

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, NOVEMBER 6TH, 1865, 7 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 at first roll-call:

Councilmen Allen, Boaz, Brown, Colley, Emerson, Glazier, Jameson, Kappes, Lefever, Loomis, MacArthur and Thompson—12.

Absent—Councilmen Coburn, Fletcher, Grosvenor, Schmidt, Seidensticker and Staub—6.

The proceedings of the regular session, held October 30th, 1865, were read and approved.

By Mr. Loomis—Petition:

INDIANAPOLIS, November 2, 1865.

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

GENTLEMEN:—We the undersigned, property holders on Fletcher Avenue, between Cedar and Noble streets, respectfully petition your honorable body to pass an ordinance to grade and gravel the sidewalks between the streets above named, with good river or creek gravel, the full width of the sidewalks, and, as in duty bound, your petitioners will ever pray, &c.

James Huffer,
Wm. R. Craig,
C. D. Wilcox,

J. R. Childers,
C. & S. A. Fletcher, Jr.,
And 7 others.

Which, on motion, was referred to the Board of Public Improvements, with instructions to prepare an ordinance.

By Mr. Brown, from the Committee on Streets and Alleys :

INDIANAPOLIS, November 2, 1865.

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

The Committee on Streets and Alleys, to whom was referred the petition of the Trustees of the Public Schools, relative to the vacation of certain alleys in out-lot No. 16, and, also, a remonstrance on the same subject, report that they have examined the matter and find that no vacation can be made, owing to the fact that an objection exists on the part of property holders directly interested.

AUSTIN H. BROWN,

Chairman Committee on Streets and Alleys.

Which, on motion, was concurred in.

By Mr. Brown, from the Committee on Streets and Alleys :

INDIANAPOLIS, November 6, 1865.

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

The Committee on Streets and Alleys, to whom was referred the petition of E. King, Secretary of the Bellefontaine Railway Company, report that the prayer of the petitioner ought to be granted, conditional on the keeping stationed, during daylight of each day, a flagman at the crossing of their tracks on New Jersey street, and they recommend that the City Attorney be instructed to prepare an ordinance accordingly.

AUSTIN H. BROWN,

Chairman Committee on Streets and Alleys.

Which, on motion, was concurred in, and the City Attorney directed to prepare an ordinance in compliance with the recommendation of the Committee.

From the Civil Engineer—Report and Resolutions :

INDIANAPOLIS, November 6, 1865.

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

The Civil Engineer respectfully reports to the Council :

1st. That Messrs. Cowan & Hanway, the contractors for grading and graveling New York street and sidewalks, between Noble and Winston streets, have completed their contract to my satisfaction, and an estimate is herewith reported for your approval.

2d. That Messrs. Catterson & Seibert, contractors for grading and graveling Georgia street and sidewalks, between Pennsylvania and West streets, have finished the same according to contract, and an estimate is herewith reported for your approval.

JAMES WOOD, *Civil Engineer.*

Resolved, That the first and final estimate allowed Cowan & Hanway for grading and graveling New York street and sidewalks, between Noble and Winston streets, be, and the same is hereby adopted as the estimate of this Council, and the property holders are hereby required to pay the sums set opposite their respective names.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Lefever, Loomis, MacArthur and Schmidt—13. Noes, none.

So the resolution passed.

Resolved, That the first and final estimate allowed Messrs. Seibert & Caterson for grading and graveling Georgia street and sidewalks, between Pennsylvania and West streets, be, and the same is hereby adopted as the estimate of this Council, and the property holders are hereby required to pay the sums set opposite their respective names.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Lefever, Loomis, MacArthur and Schmidt—13. Noes, none.

So the resolution passed.

The Civil Engineer presented sealed proposals for public works, which were referred to the Board of Public Improvements.

From the City Clerk—Report :

OFFICE OF CITY CLERK,
Indianapolis, Nov. 6, 1865. }

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

GENTLEMEN :—I would respectfully report to your honorable body that affidavits have been filed with me for the collection of Street Assessments by precept, as follows :

John Stumph against John Carlisle for	- - - - -	\$859 69
Sohn Stumph against John Carlisle for	- - - - -	787 72
Michael Shea against John B. Stumph for	- - - - -	95 50
		\$1,742 91

And would respectfully recommend that you order precepts to issue.

Respectfully,
C. S. BUTTERFIELD, *City Clerk*.

On motion, the report was concurred in, and the City Clerk ordered to issue the precepts.

From His Honor, the Mayor—Report :

INDIANAPOLIS, Nov. 6, 1865.

To the Common Council of the City of Indianapolis :

GENTLEMEN :—The amount of fines received by me during the month of October, was \$706.72, which I have paid to the City Treasurer, as per duplicate receipt herewith.

Respectfully submitted,
JOHN CAVEN, *Mayor*.

Which, on motion, was accepted and approved.

From the City Sexton—Report :

Report of the Sexton for the month ending October 31, 1865 :

	NO. OF INTERMENTS.
Under 1 year old.....	33
1 to 5 years.....	32
5 to 10 years.....	2
10 to 20 years.....	7

20 to 30 years.....	14
30 to 40 years.....	7
40 to 50 years.....	4
50 to 60 years.....	4
60 to 70 years.....	3
70 to 80 years.....	2
80 to 90 years.....	2
Total.....	118
From the country.....	10

G. W. ALLRED. *Sexton.*

Which, on motion, was received, and ordered to be spread upon the minutes.

Mr. Brown called up general ordinance No. 19, entitled:

AN ORDINANCE amendatory of section first of an ordinance passed on the 29th day of May, 1865, and entitled: An ordinance amendatory of and supplemental to an ordinance entitled: An ordinance to establish public stands for licensed public Hacks, Carriages, Express Wagons, or other vehicles kept or used for the purpose of transporting passengers, freight or other articles, to and from points within the City of Indianapolis, for pay and hire, and to regulate the licensing of such vehicles, and the amount to be charged by the owners thereof for transporting passengers and their baggage, and prohibiting minors from driving any such vehicles, unless specially permitted,

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

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Emerson, Grosvenor, Kappes, Lefever and Thompson—8.

Those who voted in the negative were Councilmen Allen, Colley, Glazier, Jameson, Loomis, MacArthur and Schmidt—7.

So the ordinance passed.

By Mr. Loomis:

Resolved, That the Street Commissioner be, and is hereby, directed to fill up the holes and ruts on Virginia Avenue, between South street and the Corporation line, south-east, as the said street will otherwise be impassable during the winter months.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Boaz, Glazier, Lefever, Loomis and MacArthur—6.

Those who voted in the negative were Councilmen Brown, Coburn, Colley, Emerson, Grosvenor, Jameson, Kappes, Schmidt and Thompson—9.

So the resolution did not pass.

Mr. Grosvenor moved—

That a special committee of three be appointed to examine whether Pogue's Run, west of Illinois street, cannot be straightened in such way as will protect Merrill street from being destroyed and rendered of no use to the public.

Which motion prevailed.

His Honor, the Mayor, appointed as such committee Councilmen Grosvenor, Brown and Lefever.

On motion of Mr. Emerson, His Honor, the Mayor, was appointed on said Committee.

Mr. Loomis moved—

That Wm. Wilkinson be permitted to gravel the sidewalk fronting his property on the north side of Louisiana street, being 101 feet front on lots 17 and 18, Block 81, under the direction of the Civil Engineer.

Which motion prevailed.

Mr. Brown moved—

That Charles H. Grobe be allowed the privilege of erecting a gas lamp post on Louisiana street in front of his place of business, provided the same be done at his own expense and to the satisfaction of the Civil Engineer: *Provided*, That the city be at no expense for lighting and extinguishing the same, or for gas consumed.

Which motion prevailed.

Mr. Brown moved—

That the Mayor appoint a special committee of three, whose duty it shall be to superintend the cleaning of the streets, alleys and gutters of the city, and that they report some general plan by which the streets can be at once cleaned and kept cleaned thereafter; and that said committee are directed to consult freely with the Board of Health on the subject.

Which motion prevailed.

His Honor, the Mayor, appointed as such committee Councilmen Brown, Kappes and MacArthur.

Mr. Loomis moved—

That the Street Commissioner be directed to build a Culvert at the intersection of School street with South street.

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

UNFINISHED BUSINESS.

Mr. Brown introduced general ordinance No. 23, entitled :

AN ORDINANCE to amend Section 9 of an ordinance entitled, "An ordinance prescribing rules and regulations for the government of the City Council, its officers, and officers connected with the City Government," passed June 12th, 1865.

Which was read the first and second times.

Mr. Brown 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, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Lefever, Loomis, MacArthur, Schmidt and Thompson—15. Noes, none.

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, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Lefever, Loomis, MacArthur, Schmidt and Thompson—15. Noes, none.

So the ordinance passed.

By His Honor, the Mayor—Petition :

INDIANAPOLIS, Nov. 6, 1865.

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

Your petitioner, the Indianapolis and Cumberland Gravel Road Company, respectfully sheweth, that so much of Washington street as lies east of Noble street is in a condition which is dangerous to man and beast, and damaging to wagons and other vehicles; and further, that the property holders along said part of said street never have done anything to improve it, and, so far as is revealed, never will, therefore, your petitioner respectfully asks that the right of way be granted to said Company to extend their road within the city to the aforesaid Noble street, for a term of ten years, the city reserving the right, if desired, to terminate said grant at any time, by paying the Company the cost of their improvement. Your petitioner also asks the privilege of erecting a toll gate at or near the residence of Mrs. Vance.

In behalf of Company,

T. A. GOODWIN, *Secretary.*

Which, on motion, was laid upon the table.

By His Honor, the Mayor—Petition :

INDIANAPOLIS, November 6, 1865.

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

I desire to grade and pave the sidewalk on West Michigan street adjoining my lot, being a distance of 150 feet on the north side of said street, extending west from Meridian street to the alley.

I pray you to make an order allowing this work to be done, and directing the City Engineer to fix the grade, &c.

ALFRED HARRISON.

Which, on motion, was granted.

By Mr. Coburn—Petition :

INDIANAPOLIS, NOV. 6, 1865.

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

The undersigned respectfully represents that St. Joseph street, between Pennsylvania and Meridian streets, is in a condition almost impassable, in consequence of a mudhole located near where said street strikes Meridian, and that it has been in this condition for many months past.

He further represents that, several months since, a petition was presented to the Council praying that said St. Joseph street, together with the sidewalks, between the limits aforesaid, might, with as little delay as possible, be suitably graded and graveled; and that, in response to said petition, an ordinance was introduced, which had its first and second readings, and was then laid over for final action until sometime in February.

He further represents that since the election of Council was had, as aforesaid, he has applied many times to the Street Commissioner and to the Chairman of the Board of Public Improvements, to have the mudhole before mentioned abated, but without success, though assurance was given that the application would succeed.

Now, therefore, he respectfully prays that the Council will cause said street and sidewalks to be, with as little delay as possible, suitably graded and graveled, or that they will have said mudhole abated at once.

WM. ARMSTRONG.

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

From the Civil Engineer—Resignation :

INDIANAPOLIS, NOV. 6, 1865.

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

GENTLEMEN:—I hereby tender my resignation as Civil Engineer.

Respectfully, &c.,

JAMES WOOD.

Which, on motion of Mr. Loomis, was laid over for one week.

On motion of Mr. Loomis, so much of the Civil Engineer's report, made to Council October 23d, 1865, as relates to the estimate of John Stumph, for grading and bouldering Circle street, Market street and Meridian street, and curbing the outer edge of the sidewalks of the same with stone, together with the resolution approving the said estimate, was taken from the table, and the resolution placed upon its passage.

Mr. Loomis moved that the rules be suspended and Ebin W. Kimball, Esq., be permitted to address the Council on behalf of the contractor, Mr. Stumph, inasmuch as the attorneys for the property owners had had the same privileges granted them.

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, Kappes, Lefever, Loomis, MacArthur, Schmidt and Thompson—15. Noes, none.

So the rules were suspended.

Mr. Kimball then addressed the Council on behalf of the contractor, Mr. Stumph.

Mr. Loomis called for the question on the passage of the resolution.

Dr. Thompson moved that the Council adjourn until Tuesday night for further consideration of the subject.

The question being on the adjournment, those who voted in the affirmative were Councilmen Brown, Coburn, Grosvenor, Jameson, Kappes and Thompson—6.

Those who voted in the negative were Councilmen Allen, Boaz, Emerson, Glazier, Lefever, Loomis, MacArthur and Schmidt—9.

So the Council did not adjourn.

Mr. Loomis then called for the previous question on the passage of the resolution as follows, to-wit :

Resolved, That the first and final estimate allowed John Stumph for grading and bouldering Circle street, Market street, between Pennsylvania and Illinois street, Meridian street, between Washington and Ohio streets, and curbing the outer edges of the sidewalks with stone, be, and the same is hereby adopted as the estimate of this Council, and the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Boaz, Colley, Emerson, Glazier, Lefever, Loomis, MacArthur and Schmidt—9.

Those who voted in the negative were Councilmen Brown, Grosvenor and Jameson—3.

So the resolution passed.

Dr. Jameson filed the following protest :

INDIANAPOLIS, November 6, 1865.

We, the undersigned members of the Common Council of the City of Indianapolis, do solemnly protest against the action of said Council in receiving the bouldering on Circle street and parts of streets diverging therefrom, it being our belief that said bouldering is not in accordance with the terms of the contract.

P. H. JAMESON,
HENRY COBURN,
J. HENRY KAPPES,
AUSTIN H. BROWN.

On motion, the Council adjourned.

Present at roll-call on adjournment: Councilmen Allen, Boaz, Brown, Colley, Emerson, Glazier, Grosvenor, Jameson, Lefever, Loomis, MacArthur and Schmidt—12.

JOHN CAVEN, *Mayor*.

ATTEST:

C. S. BUTTERFIELD, *City Clerk*.