

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, JANUARY 28TH, 1867, 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 :

Councilmen Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Seidensticker, Staub and Thompson—13.

Absent—Councilmen Allen, Fletcher, Kemker, McNabb and Schmidt—5.

The proceedings of the regular session held January 21st, 1867, were read and approved.

His Honor, the Mayor, announced that the first business in order was the consideration of the resolution creating the office of City Judge.

On motion by Mr. Emerson, the special order of business was suspended until after the calling of the Roll of Members for the presentation of petitions, memorials, communications, or remonstrances ; or for the introduction of motions, resolutions or ordinances.

Mr. Brown moved to suspend the order of business and that the report of the City Auditor on the bids for lighting, extinguishing, cleaning and repairing the street lamps be heard and acted upon.

The ayes and noes being taken under the rules, those who voted in the affirmative were Councilmen Brown, Coburn, Colley, Emerson, Glazier, Grosvenor Jameson, Kappes, Loomis, MacArthur, Seidensticker, Staub and Thompson—13.

No Councilman voting in the negative.

So the order of business was suspended.

The City Auditor then reported the bids as follows :

Names.	Whole City.	North Side.	South Side.
H. A. Wright.....	38c.....	40c.....	40c.....
Henry P. Thomas.....	35c.....	42c.....	42c.....
Daniel Glazier.....	40c.....	40c.....	40c.....
Cathcart & Bramwell.....	38c.....	45c.....	42c.....
John Stofer.....	43c.....	43c.....	43c.....
Lavery & Bretney.....	40c.....	40c.....	42c.....
W. H. Duzan.....	35c.....	37c.....	36c.....
F. Schulmeier.....	35c.....	38c.....	36c.....

Mr. Brown moved that the contract for the whole city be awarded to Frederick Schulmeier, and called for the ayes and noes.

The question being on the adoption of the motion to award the contract to Frederick Schulmeier, those who voted in the affirmative were Councilmen Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, Seidensticker, Staub and Thompson—12.

Councilman MacArthur voting in the negative—1.

So the motion was adopted and the contract awarded to Frederick Schulmeier.

On motion by Mr. Coburn,

Thomas R. Shea was allowed sixty days further time to complete his contract for grading the alley north and south through out-lot No. 175, provided he obtain the consent of his sureties.

Mr. Seidensticker presented the following communication :

INDIANAPOLIS, Jan. 28, 1867.

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

I beg your honorable body to excuse me for not being present at Council proceedings for the last several months, on account of feeble health, and also, beg leave of absence for the next two months, as I intend to go south to recruit my health.

Very respectfully yours,

C. F. SCHMIDT.

Which was granted and ordered to be spread upon the minutes.

Dr. Thompson presented the following petition :

INDIANAPOLIS, Jan. 28, 1867.

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

The undersigned, residents and tax payers in said city, respectfully remonstrate against the passage by your honorable body of an ordinance separating the office of City Judge from the Mayoralty, and thereby creating a new office, with additional expenses to the city. Both offices have been acceptably filled by one person for the past four or five years, when the duties were much more onerous than now ; and, in their judgment, the best interests of the city do not now require the separation.

Wm. Wallace,

John C. S. Harrison,

A. D. Streight,

J. T. Wright,

Theo. P. Haughey,

And 32 others.

Which was laid on the table.

Dr. Thompson presented the following petition :

INDIANAPOLIS, Jan. 28, 1867.

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

We, the uddersigned merchants, petition your honorable body to have the ice and snow taken from the gutter on the north side of Washington street, between Illinois street and the alley east of Illinois street, and pray your honorable body to instruct the Street Commissioner to do the same at once, as our cellars are in danger of being flooded in case of a thaw, thereby our property is in groat danger of being damaged by water.

Hay & Co.,

F. A. Reitz,

O. B. Stout & Bro.,

Haynes & Carter,

Sol. Fox.

Which was referred to the Board of Public Improvements.

The special order of Business was then taken up, which was the consideration of the following resolutions reported by the Judiciary Committee January 7, 1867.

Resolved, That it is expedient for the interests of the city, that the office of City Judge is established from and after the next city election, under the Charter of the City of Indianapolis.

Resolved, That the City Marshal is hereby instructed to include in his notice to the city electors for the election of city officers a City Judge as one of the officers to be elected by them.

Dr. Thompson called for a division of the question.

The question then being on the adoption of the first resolution, Mr. Brown called for the ayes and noes.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Colley, Emerson, Grosvenor, Kappes, Loomis, MacArthur and Seidensticker—7.

Those who voted in the negative were Councilmen Brown, Coburn, Glazier, Jameson, Staub and Thompson—6.

So the resolution was adopted.

Dr. Thompson then called for the ayes and noes on the adoption of the second resolution.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Colley, Emerson, Grosvenor, Kappes, Loomis, MacArthur and Seidensticker—7.

Those who voted in the negative were Councilmen Brown, Coburn, Glazier, Jameson, Staub and Thompson—6.

So the resolution was adopted.

On motion the regular order of business was resumed.

Mr. Brown moved to suspend the order of business and take up the ordinance authorizing the issuing of bonds to the Junction Railroad Company.

The ayes and noes being taken under the rules, those who voted in the affirmative were Councilmen Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Seidensticker, Staub and Thompson—13.

So the rules were suspended.

General ordinance No. 76, entitled :

AN ORDINANCE providing for the execution and delivery of bonds of the City of Indianapolis to the Junction Railroad Company,

Was taken up on second reading.

Mr. Brown moved that all pending amendments be adopted.

Which motion prevailed.

Mr. Colley moved to further amend by requiring the Directors, in their individual capacity, and not as a corporation, to sign bonds for the faithful performance of all the conditions of the ordinance.

Mr. Brown called for the ayes and noes, on the edoption of the amendment.

The question being on the adoption of the amendment, those who voted in the affirmative were Councilmen Colley, Loomis, MacArthur, Seidensticker and Staub—5.

Those who voted in the negative were Councilmen Brown, Coburn, Emerson, Glazier, Grosvenor, Jameson and Kappes—7.

So the amendment was not adopted.

The ordinance was then read the second time.

Mr. Brown moved that the rules be suspended, and the ordinance considered as engrossed, and read the third time and placed upon its passage.

The ayes and noes being taken under the rules, those who voted in the affirmative were Councilmen Brown, Coburn, Emerson, Glazier, Grosvenor, Jameson, Kappes and Loomis—8.

Those who voted in the negative were Councilmen Colley MacArthur, Seidensticker and Staub—4.

So the rules were not suspended, there not being a two-thirds vote of all the members elect.

On motion, the ordinance was then ordered to be engrossed.

The regular order of business was then resumed.

The sealed proposals were then opened and read by the City Clerk, and referred to the Board of Public Improvements.

REPORTS FROM COMMITTEES.

Dr. Jameson, from the Finance Committee made the following report:

INDIANANOLIS, Jan. 28, 1867.

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

Your Committee, to whom the petition of Ganaway F. Routon was referred, asking that the tax assessed against him for 1866, for improvements on lot 161, in Wiley's sub-division to the City of Indianapolis be abated, would respectfully report, with the recommendation that the City Auditor be directed to inquire into the facts, and if found as represented that the assessment be corrected accordingly.

P. H. JAMESON, *Chairman.*

Which was concurred in.

Dr. Jameson, from the Finance Committee, made the following report :

INDIANAPOLIS, Jan. 28, 1867.

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

Your Committee, to whom was referred the petition of H. Reitz in relation to taxes, would respectfully report with the recommendation that no deduction be made on the assessment of the petitioner.

P. H. JAMESON, *Chairman.*

Which was concurred in.

Dr. Jameson, from the Finance Committee made the following report :

INDIANAPOLIS, Jan. 28, 1867.

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

Your Committee, to whom was referred the petition of William Darnell in relation to taxes, would respectfully report, with the recommendation that the City Auditor be directed to inquire into the facts, and if found as represented, that the assessment be corrected accordingly.

P. H. JAMESON, *Chairman.*

Which was concurred in.

ORDINANCES ON THIRD READING.

Dr. Jameson called up special appropriation ordinance No. 3—1867, entitled :

AN ORDINANCE appropriating money to refund taxes to Charles Sturdevant,

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 Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, MacArthur, Seidensticker and Staub—11.

Councilman Loomis voting in the negative—1.

So the ordinance passed.

UNFINISHED BUSINESS.

Mr. Brown offered the following motion :

That a Special Committee, consisting of the Mayor, Dr. Jameson and Mr. Seidensticker, be appointed to wait on the Senator and Representatives from this county and urge upon them the propriety of advocating an amendment to the City Charter empowering the City Council to compensate all City Officers by annual salaries instead of fees.

Which was adopted.

On motion by Mr. Kappes,

Frederick Schulmeier was authorized to commence lighting the Street Lamps immediately, and the City Auditor was directed to prepare and present his bond for acceptance on Monday evening next.

Mr. Kappes from Committee on Benevolence and Hospital made the following report :

Number of patients in Hospital at last report	16
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	0
Number of patients died in Hospital since last report	0
Number of patients remaining in Hospital at present report	21

Which was received.

Mr. Kappes from the Committee on Benevolence and Hospital made the following report :

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	0
Number of patients died in Hospital since last report	0
Number of patients remaining in Hospital at present report	23

Which was received.

Mr. Seidensticker, called up so much of the report of the Judiciary Committee, made to Council on the 14th day of January, 1867, as relates to the claim of August Richter for damages, and moved that the report be concurred in and that the Auditor be directed to embrace the amount, (\$256.25) in his next ordinance on accounts.

Mr. Brown called for the ayes and noes.

The question being on concurring in the report, those who voted in the affirmative were Councilmen Coburn, Colley, Emerson, Glazier, Loomis, MacArthur and Seidensticker—7.

Those who voted in the negative were Councilmen Brown, Grosvenor, Jameson, Kappes and Staub—5.

So the motion was adopted.

On motion by Mr. Brown the Council adjourned.

JOHN CAVEN, *Mayor.*

ATTEST :

C. S. BUTTERFIELD, *City Clerk.*