	-	-	-	-	6	"

Which was received.

Also, special ordinance No. 4—1869, entitled :

AN ORDINANCE to provide for the erection of lamp-posts and fixtures on Fort Wayne Avenue, between Alabama and New Jersey streets.

Which was read the first time.

Mr. Kappes introduced special ordinance No. 5—1869, entitled :

AN ORDINANCE to provide for paving with brick the sidewalk on the east side of Delaware street, between Fort Wayne Avenue and St. Clair street.

Which was read the first time.

Mr. Seidensticker introduced general ordinance No. 4—1869, entitled :

AN ORDINANCE to prevent the ringing of locomotive bells within the Union Depot of the City of Indianapolis.

Which was read the first time.

Mr. MacArthur offered the following motion :

That the Street Commissioner be instructed to properly repair the sidewalk on the east side of West street, between Michigan and Vermont streets ; also, to place sufficient gravel at the alley crossings on each side of West st., between North and New York streets.

Which was adopted.

Mr. Davis offered the following motion :

That the Street Commissioner be, and is hereby, directed to cause the culvert at the crossing of the Railroad at Pogue Run, on the west side of Delaware street, north side of said Run, to be repaired.

Which was adopted.

His Honor, the Mayor, presented the following invitation :

INDIANAPOLIS, Feb. 1, 1869.

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

You are respectfully invited to attend the Second Anniversary Exercises of the Home for Friendless Women, to be held at the First Presbyterian Church on to-morrow (Tuesday) evening.

An address by Charles F. Coffin, and remarks explaining the need and value of the Home by Mrs. Sarah Smith, Superintendent and Missionary.

Mrs. JOHN S. NEWMAN, President.

Mrs. J. HENRY KAPPES, Secretary.

Which was accepted.

Sealed proposals for public work were referred to the Board of Public Improvements.

REPORTS FROM BOARDS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Jan. 25, 1869. }

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

GENTLEMEN:—The Board of Public Improvements, to whom was referred the bids for building a stone wall at the terminus of the sewer on Ray street, would report that we find that Messrs. Burke & Richter are the lowest bidders, their bid being for the stone work \$8.50 per yard, and for the wood work \$2.25 per 100 feet.

We respectfully recommend that the contract be awarded said parties.

We would also recommend that the Street Commissioner be instructed to place a sufficient amount of gravel on Kentucky Avenue to fill the wagon tracks, so as to make said street good between Tennessee and Missouri sts.

Respectfully,

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

Attest:

D. M. RANDELL, Clerk.

Which was concurred in.

REPORTS FROM COMMITTEES.

Mr. Coburn, from the Committee on Claims, made the following report :

INDIANAPOLIS, Feb. 1, 1869.

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

GENTLEMEN:—The Committee on Accounts and Claims, to whom was referred the claim of H. M. Sockwell, for damages done his buggy by a horse

of the Fire Department, would report that as the accident was unavoidable and could not be helped, the claim, we think, should not be allowed.

HERNY COBURN, }
J. H. KAPPES, } *Committee.*
J. H. WOODBURN, }

Which was concurred in.

Also, special appropriation ordinance No. 3—1869, entitled :

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

Which was read the first time.

Mr. Kappes, from the Committee on Benevolence, presented the following :

RECAPITULATION OF THE ANNUAL REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING DECEMBER 21, 1868.

Number of patients in Hospital at last report.....	15
Number of patients received in Hospital since last report.....	167
Number of patients born in Hospital since last report.....	13
Number of patients discharged from Hospital since last report.....	169
Number of patients died in Hospital since last report.....	17
Number of patients remaining in Hospital at present report.....	18

Also, the following :

RECAPITULATION OF THE ANNUAL REPORT OF EXPENDITURES OF THE CITY HOSPITAL, ENDING DECEMBER 31, 1868.

Total expenditures for the month	\$5,454 75
Aggregate number of days for which subsistence, etc., was furnished..	8,510
Average expense per capita per diem.....	\$0 64

Also the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING JANUARY 9, 1869.

Number of patients in Hospital at last report.....	18
Number of patients received in Hospital since last report	5
Number of patients born in Hospital since last report	0
Number of patients discharged from Hospital since last report.....	2
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report	21

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING JANUARY 16, 1869.

Number of patients in Hospital at last report.....	21
Number of patients received in Hospital since last report.....	2
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	1
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report.....	22

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING JANUARY 23, 1869.

Number of patients in the Hospital at last report.....	22
Number of patients received in the Hospital since last report.....	2
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	4
Number of patients died in the Hospital since last report.....	0
Number of patients remaining in the Hospital at present.....	20

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF THE CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL ENDING JANUARY 30, 1869.

Number of patients in Hospital at last report.....	20
Number of patients received in Hospital since last report.....	5
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	1
Number of patients died in Hospital since last report.....	1
Number of patients remaining in Hospital at present report.....	23

Also, the following :

RECAPITULATION OF THE MONTHLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING JANUARY 31, 1869.

Number of patients in Hospital at last report.....	18
Number of patients received in Hospital since last report.....	14
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	8
Number of patients died in Hospital since last report.....	1
Number of patients remaining in Hospital at present report.....	23

Also, the following :

RECAPITULATION OF THE MONTHLY REPORT OF EXPENDITURES OF THE CITY HOSPITAL, ENDING JANUARY 31, 1869.

Total expenditures for the month.....	\$468 82
Aggregate number of days for which subsistence, etc., was furnished.....	710
Average expense per capita per diem.....	0.66

Which were received.

Also, special appropriation ordinance No. 4—1869, entitled :

AN ORDINANCE appropriating money for the payment of sundry claims on account of the City Hospital for the month of January, 1869.

Which was read the first time.

Mr. Davis moved to reconsider the vote taken at the meeting of Council January 18, 1869, by which an ordinance re-districting and bounding the Wards of the City of Indianapolis was passed.

Mr. Seidensticker raised a point of order, that inasmuch as the ordinance was not reconsidered at the same or next subsequent meeting, that Mr. Davis' motion was out of order.

His Honor, the Mayor, decided the point not well taken, and that the motion to reconsider was pertinent.

Mr. Seidensticker appealed from the decision.

Mr. Brown demanded the ayes and noes.

The question being, shall the decision of the chair be sustained?

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Henschen, Kappes, Schmidt, Stanton and Woodburn—10.

Those who voted in the negative were Councilmen Coburn, Goddard, Jameson, Loomis, MacArthur and Seidensticker—6.

So the decision of the chair was sustained.

The question then being on the motion to reconsider,

Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Henschen, Kappes and Schmidt—8.

Those who voted in the negative were Councilmen Coburn, Goddard, Jameson, Loomis, MacArthur, Seidensticker, Stanton and Woodburn—8.

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

So the motion to reconsider was lost.

Mr. Brown arose and stated that, inasmuch as he believed the passage of the ordinance legislated him out of office, he could therefore no longer represent his constituency, and withdrew from the Council Chamber.

REPORTS FROM CITY OFFICERS.

The City Clerk made the following report:

OFFICE OF CITY CLERK, }
Indianapolis, Jan. 25, 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:

Cogill & Huffington vs. David J. Powers, for \$16.05.

“ “ vs. John W. Free, for \$16.05.

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

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

Which was concurred in.

The City Attorney made the following report :

INDIANAPOLIS, Jan. 25, 1869.

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

GENTLEMEN:—I have examined the questions presented by the City Treasurer's report, respecting tax assessed against the Street Railway Company, and respectfully submit the following opinion :

The claim asserted by the Street Railway Company is not a proper set off against the assessment for taxes. Even if it were conceded that the Company had such a claim as that asserted it could not be set off against a general tax assessment.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was concurred in.

The City Treasurer made the following report :

INDIANAPOLIS, Jan. 21, 1868.

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

GENTLEMEN:—In compliance with the motion adopted by the Common Council on the 18th of January last, I have the honor to report that no proceeds whatever have been paid into the City Treasury on account of the City Hay Scales by the Wood Measurer, or any other man.

Respectfully submitted,

ROBT. S. FOSTER, *City Treasurer.*

Which was received.

Also, the following report :

INDIANAPOLIS, Jan. 25, 1869.

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

GENTLEMEN:—In compliance with the resolution passed by the Common Council on the 18th of January last, I have the honor to report that I have this day paid over to Wm. S. Hubbard, Esq., Treasurer of the Board of Trustees for the Home for the Friendless Women, the sum of \$3,547.50 cents, being the money received on 7-30 Bonds, and interest accrued on the same since September 29, 1868, and I therefore respectfully ask that the City Clerk be directed to issue to me an order the sum of \$3,547.50 cents, as my voucher for the amount so paid out.

Respectfully, &c.,

ROBT. S. FOSTER, *City Treasurer.*

Which was concurred in.

The City Sexton made the following report :

INDIANAPOLIS, Jan. 25, 1869.

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

GENTLEMEN:—On the 30th day of December, 1868, the Clerk of Marion county issued an execution directing me to make the sum of fourteen hundred and forty-eight dollars and twenty cents, with interest and cost, on an execution in favor of George W. Parker, Sheriff of said county. Will your honorable body take some action in the matter? Yours, &c.,

G. W. ALLRED, Coroner Marion County.

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

That the City Attorney be instructed to enter an appeal in the case of G. W. Parker against the City, and carry the case to the Supreme Court.

Which was adopted.

ORDINANCES ON SECOND READING.

Mr. Coburn called up special appropriation ordinance No. 3—1869, appropriating money for the payment of sundry claims against the City of Indianapolis.

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

Mr. Coborn moved that the rules be suspended and that the ordinance be placed upon its passage.

The question being on a suspension of the rules, those who voted in the affirmative were Councilmen Coburn, Cottrell, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

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

No Councilman voting in the negative.

So the ordinance passed.

Mr. Cottrell called up general ordinance No. 3—1869, amending the 17th section of the morality ordinance.

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

Mr. Cottrell called up general ordinance No. 2—1869, establishing and bounding the Wards of the City of Indianapolis.

Which was read the second time.

The question being on engrossment, the ayes and noes being demanded,

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

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

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

So the motion to engross was lost.

Mr. Loomis offered the following resolution :

Resolved, That the following persons, hereinafter named, be appointed Registers of Elections in and for the City of Indianapolis for the year 1869, as follows, to-wit:

- First Ward—W. W. Leathers, Wm. Kown and John Helm.
- Second Ward—John Hanna and Samuel Hanway.
- Third Ward—Ed. H. Moody, Wm. M. Blake and Chas. C. Campbell.
- Fourth Ward—Eli Thompson, H. C. Cox and Aug. Brinker.
- Fifth Ward—Benj. F. Riley, Samuel Lefever and Anthony Miller.
- Sixth Ward—Wm. Boaz, Wm. Johnson and John Richardson.
- Seventh Ward—Harry Adams, Stephen Wilson and J. R. Migga.
- Eighth Ward—Wm. M. Graham, Peter Routier and Fred. Jasper.
- Ninth Ward—J. M. W. Langsdale, Samuel Seibert and C. H. Schweir.

The first named to be Inspectors and the others Judges of Elections.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Coburn, Cottrell, Davis, Goddard, Jameson, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—11.

Councilman Henschen voting in the negative.

So the resolution passed, and the following voting places designated :

- 1st Ward—School House on New Jersey street.
- 2d Ward—To be designated by the Clerk.
- 3d Ward—School House.
- 4th Ward—School House.
- 5th Ward—Old School House.
- 6th Ward—New School House.
- 7th Ward—Old School House.
- 8th Ward—School House.
- 9th Ward—Court House.

On motion, the Council adjourned.

DANIEL MACAULEY, *Mayor*.

ATTEST:

D. M. RANSELL, *City Clerk*.