

PROCEEDINGS

OF THE

COMMON COUNCIL.

ADJOURNED SESSION.

CHAMBER OF COMMON COUNCIL }
OF THE CITY OF INDIANAPOLIS, }
Thursday, May 25, 1871, 7½ o'clock P. M. }

The Common Council met pursuant to adjournment.

Present, His Honor the Mayor, Daniel Macauley, in the chair,
and the following members :

Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber,
Heckman, Kennington, Marsee, Newman, Reagan, Thalman,
Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Absent—Councilman Locke.

The proceedings of the adjourned session, held May 18, 1871,
were read and approved.

ORDINANCES ON FIRST READING.

Mr. Craft introduced special ordinance No. 58, 1871, entitled :

An ordinance to provide for the erection of lamp posts, lamps and fixtures complete, to burn gas, except the service pipe on Vermont street, between East and Noble streets.

Which was read the first time.

Mr. Cottrell introduced special ordinance No. 59, 1871, entitled :

An ordinance to provide for grading and paving with brick the east sidewalk of Delaware street, between Maryland and Wyoming streets.

Which was read the first time.

Mr. Cottrell introduced special ordinance No. 60, 1871, entitled :

An ordinance to provide for filling the gutter commonly known as "Virginia River," on Virginia avenue, between South street and Pogues Run.

Which was read the first time.

Mr. Cottrell introduced special ordinance No. 61, 1871, entitled :

An ordinance to provide for grading for graveling East street, between Washington and South streets.

Which was read the first time.

Mr. Batty introduced special ordinance No. 62, 1871, entitled :

An ordinance to provide for grading and graveling the first alley east of Broadway street, running north and south, from St. Clair to Arch street.

Which was read the first time.

Mr. Gimber introduced special ordinance No. 63, 1871, entitled :

An ordinance to provide for grading and graveling Chesapeake street and sidewalks, between Mississippi and Missouri streets.

Which was read the first time.

Mr. Gimber introduced general ordinance No. 21, 1871, entitled :

An ordinance to repeal an ordinance entitled, "An ordinance authorizing the Indianapolis & St. Louis Railroad Company to construct and maintain side-tracks on West Georgia street, and prescribing the terms thereof," ordained July 30, 1870.

Which was read the first time.

On motion, by Mr. Thoms, the motion passed at last meeting of Council, instructing the street Commissioner to erect a building on engine house lot, on Massachusetts avenue, for the impounding hogs, etc., was reconsidered, and the Street Commissioner instructed to build such hog pound on ground owned by city, and commonly known as the "City Park," in out-lot 54.

Mr. Thoms, moved that the vote by which the ordinance providing for the management of the City Hospital was stricken from the files be reconsidered.

Which was adopted by the following vote :

Affirmative—Councilmen Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Reagan, Thoms, Whitsit and Woodburn—11.

Negative—Council Batty, Bigham, Newman, Thalman, Weaver and Wiles—6.

The ordinance was then read the second time.

Mr. Whitsit offered the following amendment :

Amend, by striking out all after the eleventh line of the first section, and insert in lieu thereof the following :

That immediately after such election, the City Clerk shall prepare three strips of blank paper, as nearly alike as may be, and write thereon No. 1 on one of them, No. 2 on another of them, and No. 3 on the other piece of paper, and then, in the presence of the Common Council, place said strips in a box or hat, and from thence, on the names of the persons so elected being called alphabetically, shall draw said strips, and the person for whom No. 1 is drawn, shall serve as such director for one year ; and the person for whom No. 2 is drawn shall serve for two years ; and the person for whom No. 3 is drawn shall serve for three years ; and certificates of election shall issue in accordance with such drawing—and one director for said hospital shall be elected annually after the election above provided for.

Which was adopted by the following vote :

Affirmative—Councilmen Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Reagan, Thoms, Whitsit and Woodburn—11.

Negative—Councilmen Batty, Bigham, Newman, Thoman, Weaver and Wiles—6.

Mr. Wiles moved that the ordinance as amended be referred to the Committee on Revision of ordinances.

Mr. Whitsit moved to lay the motion to refer on the table.

Which was adopted by the following vote :

Affirmative—Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Marsee, Reagan, Thoms and Whitsit—9.

Negative—Councilmen Batty, Bigham, Craft, Newman, Thoman, Weaver, Wiles and Woodburn—8.

On motion, by Mr. Brown, the clause providing for the compensation of said Board of Directors was stricken out.

The ordinance was then ordered engrossed by the following vote :

Affirmative—Councilmen Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Reagan, Thoms, Whitsit and Woodburn—11.

Negative—Councilmen Batty, Bigham, Newman, Thalman, Weaver and Wiles—6.

Mr. Newman, from the Finance Committee made the following report :

INDIANAPOLIS, May 25, 1871.

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

GENTLEMEN—The Committee on Finance, to whom was referred the petition of L. B. Wilson, beg leave to make a supplemental report that on reviewing the statements in the petition, and the facts in the case, that there have been assessed against the petitioner, as executor of the estate of Emerine Mothershead, deceased, the sum of \$2,637.53 of stock, incorporated companies (railways and turnpikes) not assessable against the holders, but against the companies, and including a piano which the petitioner claims never belonged to the decedent. The petitioner also claims that the assessment was without his knowledge or consent. In consideration of all the facts, your committee recommend that the sum of \$30.33 of taxes so paid by him be refunded to said petitioner.

Respectfully submitted,

JOHN S. NEWMAN,
AUSTIN H. BROWN,
THOS. COTTRELL,
JAS. H. WOODBURN,
ISAAC THALMAN,

Com. on Finance.

Which was concurred in.

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

- Special ordinance No. 24, 1871.
- Special ordinance No. 47, 1871.
- Special ordinance No. 50, 1871.
- Special appropriation ordinance No. 22, 1871.
- General ordinance No. 65, 1870.
- General ordinance No. 20, 1871.
- Special appropriation ordinance No. 25, 1871.

On motion, the following ordinances were read the second time, and referred to the Committee on Streets and Alleys and Civil Engineer :

- Special ordinance No. 48, 1871.
- Special ordinance No. 49, 1871.
- Special ordinance No. 51, 1871.
- Special ordinance No. 52, 1871.
- General ordinance No. 16, 1871, to amend dead animal ordinance.

Was referred to the Committee on Revision of Ordinances.

General ordinance No. 8, 1871, entitled :

An ordinance for the protection of fire plugs and other public hydrants, in the City of Indianapolis.

Was called up, and, on motion, referred to the Committee on Water Works.

On motion, Hon. John Coburn addressed the Council in regard to a standard set of weights and measures, prepared by the government for the State of Indiana.

Which matter was referred to the Committee on Public Buildings for investigation, and report at next regular meeting of Council.

On motion, Prof. Cox addressed the Council in relation to the Convention of the American Association for the advancement of science, to be held in our city, in August, 1871.

On motion, the matter was referred to a select committee, composed of Messrs. Newman, Batty and Bigham.

His Honor, the Mayor, presented the following communication :

INDIANAPOLIS, May 25, 1871.

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

GENTLEMEN—The undersigned Superintendents of the Washington street bridge across White river have had in response to their advertisement for proposals, eleven different plans and styles of superstructure submitted at as many prices—all of which they have examined with the County Commissioners and have appointed Tuesday, the 30th inst., to decide which they will adopt, and as the City has a large money interest in said bridge, we beg that you will appoint a time most convenient to yourselves, between this and the 30th inst., when we may present to you said plans and specifications and have the benefit of your judgment in adopting the best one.

Very respectfully,

GEORGE MERRITT,
DAVID GIBSON,
THOS. D. KINGAN,

Which was received, and made the special order for next regular meeting of Council.

ORDINANCES ON THIRD READING.

Special appropriation ordinance, No. 24, 1871, entitled :

An ordinance appropriating money for the use of the Street Commissioner.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Rea-

gan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn
—17.

Negative—none.

Special appropriation ordinance No. 22, 1871, entitled :

An ordinance appropriating money for the payment of sundry claims
against the City of Indianapolis.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell,
Craft, Gimber, Heckman, Kennington, Marsee, Newman, Rea-
gan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn
—17.

Special appropriation ordinance No. 25, 1871, entitled :

An ordinance appropriating money for the payment of sundry claims
against the City of Indianapolis.

Which was read the third time and passed by the following
vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell,
Craft, Gimber, Heckman, Kennington, Marsee, Newman, Rea-
gan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn
—17.

Negative—none.

Special ordinance No. 30, 1871, entitled :

An ordinance to provide for grading and graveling First street and
sidewalks, between Meridian and Illinois streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

Negative—Councilman Cottrell.

Special ordinance No. 20, 1871, entitled :

An ordinance to provide for changing and improving the east sidewalk of Delaware street, between New York and Vermont streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

Negative—Councilmen Cottrell.

Special ordinance No. 9, 1871, entitled :

An ordinance to provide for grading and bowldering the first alley east of East street, and running north and south, from Lockerbie street to the first alley south of Lockerbie street, in out-lot 53.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—none.

Special ordinance No. 216, 1870, entitled :

An ordinance to provide for the erection of lamp posts, lamps and fixtures complete, to burn gas, except the service pipe on Oak St., from Massachusetts avenue to Cherry street.

Was read the third time and passed by the following vote :

Affirmative—Councilman Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit and Wiles—16.

Negative—Councilman Woodburn.

Special ordinance No. 200, 1871, entitled :

An ordinance to provide for the erection of lamp posts, lamps and fixtures complete, to burn gas, except the service pipe on Ray St., between Meridian and Tennessee streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Whitsit and Wiles—15.

Negative—Councilmen Weaver and Woodburn—2.

Special ordinance No. 26, 1871, entitled :

An ordinance to provide for grading and paving Louisiana street, between Illinois and Tennessee streets, and for curbing with Flat Rock stone the sidewalk on the north side thereof.

Was taken up, read the third time and placed on its passage.

The question being, Shall the ordinance pass? those who voted in the affirmative were :

Councilmen—Bigham, Brown, Cottrell, Gimber, Heckman, Kennington, Marsee, Reagan, Thalman and Whitsit—10.

Those who voted in the negative were :

Councilmen Batty, Craft, Newman, Thoms, Weaver, Wiles and Woodburn—7.

So the ordinance did not pass, it requiring a two-thirds vote.

Special ordinance No. 38, 1871, entitled :

An ordinance to provide for grading and paving with what is known as Lefler's Paving Stone, the west sidewalk of California street, between New York and Michigan streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—15.

Negative—Councilman Newman:

Special ordinance No. 45, 1871, entitled :

An ordinance to provide for grading and paving with brick the south sidewalk of North street, between Meridian and Tennessee streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit and Wiles—15.

Negative—Council Cottrell and Woodburn—2.

Special ordinance No. 43, 1871, entitled :

An ordinance to provide for curbing sixty-seven feet of the east sidewalk of Illinois street, from Market street south.

Was read the third time and passed by the following vote :

Affirmative—Councilman Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit and Wiles—15.

Negative—Councilmen Cottrell and Woodburn—2.

Special ordinance No. 42, 1871, entitled :

An ordinance to provide for grading and graveling the first alley east of Alabama street, running from Potomac alley to Market street.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalsman, Thoms, Weaver, Whitsit and Wiles—15.

Negative—Councilmen Cottrell and Woodburn—2.

Special ordinance No. 41, 1871, entitled :

An ordinance to provide for grading and paving with bowlder stone the first alley east of Alabama street, running north and south from Washington street to Potomac alley.

Was read the third time and passed by the following vote :

Affirmative—Councilman Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan Thalsman, Thoms, Weaver, Whitsit and Wiles—15.

Negative—Councilmen Cottrell and Woodburn—2.

Special ordinance No. 40, 1871, entitled :

An ordinance to provide for gradidg and paving with what is known as Lefler's Paving stone, the north sidewalk of Vermont street, from Indiana avenue to Blackford street.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalsman, Thoms, Weaver, Whitsit and Wiles—15.

Negative—Councilmen Cottrell and Woodburn—2.

Special ordinances No. 39, 1871, entitled :

An ordinance to provide for grading and paving with what is known as Lefler's Paving Stone, the north sidewalk of New York street, from Missouri to Blackford street, and curbing the outside edge of sidewalk with stone.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalmann, Thoms, Weaver, Whitsit and Wiles—15.

Negative—Councilmen Cottrell and Woodburn—2.

Special ordinance No. 36, 1871, entitled :

An ordinance to provide for the erection of a lamp post, lamp and fixtures complete, to burn gas, except the service pipe, on the west side of the arm of the canal, immediately in front of the Water Works.

Which was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalmann, Thoms, Weaver Whitsit and Wiles—15.

Negative—Cottrell and Woodburn—2.

Special ordinance No. 27, 1871, entitled :

An ordinance to provide for grading and paving with brick the west sidewalk of East street, from New York to Massachusetts avenue.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalsman, Thoms, Weaver, Whitsit and Wiles—15.

Negative—Councilmen Cottrell and Woodburn—2.

Special ordinance No. 23, 1871, entitled :

An ordinance to provide for grading and graveling Tennessee street and sidewalks, from the south side of the new bridge over Pogues Run to Catharine street.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalsman, Thoms, Weaver, Whitsit and Wiles—15.

Negative—Councilmen Cottrell and Woodburn—2.

Special ordinance No. 19, 1871, entitled :

An ordinance to provide for grading and graveling Delaware street and sidewalks, between Tinker street and the north line of Allen & Root's Addition.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalsman, Thoms, Weaver, Whitsit, and Wiles.

Negative—Councilmen Cottrell, and Woodburn—2.

Special ordinance No. 17, 1871, entitled :

An ordinance to provide for grading and paving with brick the sidewalks of Meridian street, between South street and Pogues Run, except so much as is already paved.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit and Wiles—15.

Negative—Councilmen Cottrell and Woodburn—2.

Special ordinance No. 15, 1871, entitled :

An ordinance to provide for the erection of lamp posts, lamps and fixtures complete, to burn gas, except the service pipe, on Virginia avenue, from Bradshaw street to the Corporation Line east.

Which was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit and Wiles—15.

Negative—Councilmen Cottrell and Woodburn—2.

Special ordinance No. 14, 1871, entitled :

An ordinance to provide for grading and graveling Elizabeth street and sidewalks, between Ellen and Blake streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, and Wiles—15.

Negative—Councilmen Cottrell and Woodburn—2.

Mr. Thalman made the following report :

INDIANAPOLIS, IND., April 25, 1871.

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

GENTLEMEN—Your Committe on Streets and Alleys, to whom was referred a remonstrance from property holders on Hill avenue, re-

spectfully report that the remonstrants having withdrawn their objections through their Councilman, Mr. Batty, we would recommend the passage of the ordinance as contemplated.

Very respectfully,

ISAAC THALMAN,

JOHN L. MARSEE,

CHRIS. HECKMAN,

Committee on Streets and Alleys.

Which was received and laid over along with the ordinance providing for said improvement, for one week.

Mr. Newman offered the following motion :

Ordered, That the Superintendent of the Fire Department cause the trees newly planted in Military Park, Circle Park and University Park, to be watered by hose from hydrants near those parks to prevent such trees from dying, and otherwise water such parks as may be necessary or proper.

Which was adopted.

General ordinance No. 22, 1871, entitled :

An ordinance providing for the management of the City Hospital of the City of Indianapolis.

Was read the third time.

Mr. Batty move to postpone the further consideration of said ordinance for one week.

Which was lost.

The question then being, Shall the ordinance pass? those who voted in the affirmative were :

Councilmen Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Reagan, Thoms, Weaver and Whitsit—11.

Those who voted in the negative were :

Councilmen Batty, Bigham, Newman, Thalman, Wiles and Woodburn—6.

So the ordinance passed.

Mr. Newman moved that the Council adjourn.

Which was lost.

Mr. Whitsit moved that the Council now proceed to the election of Directors for City Hospital, in accordance with the provisions of the foregoing ordinance.

Which was adopted.

His Honor, the Mayor, appointed Councilmen Bigham and Craft as tellers.

A ballot was then taken, which resulted in the election of Dr. P. H. Jameson, Dr. Theophilus Parvin and Dr. R. N. Todd, as such Directors.

The Council then proceeded to draw for term of office, as provided by ordinance.

Which resulted as follows :

Dr. P. H. Jameson—one year.

Dr. R. N. Todd—two years.

Dr. Theophilus Parvin—three years.

Mr. Heckman moved to adjourn.

Which was lost.

Special appropriation ordinance No. 20, 1871, entitled :

An ordinance appropriating five thousand dollars to the Indianapolis Agriculturo, Mechanical and Horticultural Association specifying the amount and condition of the within appropriation.

Was read the third time.

Mr. Cottrell offered the following amendment :

Amend, by inserting in the proper place the following :

Provided, That said appropriation is made on the express condition that in case the land embraced in such park or fair ground shall ever be sold for any cause, or otherwise disposed of, so as to deprive the inhabitants of said City of the privileges and uses therein provided for in this ordinance—that the sum of money in this ordinance appropriated shall be refunded to the City, together with six per cent. interest thereon from the payment thereof.

Which was ruled out of order, the ordinance being engrossed.

Dr. Woodburn moved to adjourn.

Which motion was lost.

Mr. Newman moved to refer the ordinance, together with proposed amendments, to the Committee on Judiciary.

Which, on motion by Mr. Brown, was laid on the table.

Mr. Newman moved to adjourn.

Which was lost.

The question being, Shall the ordinance pass? those who voted in the affirmative were :

Councilmen Brown, Cottrell, Craft, Gimber, Kennington, Marsee, Reagan, Thalman, Thoms and Whitsit—10.

Those who voted in the negative were :

Councilman Batty, Bigham, Heckman, Newman, Weaver, Wiles and Woodburn—7.

So the ordinance passed.

On motion, the Councilmen adjourned.

DANIEL MACAULEY,
Mayor.

ATTEST :

JOHN R. CLINTON,
City Clerk.