

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, AUGUST 7TH, 1865, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members :

Councilmen Allen, Coburn, Fletcher, Grosvenor, Kappes, Seidensticker and Thompson—7.

Absent—Councilmen Boaz, Brown, Colley, Emerson, Glazier, Jameson, Lefever, Loomis, MacArthur, Schmidt and Staub—11.

There being no quorum present, the Council took a recess of a few minutes ; when, a quorum being present, the Council proceeded to business.

The proceedings of the regular session held July 31st, 1865, were read and approved.

By Mr. Kappes—Petition :

INDIANAPOLIS, Aug. 7, 1865.

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

The undersigned, property holders along the line of the alley running from Delaware to Alabama streets, between St. Joseph and Pratt streets, respectfully petition to have said alley graded and graveled.

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Lovine X Armentrout,
mark.
John Bucker,
John Henry,
John F. Mayer,
And 5 others.

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

By Mr. Loomis—Petition :

INDIANAPOLIS, July 26, 1865.

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

We, the undersigned property holders on West Pearl street, north side, would petition the City Council of Indianapolis for permission to pave that sidewalk on which our property fronts.

J. F. Ramsay,
Thos. McBaker,
Chas. Glazier,
J. H. Vajen.

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

By Mr. Seidensticker—Petition :

INDIANAPOLIS, Aug. 7, 1865.

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

The undersigned would respectfully petition your honorable body to take measures to compel the opening of North street, between Noble and Davidson streets; said street is obstructed by the Peru Railroad track, which is not planked nor graveled, and by a quantity of logs, used by an adjoining saw mill. In consequence of the obstruction of said street the people living around there are put to great inconvenience.

Henry Wiebke,
Frederick Orrenforth,
Wilhelm Dahne,
August Hild,
And 24 others.

Which, on motion, was referred to the Committee on Streets and Alleys.

By Mr. Seidensticker—Petition :

INDIANAPOLIS, May 22, 1865.

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

We, the subscribers, being a majority of the property owners residing on Spring street, between Market and Ohio streets, in the 9th Ward of this city,

do petition your body, that you ordain the improvement of the above described street by causing the same to be graded and graveled.

Respectfully,

Jot Elliott,
Lewis D. Repp,

John D. Pring,
Henry Buscher,
And 8 others.

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

By Mr. Coburn, from the Board of Public Improvements :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Aug. 7, 1865. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the petition of G. Schurmann and others, to have their sidewalks on Michigan street paved, was referred, would report that they have prepared an ordinance to meet the prayer of the petitioners.

Respectfully submitted,

HENRY COBURN,
AD. SEIDENSTICKER, } Board.

Which, on motion, was received,

By Mr. Coburn, from the Board of Public Improvements :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Aug. 7, 1865. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the proposals for street improvements were referred, would respectfully report to your honorable body that they find the following persons the lowest bidders, and would recommend the contracts be awarded them.

James Mahoney, grading and graveled New York street and sidewalks, between Illinois and Tennessee streets, at fifty cents (50) per cubic yard for grading, and one dollar and fifty-five cents (\$1.55) for graveled.

Hanway & Cowan, grading and graveled New York street and sidewalks, between Noble and Winston streets, at sixty five cents (65) per cubic yard for grading, and one dollar and eighty-five cents (\$1.85) for graveled.

Seibert & Stewart, grading and graveled Maryland street, exclusive of sidewalks, (they being already graveled,) between Delaware and Alabama streets, at forty-nine cents (49) per cubic yard for grading, and one dollar and fifty-nine cents (\$1.59) for graveled.

Michael Shea, grading and graveled St. Clair street and sidewalks, between Meridian and East streets, at sixty-three cents (63) per cubic yard for grading, and one dollar and seventy-eight cents (\$1.78) for graveled.

Samuel Hanway, grading and graveled Washington street, between Pogue's Run and Corporation line east, at sixty cents (60) per cubic yard for grading, and one dollar and seventy-five cents (\$1.75) for graveled.

There is but one bid for the grading and graveled of Union street with pit graveled, and that is higher than contracts for good river gravel are being let at. We would recommend that the Engineer be instructed to re-advertise it.

HENRY COBURN,
AD. SEIDENSTICKER, } Board.

On motion, so much of the report as relates to bids for public

works, was concurred in, and contracts awarded; and so much of the report as relates to the grading and graveling of Union street, was concurred in, and Engineer instructed to re-advertise for proposals.

By Mr. Coburn, from the Board of Public Improvements:

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Aug. 7, 1865. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the petition of C. W. Hewes and others was referred, would respectfully recommend to your honorable body that the prayer of the petitioners be granted, and that the Civil Engineer be instructed to have the contractor put the pavement in front of the residence of E. May, on Pennsylvania street, down with brick, and that no estimate be allowed to the contractor until this is done.

In relation to the petition of E. May, to flag his pavement in front of residence on Pennsylvania street, we would recommend that it be rejected, as it would conflict with the contract now let for the work.

HENRY COBURN, }
AD. SEIDENSTICKER, } *Board.*

Which, on motion, was concurred in.

By Mr. Coburn, from the Board of Public Improvements:

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Aug. 7, 1865. }

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

GENTLEMEN:—The Board of Public Improvements, to whom was referred the petition of H. B. Randall, J. J. Wright, and others, to have St. Joseph street graded and graveled, would report that they have prepared an ordinance for said petition, and that it be read the first and second time and laid over until the first meeting in February next.

Respectfully submitted,

HENRY COBURN, }
AD. SEIDENSTICKER, } *Board.*

Which, on motion, was concurred in.

By Mr. Coburn, from the Board of Public Improvements:

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Aug. 7, 1865. }

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

GENTLEMEN:—The Board of Public Improvements, to whom was referred that part of the Engineers report in relation to the building of a culvert at the crossing of Pennsylvania and North streets and the intersection of Fort Wayne Avenue, would report that they will give the order for the culvert to be made as soon as the contractor for North street is ready to go to work on the street.

HENRY COBURN, }
AD. SEIDENSTICKER, } *Board.*

Which, on motion, was concurred in.

By Mr. Coburn, from the Board of Public Improvements :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Aug. 6, 1865. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that the within motion to reconsider ought to be passed, for the reason therein stated, unless said Johnson files the written consent of the contractor for the paving of Washington street, between Alabama and Noble streets.

HENRY COBURN, }
AD. SEIDENSTICKER, } *Board.*

Which, on motion, was concurred in.

The question then recurring upon Mr. Loomis's motion to reconsider the previous motion, it was carried.

On motion, the motion offered by Mr. Emerson was laid upon the table.

By Mr. Coburn, from the Board of Public Improvements :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Aug. 5, 1865. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that, in their opinion, the within petition ought not to be granted, as there are advertisements inviting bids for the improvement of the whole of said street. Bidders who propose to do the whole improvement, might object to take the whole contract, upon finding that a large part has been taken off. At the same time, it will be difficult and may cause trouble, to have the half of a street graded and graveled upon private, and the other upon public contract.

HENRY COBURN, }
AD. SEIDENSTICKER, } *Board.*

Which, on motion, was concurred in.

By Mr. Coburn, from the Board of Public Improvements :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Aug. 7, 1865. }

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

GENTLEMEN:—The Board of Public Improvements to whom the matter was referred, would respectfully report to your honorable body that—1. The resolution granting to the Rev. S. T. Gillett the privilege of paving his sidewalk on Illinois street; and 2. The resolution granting to C. E. Whitsit the privilege of grading and graveling of South street, in front of his property, ought both to be rejected, for the reason that the streets in both said instances are under contract, and the Council have no right to authorize private improvements in violation of a public contract. Such a violation would be not only

an act of bad faith to the contractor, but would make the city liable to an action for damages, unless the consent of the contractor can be obtained.

HENRY COBURN,
AD. SEIDENSTICKER, } *Board.*

Which, on motion, was concurred in.

By Mr. Coburn, from the Board of Public Improvemants :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Aug. 7, 1866. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that as a majority of the property holders along the streets, for the use of which Messrs. Lingerman and others have petitioned on behalf of their proposed railroad, have remonstrated against granting the use of the said streets, the prayer of said petitioners cannot be granted.

As the remonstrance of J. McLene & Co. on that subject has also reference to the vacation of an alley, we recommend its reference to the Committee on Streets and Alleys, who have the matter under consideration.

HENRY COBURN,
AD. SEIDENSTICKER, } *Board.*

Which, on motion, was concurred in, and the remonstrance of J. McLene & Co. referred to the Committee on Streets and Alleys.

Mr. Allen, from Committee on Fire Department, reported, verbally, that the new Steam Fire Engine manufactured by Messrs. Lane & Bodley, of Cincinnati, had been out on trial during the day, and would, on to-morrow morning, at 8½ o'clock, throw through 1,000 feet of hose on a trial with the Seneca Falls Engine, and the Council are respectfully invited to witness the trial.

By Mr. Emerson, from the Committee on Public Buildings :

INDIANAPOLIS, Aug. 7, 1865.

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

GENTLEMEN:—The Committee on the House of Refuge, beg leave to report that the basement story is now completed, and the first tier of joist are upon the walls and well bridged. The cost of the work thus far, is six thousand five hundred dollars. Your Committee would also report that the expense of the two stories up to the square, will cost for frames and joist on the walls, well bridged, the sum of six thousand nine hundred dollars, and your Committee would further recommend that the Committee proceed at once to advertise for proposals for the brick, stone and wood work, according to the plans and specifications now in the Architect's office for the building up to the square. All of which is respectfully submitted.

R. B. EMERSON, *Chairman.*

Mr. Seidensticker moved—

To refer the report back to the Committee on Public Buildings with instructions to report whether a part of the City Hospital cannot be used for the purpose of a House of Refuge.

Which motion was adopted.

From His Honor, Mayor Caven—Report :

MAYOR'S OFFICE,
Indianapolis, Aug. 7, 1865. }

To the Common Council of the City of Indianapolis :

The undersigned would respectfully report that the amount of fines collected during the month of July, 1865, was \$1,467.85, which amount has been paid to the City Treasurer, as shown by duplicate receipt presented herewith.

The convictions before me for high crimes during the same month, were as follows :

Bigamy	1
Grand Larceny	8
Petit Larceny	4
Murder in Second Degree	1
Robbery	4
Professional Gambling	1
Keeping Gambling House	8
Assault and Battery with intent to kill	1
Manslaughter	1
Aggravated Assault and Battery	1
Total	30

All of which is respectfully submitted.

JOHN CAVEN, *Mayor.*

Which, on motion, was accepted and approved.

The Civil Engineer reported sealed proposals for erecting lamp posts on north half of Circle street, between East Market street and West Market street.

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

Mr. Emerson called up special ordinance No. 61, entitled :

AN ORDINANCE to provide for the grading and graveling of North street and sidewalks from the west side of Blackford street to Bright street,

Which was read the third time and placed upon its passage.

The question being on the passage of the ordinance, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, Seidensticker, Staub and Thompson—13. Noes, none.

So the ordinance passed.

Mr. Emerson called up special ordinance No. 63, entitled :

AN ORDINANCE to provide for the grading and graveling of James street and sidewalks, between Indiana Avenue and St. Clair street,

Which was read the third time and placed upon its passage.

The question being upon the passage of the ordinance, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Em-

erson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, Seidensticker, Staub and Thompson—13. Noes, none.

So the ordinance passed.

Dr. Thompson called up special ordinance No. 64, entitled :

AN ORDINANCE to provide for the grading and graveling of the alley running north and south through Square thirty-two (32), between Ohio and New York streets,

Which was read the third time and placed upon its passage.

The question being upon the passage of the ordinance, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, Seidensticker, Staub and Thompson—13. Noes, none.

So the ordinance passed.

By Mr. Allen :

Resolved, That the City Attorney be directed to commence suit against H. Timmerman, contractor for grading and graveling Meek street, for failing to comply with his contract.

Which, on motion was referred to the City Attorney.

By Mr. Grosvenor :

Resolved, That the Chief of Police be, and is hereby instructed to purchase for the use of the Police Force of the city, Badges, (as per sample accompanying,) except that the Badges be numbered, commencing with No. 1, and numbering as many as there are police in the service of the city; said badges to be used and worn by the members of the Police Force, as this Council may direct.

Which, on motion, was referred to the Committee on Police.

Dr. Jameson moved—

That the City Attorney be requested to report at the next meeting of the Council on claim of Andrew Wallace, Esq., for damages on account of change of grade on Virginia Avenue.

Pending which, Dr. Jameson moved a suspension of the rules, that Mr. Wallace might be heard upon the subject under consideration.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, Seidensticker, Staub and Thompson—13. Noes, none.

So the rules were suspended.

Mr. Wallace then proceeded to address the Council upon the subject.

On motion, the whole matter was then referred to the City Attorney.

Mr. Fletcher moved—

That the Street Commissioner be instructed to make a culvert at the crossing on Ohio and Tennessee streets, on the north side; said culvert to be the whole width of the street.

Which motion was referred to the Board of Public Improvements.

Dr. Thompson moved—

That Robert Walpole be permitted to grade and pave the sidewalk in front of his property on Meridian street, under the direction of the Civil Engineer, provided the same be done within sixty days.

Which motion was adopted.

Dr. Jameson moved—

That the Street Commissioner be instructed to open gutters on New Jersey street, between Ohio and Washington streets.

Which motion was referred to the Board of Public Improvements.

Mr. Brown moved—

That the Board of Public Improvements be directed to make an arrangement for the covering with plank, the entire width of Pennsylvania and Delaware streets, bridges over Pogue's Run, and of the construction of such stone work as may be necessary to make secure abutments to the Delaware street bridge aforesaid, and that the Union Railway Company be called upon to pay one-half the expense thereof, as heretofore proposed by such Company.

Which motion prevailed.

Mr. Loomis moved—

That the Street Commissioner be directed to double his force in order to facilitate an early cleansing of the streets and alleys of this city, and that this Council pledge itself to make the necessary appropriations, and that the Board of Public Improvements be instructed to recommend an additional appropriation for one month.

Which motion was adopted.

UNFINISHED BUSINESS.

Mr. Brown moved to take from the table the petition of Mr. Grosvenor to lay a railroad track upon Tennessee street.

Which motion prevailed.

Mr. Brown introduced general ordinance No. 13, entitled :

AN ORDINANCE granting Julius A. Grosvenor, President of the Indianapolis Agricultural Works, the right to lay down a railroad track from the Rolling Mill track on Tennessee street,

Which was read the first time, and, on motion, was read a second time.

Mr. Emerson then moved that the rules be suspended, and the ordinance read the third time and placed upon its passage.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, Staub and Thompson—12.

Mr. Seidensticker 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 Allen, Brown, Coburn, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, Seidensticker, Staub and Thompson—13. Noes, none.

So the ordinance passed.

By Mr. Coburn—Petition :

INDIANAPOLIS, Aug. 7, 1865.

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

The undersigned, owners of real estate on Michigan street, between Meridian and Pennsylvania streets, hereby petition your honorable body to cause the said street, between Meridian and Pennsylvania streets, to be graveled with coarse river gravel.

G. Schurmann,
D. D. Moore,
L. R. Martin,

Jno. C. New,
R. Frank Kennedy.

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

Mr. Brown introduced general ordinance No. 14, entitled :

AN ORDINANCE making an appropriation in aid of the building of a substantial fence around the City Cemetery,

Which was read the first time, and, on motion was referred to the Committee on Benevolence.

Mr. Brown introduced general ordinance No. 15, entitled :

AN ORDINANCE relative to the licensing of persons engaged in or following the profession or business of Agents or Attorneys for the prosecution or collection of the claims of officers and soldiers of the United States Army,

Which was read the first time, and, on motion, was referred to City Attorney as to the power of the Common Council to charge license for such business.

On motion of Mr. Emerson the Council adjourned.

Present at roll call on adjournment: Councilmen Allen, Brown, Coburn, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, Seidensticker, Staub and Thompson--12.

JOHN CAVEN, *Mayor.*

ATTEST:

C. S. BUTTERFIELD, *City Clerk.*