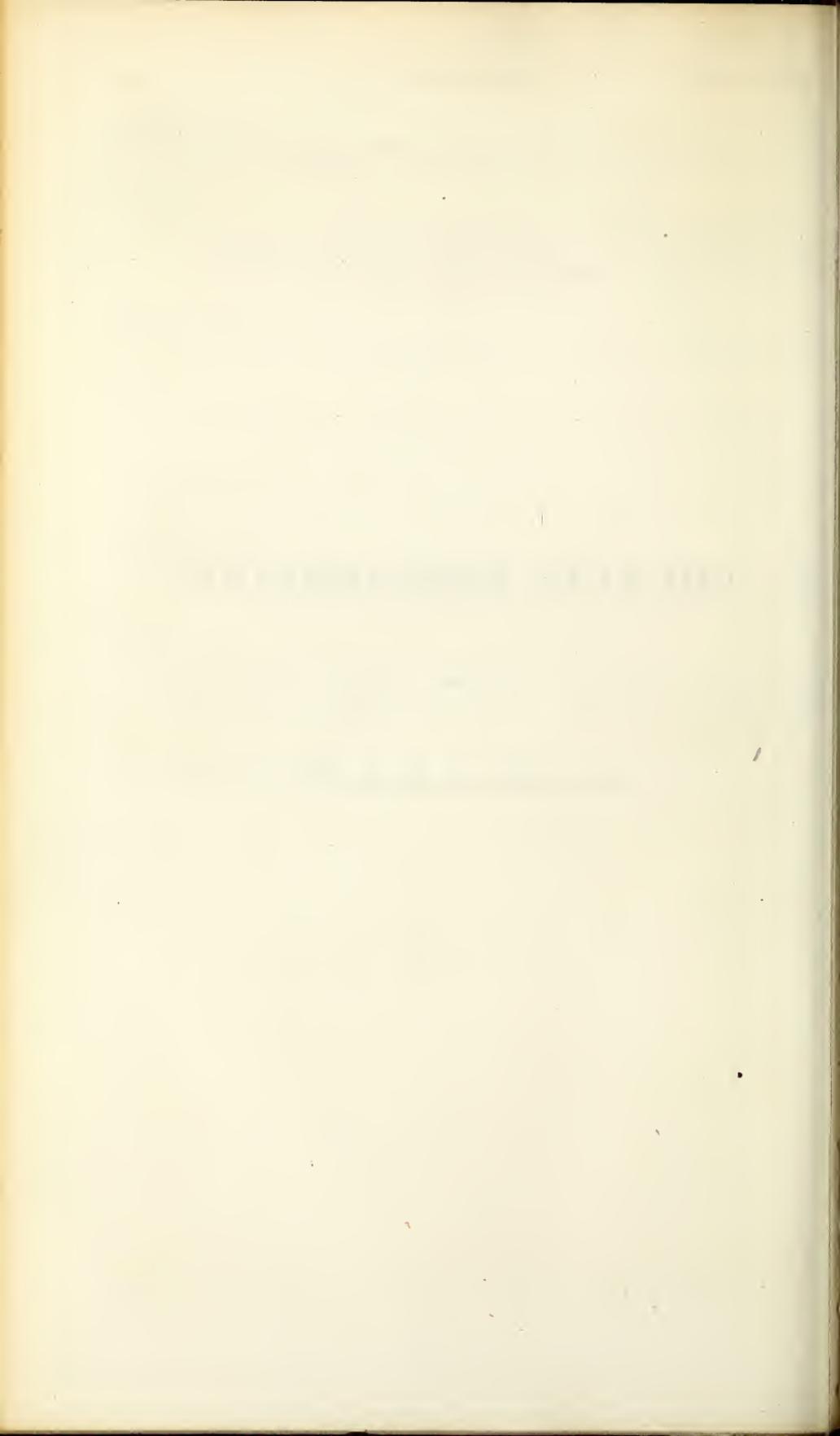


COUNCIL PROCEEDINGS

FROM

MAY 8, 1865, TO MAY 2, 1866.



PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, MAY 8TH, 1865, 8 O'CLOCK, P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, JOHN CAVEN, President, in the chair, he having been elected and qualified as such in accordance with the provisions of the City Charter; and the following members:

Councilmen Allen, Boaz, Coburn, Cook, Emerson, Glazier, Jameson, Lefever and Staub—8, of the old Council holding over; and the following new members elect, who, having filed their certificates of election and oath of office with the City Clerk, in accordance with the provisions of the City Charter, appeared and took their seats, to-wit:

From the First Ward—SIMS A. COLLEY.

From the Second Ward—

From the Third Ward—DR. W. CLINTON THOMPSON.

From the Fourth Ward—JOHN B. MACARTHUR.

From the Fifth Ward—JULIUS A. GROSVENOR.

From the Sixth Ward—AUSTIN H. BROWN.

From the Seventh Ward—CHRISTIAN F. SCHMIDT.

From the Eighth Ward—WILLIAM H. LOOMIS.

From the Ninth Ward—ADOLPH SEIDENSTICKER.

The proceedings of the called session, held April 27th, 1865, and of the regular session, held May 1st, 1865, were read and approved.

On motion of Mr. Seidensticker, the regular order of business was suspended.

The City Clerk presented the official bonds of the General City Officers elect, who, having otherwise qualified in accordance with the provisions of the City Charter, entered upon the duties of their respective offices, after having their bonds approved, as follows, to-wit :

BYRON K. ELLIOTT, City Attorney, giving as Security, Andrew Wallace—penalty of bond, \$1500.00.

CYRUS S. BUTTERFIELD, City Clerk, giving as security, S. A. Butterfield, Horace A. Fletcher, Charles Richmann and Ellis Barnes—penalty of bond, \$5000.00.

JOHN UNVERSAW, City Marshal, giving as security, John G. Waters and John S. Russell—penalty of bond, \$2000.00.

WILLIAM H. CRAFT, City Treasurer, giving as security, George Bruce, Jesse Jones, James G. Douglass, David V. Culley, Joseph Staub, Joshua M. W. Langsdale, Arthur L. Wright, Henry Tutewiler and John G. Waters—penalty of bond, \$400,000.00.

AUGUST RICHTER, Street Commissioner, giving as security, C. F. Schmidt—penalty of bond, \$1500.00.

WILLIAM HADLEY, City Assessor, giving as security, Leonidas M. Phipps, Jonathan J. Wright and William A. Bradshaw—penalty of bond, \$5000.00.

JAMES WOOD, Civil Engineer, giving as security, Fr. Ritzinger and John Stumph—penalty of bond, \$1,500.00.

Which, on motion, were severally accepted and approved.

By Dr. P. H. Jameson :

Resolved, That the first regular meeting of this body shall be held on the first Monday evening succeeding the biennial election, that thereafter the regular meetings shall be held on the first and third Monday evenings in each month.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Lefever, Loomis, MacArthur, Schmidt, Seidensticker, Staub and Thompson—16.
Noes, none.

So the resolution passed.

By Mr. Seidensticker—Motion :

That the Council proceed to elect the following named City Officers, viz. : Market Master, Chief Fire Engineer, Sealer of Weights and Measures, City Printer, three members of Board of Health, two Wood Measurers, three members of Board of Public Improvements, Sexton of City Cemetery, Winder of Town Clock, President *pro tem.* of Council, one Chief and one Lieutenant of Police Force, one Day Patrolman for each Police District, and two Night Patrolmen for each Police District, for the City of Indianapolis.

Which motion was adopted.

On motion of Dr. Jameson, the election of Chief of Police was postponed until the last.

Mr. Loomis moved that the election of Chief of Police be postponed until next regular meeting of Council.

Which motion did not prevail.

His Honor, the Mayor, appointed Councilmen Allen and Loomis as tellers.

The Council then proceeded to ballot for the above named officers, which resulted in the choice of the following named persons, viz. :

Market Master—CHARLES JOHN.

Chief Fire Engineer—CHARLES RICHMANN.

City Sealer—JAMES LOUCKS.

City Printer—JAMES G. DOUGLASS.

Board of Health—Drs. W. R. BULLARD, GEO. W. MEARS, and EMIL KLINE.

Wood Measurer—East Market—LOVE H. JAMESON.

Wood Measurer—West Market—JOHN FORD.

Board of Public Improvements, } HENRY COBURN,
 } AD. SEIDENSTICKER,
 } W. CLINTON THOMPSON.

Sexton City Cemetery—GARRISON W. ALLRED.

Town Clock Winder—FRED. M. HERRON.

Pres't pro tem. of Council—AUSTIN H. BROWN.

Chief of Police—JESSE M. VAN BLARICUM.

Lieutenant of Police—JOHN S. BRAY.

DAY PATROLMEN.

First District—DAVID POWELL.

Second District—No election.

Third District—MICHAEL R. SCUDDER.

Fourth District—WILLIAM BRETNEY.

Fifth District—WILLIAM S. JOHNSON.

Sixth District—JOSEPH P. DUVALL.

Seventh District—THOMAS S. WILSON.

Eighth District—LEVAN RUSSELL.

Ninth District—JOHN L. HANNA.

NIGHT PATROLMEN.

First District—GEORGE TAFFE and WILLIAM A. PATTERSON.

Second District—No election.

Third District—HANNIBAL TAFFE and WILLIAM WILLIAMS.

Fourth District—WILLIAM F. BRUNNEMER and WILLIAM BOHLEN.

Fifth District—JOHN S. BECHTEL and SAMUEL BUSER.

Sixth District—HENRY PAUL and WILLIAM J. WALLACE.

Seventh District—ANDREW UNVERSAW and H. S. ADAMS.

Eighth District—JAMES A. WALLACE and GEORGE DEMUNN.

Ninth District—JESSE T. MURPHY and GOTTLIEB WEIGLE.

By Mr. Brown—Motion :

That the City Clerk be directed to publish all City Ordinances, required to be published, in the *Free Press*, and that the City Engineer be directed to advertise all invitations for proposals for public improvements in the same paper.

Which motion was adopted.

By Mr. Colley—Petition :

INDIANAPOLIS, May 8, 1865.

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

The undersigned, owners of property on East street, between St. Clair and Cherry streets petition your honorable body to grade and gravel with river or creek gravel said East street and sidewalks, between St. Clair and Cherry streets.

JOHN CARTER,
For MARY CARTER,
JOHN AD. MULLER,
ELIZA JANE COMMONS,
JOHN A. MOORES,
And others.

Which, on motion, was referred to the Board of Public Improvements.

Dr. Jameson presented a petition from Joseph R. Haugh, and others, asking that the culvert, or bridge, at the intersection of New Jersey and New York streets be enlarged, so as to permit the free flow of water down New Jersey street, so as not to overflow New York Street.

Which, on motion, was referred to the Board of Public Improvements.

Mr. Glazier presented a petition from T. M. Stevens and J. Coffman, asking the privilege of bouldering a gutter in front of their property on New Jersey street, between South and Merrill streets.

Which, on motion, was referred to the Board of Public Improvements.

Mr. Brown presented a remonstrance from George W. Mears, and others, against the grading and bouldering of Meridian street between Ohio and North streets, as being petitioned for by sundry other citizens along the line of said street.

Which, on motion, was referred to the Board of Public Improvements.

Mr. Glazier presented a petition from T. M. Stevens, asking the refunding of certain taxes.

Which, on motion, was laid upon the table.

Mr. Brown presented a petition from Peter Mattler to dig a well in front of his property on South Meridian street.

Which, on motion, was referred to the Board of Public Improvements.

Mr. Brown presented a memorial from J. W. Monfort, C. E. Geizendorff, and others, asking the Council to pass an ordinance to prohibit a certain class of unscrupulous "agents" or "runners" for certain houses, who principally infest the Union Depot, and the U. S. Pay Department, to the detriment and injury of the business of honest and respectable business houses.

Which, on motion, was referred to the Judiciary Committee, with instructions to report an ordinance to prohibit the evil.

By Mr. Seidensticker, from the Judiciary Committee :

INDIANAPOLIS, May 8, 1865.

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

The undersigned Committee, to whom was referred the affidavit and application of Thomas Wren, street contractor, for a precept against James N. Russell, as owner of Lot No. 17, in out-lot No. 26, in the city of Indianapolis, respectfully report that said lot No. 17 is covered, to the whole extent of its width, by Pogue's Run and the street in front of said lot No. 17, by the bridge crossing Pogue's Run, in front of said lot, on Bluff Road; that said contractor did not, therefore, and could not, improve the street in front of said lot No. 17.

Section 67 of the Charter provides that the owners of lots bordering on streets to be improved, "or the part thereof to be improved," shall be liable to the contractors for their proportion of the cost. As the street (Bluff Road) in front of said lot No. 17 was not improved, and could not be improved, it is clear that the owner thereof was not liable to the contractor for any part of the cost of said improvement. The assessment granted against said lot, or the owner thereof, was, therefore, erroneous, and no precept ought to be granted upon said erroneous assessment.

The Committee, therefore, respectfully recommend that the application of Thos. Wren, contractor for the grading and graveling of Bluff Road, for a precept against James N. Russel, as owner of lot 17 in out-lot 26, in this city, be refused.

S. A. COLLEY,
AD. SEIDENSTICKER. } Committee.

Which, on motion, was concurred in.

From the Committee on Accounts:

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

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the following named persons be allowed the amounts set opposite their respective names, from any moneys in the Treasury not otherwise appropriated, as follows:

Merrill & Co., Books and Stationery.....	\$70 25
Frank Wright, Street Repairs.....	14 10
John Stumph, Street Repairs.....	22 00
Joseph K. English, Percentage.....	4,027 41
Joseph K. English, Interest paid on Orders.....	4,074 25
Joseph K. English, Bonds paid.....	25,000 00
Cottrell & Knight, Police.....	4 22
Green and Company, Specific.....	21 00
McCord & Wheatley, Street Repairs.....	29 70
C. F. Meyer, Police.....	36 00
W. W. Butterfield, Specific.....	60 00
John G. Waters, Specific.....	125 00
John Miller, Nuisances.....	15 00
Alexander Wood, Street Improvement.....	60 00
Jacob Rubush, Street Improvement.....	21 85
McCord & Wheatley, Street Repairs.....	17 75
Samuel Goddard, Street Repairs.....	41 50
W. J. H. Robinson, Jail expenses for January, 1865.....	680 20
W. J. H. Robinson, Jail Expenses for February, 1865....	482 10
W. J. H. Robinson, Jail Expenses for March, 1865.....	759 30
W. J. H. Robinson, Jail Expenses for April, 1865.....	911 40
Egner & Woche, Fire Department.....	6 30
Stewart & Morgan, Fire Department.....	4 70
Browning & Sloan, Fire Department.....	20 35
Crossland & Maguire, Fire Department.....	2 25
Charles Glazier, Fire Department.....	33 70
Eaton & Ferguson, Fire Department.....	3 00
Total.....	<u>\$36,543 33</u>

RECAPITULATION.

Bonds Paid.....	\$25,000 00
Interest paid on Orders.....	4,074 25
Percentage.....	4,027 41
Jail Expenses.....	2,833 00
Specific.....	206 00
Street Repairs.....	125 05
Street Improvement.....	81 85
Fire Department.....	70 30
Books and Stationery.....	70 25
Police Expences.....	40 22
Nuisances.....	15 00
Total.....	<u>\$36,543 33</u>

SEC. 2. The City Clerk is hereby authorized and directed to issue warrants upon the City Treasury to the persons named, and for the amounts as set forth specifically in section first of this ordinance.

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

Ordained and established this 8th day of May, 1865.

Attest:

JOHN CAVEN, *Mayor*.

C. S. BUTTERFIELD, *City Clerk*.

Which was read the first time, and, on motion, was read the second time by its title.

Mr. Allen then moved that the rules be suspended and the ordinance read the third time.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Lefever, Loomis, MacArthur, Schmidt, Seidensticker, Staub and Thompson—16. Noes, none.

So the rules were suspended and the ordinance read the third time.

The question being on the passage of the ordinance, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Lefever, Loomis, MacArthur, Schmidt, Seidensticker, Staub and Thompson—16. Noes, none.

So the ordinance passed.

By His Honor, Mayor Caven :

INDIANAPOLIS, May 8, 1865.

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

WHEREAS, this Council has learned, with pain, that our fellow Councilman, John B. MacArthur, has recently lost his only brother, by the hand of an assassin, and that, in consequence, he is about to visit Scotland, his native land, to console with his aged mother in this her bereavement, and this Council desires to express their profound sympathy with our fellow Councilman in his affliction, and that our regret is increased by the circumstance that it requires one whom we so highly esteem to be absent for a time from our midst; and we also wish to testify to his high and honorable character as a man and a citizen, and recommend him to all, both at home and abroad, as eminently worthy of confidence, and bespeak for him every sympathy and courtesy from his fellow countrymen, and others, in this his sad visit to his native land.

The Clerk is hereby instructed to prepare a certified copy of the foregoing testimonial, and present the same to our fellow Councilman, J. B. MacArthur.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Coburn,

Colley, Emerson, Glazier Grosvenor, Jameson, Lefever, Loomis, Schmidt, Seidensticker, Staub and Thompson—15. Noes, none.

So the resolution passed.

By Mr. Coburn—motion :

That Wm. H. Sibley be allowed to amend his bid on cisterns, by giving security, his bid only giving reference.

Which motion was adopted.

On motion of Dr. Jameson, the bids received at last meeting of Council, except those for bridges, were referred back to the Board of Public Improvements, with instructions to re-examine and make awards of contracts.

By Dr. Thompson :

WHEREAS, On the 19th day of September, 1864, this Council passed an ordinance to grade and pave the east side of Illinois street, between Market and North streets: AND WHEREAS, The individual to whom this contract was awarded failed to comply with the conditions of said contract; therefore,

Resolved, That the Civil Engineer be directed to re-advertise for proposals for said work, to be received at this Council on its meeting on the third Monday of June, 1865.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Lafever, Loomis, MacArthur, Schmidt, Seidensticker, Staub and Thompson—15. Noes, none.

So the resolution passed.

By Dr. Thompson—Motion :

That Mr. Shepherd be notified by the Street Commissioner to make a sink to receive the waste water from the well in front of his store, on New York street, near the corner of Tennessee street.

Which motion was adopted.

On motion of Mr. Seidensticker the drawing for choice of seats by the members of the Council was made the special order of business, on Monday evening the 15th inst.

Mr. Brown, from Select Committee asked and obtained leave to make the following report :

INDIANAPOLIS, May 8, 1865.

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

The Select Committee to whom was referred the report of the Finance Committee, made May 1, 1865, relative to the sale of the city war warrants, beg leave to report that they have examined the same, and find it to be correct; that the whole number of such warrants placed in the hands of the Finance Committee amounted

to the sum of \$181,733, of which they have sold warrants, and turned over to the Treasurer the proceeds, amounting to \$154,658, (the receipt for which is herewith returned with this report,) leaving on hand warrants to the amount of \$27,075, which your Committee have cancelled and burned. The Committee also cancelled and burned warrants in the hands of the City Clerk, which were signed, but not delivered to the Finance Committee, amounting to \$14,000.00, making, also a note of the fact on the Register of Orders.

The Committee recommend that the receipt herewith be filed with the City Clerk, and the City Treasurer be charged with the amount.

AUSTIN H. BROWN,
R. B. EMERSON.

Which, on motion, was concurred in.

On motion of Mr. Brown, the Finance Committee were directed to cancel the War Orders of first issue remaining in the hands of the Mayor.

On motion the Council adjourned.

JOHN CAVEN, *Mayor*.

ATTEST:

C. S. BUTTERFIELD, *City Clerk*.