

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, APRIL 5TH, 1869, 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 Brown, Cottrell, Davis, Foster, Geisel, Goddard, Jameson, Kappes, Seidensticker, Stanton and Woodburn—11.

Absent—Councilmen Burgess, Coburn, Colley, Henschen, Loomis, MacArthur and Schmidt—7.

The proceedings of the regular session held March 29th, 1869, were read and approved.

On motion by Mr. Cottrell, the regular order of business that was pending at adjournment of last meeting, viz., the resolution declaring the seats of Councilmen Seidensticker and Stanton in Council vacant, was laid over and made the special order for Monday evening April 12th, 1869.

Mr. Cottrell moved that the Council proceed to elect by ballot three School Trustees for the City of Indianapolis, to serve as such

for the term of two years, and until their successors are elected and qualified.

Which was adopted.

Messrs. W. H. L. Noble, Jas. C. Yohn, Gustavus Zchech and John R. Elder were placed in nomination.

His Honor, the Mayor, appointed as tellers Councilmen Cottrell and Stanton.

Whole number of votes cast 11. Necessary to a choice 6.

James C. Yohn received.....	11	votes.
W. H. L. Noble received.....	10	“
John R. Elder received.....	7	“
Gustavus Zchech received	5	“

Messrs. Yohn, Noble and Elder each having received a majority of all the votes cast were declared duly elected for the term of two years, and until their successors shall be elected and qualified.

Mr. Brown offered the following motion :

That the compensation of the Board of Trustees of the City Schools shall be at the rate of three dollars per day for every day's attendance at each meeting of the Board of which a record is kept; provided that the amount thus allowed shall not exceed the sum of two hundred dollars per annum to each Trustee.

Mr. Stanton offered the following amendment :

By striking out "three" and inserting "two" before the word dollars, and strike out "two hundred" and insert "one hundred and fifty."

Which was rejected.

Mr. Brown's motion was then adopted.

Mr. Seidensticker offered the following motion :

That this Council now proceed to the election of five City Commissioners, as the term of the present Commissioners has expired.

Which was adopted.

Samuel M. Seibert, James N. Russell, Thomas Schooley, William Braden, John F. Ramsey and Joseph Sutton were placed in nomination.

His Honor, the Mayor, appointed as tellers Councilmen Brown and Kappes.

Whole number of votes cast 11. Necessary to a choice 6.

Joseph Sutton received.....	10	votes.
Samuel M. Seibert received.....	8	“
James N. Russell received ..	7	“
William Braden received	7	“
John F. Ramsey received.....	10	“
Thomas Schooley received	5	“

Messrs. Sutton, Seibert, Russell, Braden and Ramsey having received a majority of all the votes cast were declared duly elected for the term of one year, and until their successors shall be elected and qualified.

Mr. Brown presented the following petition :

INDIANAPOLIS, April 5, 1869.

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

The Indianapolis and St. Louis Railroad Company having commenced the construction of a Road west from Indianapolis, in the direction of Terre Haute, Ind., and of Paris and Decatur, Illinois, running through the Coal and Iron formations of Clay and Parke counties, thereby developing interests of vast importance to this city, it hereby respectfully asks from your honorable body a donation in aid of the enterprise of Bonds of this City to be issued to the amount of Fifty Thousand Dollars, in accordance with a petition of citizens herewith presented.

The Indianapolis and St. Louis Railroad Company, by
T. A. MORRIS, President.

INDIANAPOLIS, April 5, 1869.

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

The undersigned freeholders, resident tax payers of the City of Indianapolis, within the meaning of the law governing petitions in such cases, respectfully represent : That on the 28th day of May, 1866, an ordinance was passed granting, among other roads, to the Indiana and Illinois Central Railroad Company \$45,000 of the Bonds of the City to be issued, conditioned that said road shall be completed and in good running order a distance of forty miles west of the City of Indianapolis, within three years from the date above, which grant, if the conditions are not complied with, will become inoperative on the 28th day of May, 1869, and being desirous that the benefits to accrue to this city by the building of the road aforesaid, or of another road running in the same direction to fully supply its place shall not be lost, hereby respectfully petition your honorable body to extend to the Indianapolis and St. Louis Railroad Company a similar gratuity, or Bonds of the City, to be issued to the amount of Fifty Thousand Dollars, on condition that the said road shall be completed within three years from date of ordinance a distance of forty miles west of the City of Indianapolis.

John M. Maxwell,	J. A. Crossland,
W. B. Thurston,	S. C. Hanna,
A. Boyd,	And 13 others.

Which were received.

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

That the matter be referred to the Finance Committee, with instructions to report an ordinance in the proper form, in accordance with the prayer of the petitioners, whenever in their judgment the requisite number of legal signatures as petitioners have been procured and submitted to this Council.

Which was adopted.

Mr Brown introduced general ordinance No. 8—1869, entitled :

AN ORDINANCE regulating the running of freight trains within the limits of the City of Indianapolis.

Which was read the first time, and referred to the Committee on Railroads, with instructions to confer with the different Railroad Companies.

Mr. Brown introduced special ordinance No. 18—1869, entitled :

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

Which was read the first time.

Mr. Geisel presented the following remonstrance :

INDIANAPOLIS, April 5, 1869.

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

We, the undersigned, property holders on Oak street north of Cherry st., do respectfully remonstrate against the grading and graveling of said Oak street from Cherry street north to the Corporation line. for the following reasons, to-wit.

1st. That Oak street ends at the Corporation line north of Cherry street, making the length of the said Oak street north of Cherry street only about one hundred and sixty feet.

2d. That Oak street north of Cherry street does not end or lead into any other street.

3d. That we do not believe that we should be benefited equally with the property holders on Oak street south of Cherry street.

4th That we represent ownership of at least seven-eighths of the property on said street north of Cherry street.

Wherefore, we respectfully ask that the ordinance shall only provide for the grading and graveling of said street and sidewalks from Massachusetts Avenue to Cherry street.

Anna A. Pressel,
Mrs. Loucks,

Hugh Cole,
R. E. Harrison.

Which was referred to the Board of Public Improvements.

Dr. Jameson offered the following motion :

That Frederick Dickman be permitted to grade and gravel the alley between lots 2 and 3, in out-lot 59, and that the Engineer be directed to set the proper stakes.

Which was adopted.

Dr. Jameson introduced special ordinance No. 19—1869, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Fort Wayne Avenue, between Delaware and street and the Corporation line east.

Which was read the first time.

Dr. Jameson introduced special ordinance No. 20—1869, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Cherry street, between Fort Wayne Avenue and Jackson street.

Which was read the first time.

Mr. Kappes introduced special ordinance No. 21—1869, entitled :

AN ORDINANCE to provide for grading and paving with brick the sidewalks on the north side of North street, between Delaware and Pennsylvania streets.

Which was read the first time.

Mr. Seidensticker presented the following petition :

INDIANAPOLIS, March 31, 1869.

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

The undersigned, Officers of the Turner Society—Gymnastic Association—of this City, would request your honorable body to direct the City Treasurer to relieve their Society from the payment of taxes assessed against the same and from future taxation.

The objects of the Society are purely educational, and the expenses for its maintainance are solely derived from contributions of its members. And your petitioners as in duty bound will ever pray, &c.

CHAS. KOEHNE, President.

WM. LOEPER, Secretary.

Which was referred to the Finance Committee.

Mr. Stanton presented the following communication :

INDIANAPOLIS, April 5, 1869.

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

GENTLEMEN:—The undersigned respectfully call the attention of your honorable body to the ordinance providing for planting trees in Military Park, passed March 2, 1868. They respectfully represent that the said Park is now in a proper condition to plant with trees, and that it is now the proper season for transplanting, and they respectfully request you to take such measures as you may deem just, respectfully inviting your attention to the fact that more than Thirteen Hundred Dollars were subscribed and paid for the improvement of said Park by the citizens of the vicinity upon the faith of your action in the matter.

Very respectfully submitted,

GEORGE MERRITT,
OSCAR B. HORD,
BYRON K. ELLIOTT,

Committee appointed by Common Council.

Which was received.

Also, the following motion :

That the committee appointed by the Council to have charge of the Military Park be authorized to contract for planting trees in said Park, the whole expense not to exceed six hundred dollars.

Which was adopted.

Mr. Stanton presented the following petition :

INDIANAPOLIS, March 19, 1869.

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

The undersigned would respectfully petition your honorable body to have Washington street and the south sidewalk thereof, between the lower arm of the Canal and the river, graded and graveled with good river gravel.

Merritt & Coughlen, C. E. Geisendorff,
Adam Gold, And Sourkrout.

Which was received.

Also, special ordinance No. 22—1869, entitled :

AN ORDINANCE to provide for grading and graveing Washington street and south sidewalk, between the western arm of the Canal and the river.

On motion, the petition and ordinance were referred to the Board of Public Improvements.

Mr. Stanton presented the following petition :

INDIANAPOLIS, IND., April 5, 1869.

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

The subscribers would respectfully ask permission to place curbstones along the gutter opposite their property on West street, between New York and Vermont streets, and to place the curbstones 10 feet nearer the center of the street than the present line of curb. The space between the curb and the sidewalk to be filled with soil and well covered with sod, and an extra row of trees planted, all to be done at our expense, the City Engineer to set the stakes for the same.

GEORGE MERRITT,
C. A. ELLIOTT.

Which was referred to the City Attorney.

Dr. Woodburn offered the following motion :

That J. W. Davis be allowed to pave with brick the sidewalk in front of his property on Tennessee street 9 feet wide, under the direction of the Civil Engineer.

Which was adopted.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, April 5, 1869.

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

The undersigned believing that velocipies can be made practical and useful when run upon the uncrowded streets and sidewalks of the city, and be-

lieving that their use upon the sidewalks hereinafter described will tend to discourage their adoption as a means of locomotion, as well as interfere with the free use of said sidewalks by pedestrians, respectfully petition your honorable body to enact an ordinance with a proper penalty for the violation thereof, prohibiting the riding of velocipedes upon the sidewalks of Washington street between Delaware and Tennessee streets, and upon the east sidewalk of Pennsylvania street between Washington and Market streets.

George Carter,	W. M. Janes,
Julius C. Walk,	J. H. Colclazer,
L. W. Moses,	And 67 others.

Mr. Stanton moved to lay the petition on the table.

The yeas and noes being demanded, those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Goddard, Jameson, Kappes, Seidensticker and Stanton—8.

Those who voted in the negative were Councilmen Foster, Geisel and Woodburn—3.

So the motion to lay on the table was adopted.

Dr. Woodburn presented the following remonstrance :

INDIANAPOLIS, March 22, 1869.

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

GENTLEMEN:—The undersigned, owners of property on Vermont street, have been informed of the pendency of a petition before your honorable body for the improvement of said Vermont street between California and Bright streets, we would respectfully remonstrate against such improvement, or so much of it as the Square between California and Blackford streets is involved, for the following reasons:

1st. A portion of the Square named has been improved by authority from your honorable body and does not require further improvement.

2d. Some years ago you gave authority to some street contractor to remove the surplus earth (down to grade) from said Square between California and Blackford streets to make improvements in some portion of the city unknown to the undersigned; and

3d. The Square between Blackford and Bright streets will require a fill of 18 inches to 2 feet, the expense of which will have to be borne, pro rata, by the undersigned, which we think will be unjust.

Again, one of your remonstrators is a widow without money at interest and without income. We therefore pray your honorable body to relieve us of this improvement for the present. And we will ever pray.

Erie Locke,
Mrs. E. Buist,
John D. Condit.

Which was referred to the Board of Public Improvements, together with the ordinance.

On motion, permission was granted to G. Norwood to curb with stone and pave with brick the front of lot 5 in Square 55.

Mr. Kappes introduced special appropriation ordinance No. 13—1869, entitled:

AN ORDINANCE appropriating one thousand dollars for the use of the Street Commissioner's department.

Which was read the first time.

Mr. Kappes offered the following motion :

That the Board of School Trustees of the City be required to make quarterly reports on the 30th of June, 30th of September, 31st of December, and 31st of March, of each year, to the Common Council, showing the receipts and expenditures of the Board for Tuition and Building purposes.

Which was adopted.

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

REPORTS FROM COMMITTEES.

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

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING MARCH 6, 1869.

Number of patients in the Hospital at last report.....	27
Number of patients received in the Hospital since last report.....	4
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.....	1
Number of patients remaining in the Hospital at present.....	26

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF THE CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL ENDING MARCH 13, 1869.

Number of patients in Hospital at last report	26
Number of patients received in Hospital since last report.....	3
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report.....	3
Number of patients died in Hospital since last report	0
Number of patients remaining in Hospital at present report.....	27

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING MARCH 20, 1869.

Number of patients in Hospital at last report.....	27
Number of patients received in Hospital since last report	1
Number of patients born in Hospital since last report	1
Number of patients discharged from Hospital since last report.....	5
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report	24

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING MARCH 27, 1869

Number of patients in Hospital at last report.....	23
Number of patients received in Hospital since last report.....	3
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report.....	0
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report.....	27

Also, the following:

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

Total expenditures for the month.....	\$488 69
Aggregate number of days for which subsistence, etc., was furnished ----	811
Average expense per capita per diem.....	0.60

Which were received.

Also, special appropriation ordinance No. 14--1869, entitled:

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

Which was read the first time.

REPORTS FROM CITY OFFICERS.

The City Clerk made the following report:

INDIANAPOLIS, March 22, 1869.

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

GENTLEMEN:—The City Clerk respectfully reports to Council:

1st. The contract and bond of D. Root & Co. for erecting lamp post and fixtures on St. Joseph street between Alabama and New Jersey streets.

2d. The contract and bond of D Root & Co for erecting lamp-posts and fixtures on Madison Avenue, between Meridian street and the south side of the alley running east and west between out-lots Nos. 16 and 25.

Respectfully submitted,

D. M. RANSDELL, *City Clerk.*

Which was received, and the contracts and bonds approved.

The Street Commissioner made the following report:

INDIANAPOLIS, March 29, 1869.

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

GENTLEMEN:—I desire to be informed by your honorable body whether in keeping my accounts with the Wards of the City I shall be governed by the old or new lines.

Respectfully,

AUGUST RICHTER, *Street Commissioner.*

Which was received, and he was directed to be governed by the old Wards.

The Street Commissioner also made the following report:

INDIANAPOLIS, March 22, 1869.

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

GENTLEMEN:—The bill of J. H. McKernan against the City of Indianapolis for gravel tickets, amounting to \$15, which was referred to me, I would report that said debt was incurred while my predecessor (Mr. Kemper) was in

office, and therefore I know nothing of its correctness or incorrectness. All the tickets I have ever bought from Mr McKernan have been paid for.

Respectfully,

AUGUST RICHTER, *Street Commissioner.*

Which was received.

The City Treasurer made the following report :

INDIANAPOLIS, March 22, 1869.

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

GENTLEMEN:—In accordance with the motion passed on the 8th of February, 1869, I proceeded to pay part of the damages as assessed by the Commissioners against the property holders on account of straightening Pogue Run, and after paying the damages assessed to Hanraban I perceived that said Commissioners' report was totally erroneous, and immediately stopped further payment of such damages, and I now respectfully suggest that a Committee be appointed, including the City Attorney, to settle the matter, or that the Commissioners be recalled to make a new survey before any more claims are adjusted.

Respectfully, &c.,

ROBT. S. FOSTER, *City Treasurer.*

Which was not concurred in.

By consent, Mr. Seidensticker offered the following motion :

That the City Attorney and the Judiciary Committee be appointed to confer with Mr. Huffer, or his attorneys, and agree if possible upon reasonable compensation to him, according to the measure of damages fixed by the Supreme Court, and report to the Council for approval or rejection of their action.

Which was adopted.

The Civil Engineer made the following report :

INDIANAPOLIS, April 5, 1869.

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

GENTLEMEN:—The undersigned having been directed to survey McCarty street from New Jersey street to Waters street, with a view to draining said street between the above points, finds upon examination, that the water can be taken along the west gutter on Waters street to Stevens street, thence in south gutter of Stevens street to culvert, where it can pass off in the direction of Virginia Avenue. The cost will not exceed one hundred dollars.

Respectfully,

R. M. PATTERSON, *Civil Engineer.*

Which was concurred in.

ORDINANCES ON SECOND READING.

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

Special appropriation ordinance No. 11—1869.

Special appropriation ordinance No. 13—1869.

Special ordinance No. 109—1868.

Special ordinance No. 5—1869.

Special ordinance No. 12—1869.

Special ordinance No. 17—1869.

Special ordinance No. 16—1869.

Special ordinance No. 10—1869.

Dr. Jameson called up general ordinance No. 149, relative to Markets.

Which was laid on the table by the following vote :

Affirmative—Councilmen Brown, Davis, Foster, Kappes, Seidensticker and Woodburn—6.

Negative—Councilmen Cottrell, Geisel, Goddard and Stanton—4.

Mr. Cottrell called up general ordinance No. 7—1869, compensating City Officers.

And, on his motion, the ordinance was referred to the Judiciary Committee.

Mr. Brown called up general ordinance No. 6—1869, entitled :

AN ORDINANCE to amend an ordinance entitled "An ordinance establishing and bounding the Wards of the City of Indianapolis," passed January 18, 1869.

Which was read the second time.

Dr. Woodburn called for the ayes and noes upon the engrossment of the ordinance.

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

Those who voted in the negative were Councilmen Stanton and Woodburn—2.

There being no quorum the Council adjourned until Thursday evening, April 8th, 1869, at 7½ o'clock, P. M.

DANIEL MACAULEY, *Mayor.*

ATTEST :

D. M. RANDELL, *City Clerk.*