

PROCEEDINGS
OF THE
COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, September 11, 1871, 7½ o'clock, P. M. }

The Common Council met in regular session.

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—1.

The proceedings of the regular session held September 4th, 1871, and of the called session held September 6th, 1871, were read and approved.

Mr. Batty moved to reconsider the vote by which Special Ordinance No. 87, 1871, entitled, "An Ordinance to provide for grading and paving the sidewalks of Virginia avenue, from East street to the corporation line south," was passed.

Which was adopted, and passage reconsidered by the following vote:

Affirmative—Councilmen Batty, Brown, Cottrell, Gimber, Kennington, Newman, Reagan, Wiles and Woodburn—9.

Negative—Councilmen Bigham, Craft, Heckman, Marsee, Thalman, Thoms, Weaver and Whitsit—8.

Mr. Brown moved to reconsider the vote by which Special Ordinance No. 101, 1871, entitled, "An Ordinance to provide for grading and paving with brick the north sidewalk of Louisiana street, from Illinois to Tennessee streets," was passed.

Which was adopted, and passage reconsidered by the following vote:

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Weaver, Wiles and Woodburn—13.

Negative—Councilmen Reagan, Thalman, Thoms and Whitsit—4.

By consent, Dr. Woodburn offered the following resolution:

Resolved, That the report of the City Commissioners on the opening of Mississippi street, reported to this Council at its meeting on August 28th, be now approved and adopted.

Which was adopted by the following vote:

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell,

Craft, Gimber, Heckman, Kennington, Marsce, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles, and Woodburn
—17.

Negative—None.

His Honor the Mayor presented the following :

INDIANAPOLIS, September 11, 1871.

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

GENTLEMEN—In order to an early introduction of our new and beautiful Indianapolis Fair Grounds, it has been proposed to hold a "Free to all" picnic and drive-around upon our one mile time track on Friday afternoon, September 15th, next. Free railway trains will run from Union Depot from 2 o'clock, P. M., the last train returning at half past 5 o'clock—but eight minutes ride from Union Depot. We would prefer that citizens who can do so would visit the grounds in their own conveyances, which is easy of approach by any of the great number of streets leading south from Washington street, thence via East street direct to the grounds ; also, via Virginia avenue and the pike, East, or Delaware street, and the old Madison road—by this route turning to the left on the first cross road south of the Jeffersonville, Madison and Indianapolis Railroad ; and by the Shelbyville gravel road, turning to the right on the first cross road south of Pleasant Run.

Your honorable body are cordially invited to attend upon the occasion named. Messrs. Pierson & Dickson, of the Academy of Music, will furnish refreshments.

By order of the Board of Directors.

W. H. LOOMIS, Secretary.

Which was accepted.

Mr. Bigham offered the following motion :

Motion : That the resolution of this Council, on September 4th, authorizing the precepting of certain property assessed in one Julia A. Graham's name, be rescinded, and the City Treasurer is hereby ordered to suspend action on the matter until further orders.

Which was adopted 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.

The Civil Engineer made the following report :

INDIANAPOLIS, IND., Sept. 11, 1871.

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

I hereby report the following work finished, according to contract :

David Sylvester, for grading and graveling the first alley south of Ohio street, running east and west, from Alabama street to the first alley east of Alabama street.

North side..... 207 feet.

South side..... 207 feet.

Total length..... 414 feet, at 27 cents per lineal foot..... \$111 74

Respectfully submitted,

R. M. PATTERSON,
Civil Engineer.

Which was concurred.

The City Clerk made the following report :

INDIANAPOLIS, IND., Sept. 11, 1871.

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

The City Clerk respectfully reports to Council—

FIRST.

Contract and bond John A. Whitsit, for putting down cement pipe on Market street, from Pogues run east.

SECOND.

Contract and bond of John A. Whitsit, for extending the sewer down the first alley west of Virginia avenue.

Respectfully submitted,

JOHN R. CLINTON,
City Clerk.

Which was concurred in, and contracts awarded and bonds approved.

The City Clerk made the following report :

INDIANAPOLIS, September 11, 1871.

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

GENTLEMEN—The City Clerk would respectfully report that there is on file in his office the following affidavits for collection of street assessment by precept :

R. Root & Co. *vs.* Isaac N. Line, for \$2.35.

S. W. & R. H. Patterson *vs.* Alvord, Stevenson, et al, for \$36. 18.

S. W. & R. H. Patterson *vs.* Alexander S. Jones, for \$170.18.

And would respectfully recommend that you order the precepts to issue.

Respectfully submitted,

JOHN R. CLINTON,

City Clerk.

Which was concurred in, with the exception of the affidavit of D. Root & Co. *vs.* Isaac L. Sine, which was laid over for one week.

The City Clerk made the following report :

INDIANAPOLIS, Sept. 11, 1871.

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

GENTLEMEN—In compliance with a motion passed by your honorable body on the sixth inst., by which I was instructed to report the amount, if any, collected from the sureties of C. S. Butterfield, late City Clerk, as per agreement, would respectfully report that upon examination, I find that the notes of Seymour A. Butterfield, James G. Douglass and Charles Richman, were given by them, to secure the payment of \$2,500 to the city.

Seymour A. Butterfield gave three notes of \$400 each.

James G. Douglass, three notes of \$333.33 each.

Charles Richman, three notes of \$100.00 each.

The notes were dated December 27, 1869, and payable in one, two and three years, with six per cent. interest from date.

The first notes become due last December, only one of which was paid, and that by S. A. Butterfield.

Respectfully submitted,

JOHN R. CLINTON,
City Clerk.

Which was concurred in, and on motion by Mr. Brown, the City Attorney was instructed to institute suits for collection, if not paid without.

Mr. Marsee moved that the report of the Committee on Fire Department, made to the Council September 6, 1871, in regard to furnishing the city with 2,000 feet of hose, be taken up and considered.

Which motion was adopted.

Mr. Kennington offered the following motion:

Moved: That the contract for the hose be awarded to John Knight, at \$1.23½ per foot.

Which, on motion by Mr. Marsee, was laid on the table by the following vote:

Affirmative—Councilmen Batty, Brown, Cottrell, Craft, Gimber, Heckman, Marsee, Newman, Thalman, Thoms, Weaver, Whitsit and Wiles—12.

Negative—Councilmen Bigham, Kennington and Reagan—3.

Mr. Brown offered the following motion:

Moved: That contract for hose be awarded as follows:
500 feet to Hide, Leather and Belting Co.
1,000 feet to Mooney & Co.
500 feet to John Knight.

Mr. Marsee offered the following as an amendment to Mr. Brown's motion :

Moved : That the Committee on Fire Department be directed to purchase two hundred feet of test hose, from Mooney & Co.

Which was adopted by the following vote :

Affirmative — Councilmen Batty, Bigham, Craft, Gimber, Heckman, Marsee, Newman, Thoms, Weaver, Whitsit and Wiles—11.

Negative — Councilmen Brown, Kennington, Reagan and Thalman—4.

Mr. Brown's motion as amended was then adopted.

Business was then resumed in the order in which it was left off at last meeting, viz :

ORDINANCES ON THIRD READING.

General Ordinance No. 24, 1871, entitled :

An Ordinance relative to placing a flagman on the north side of the railroad tracks where the same crosses New Jersey street.

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, Whitsit, and Wiles—14.

Negative—None.

General Ordinance No. 17, 1871, entitled :

An Ordinance declaring it unlawful to do certain things therein mentioned.

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

Affirmative — Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Marsee, Newman, Reagan, Thalman, Thoms, Weaver and Wiles—14.

Negative—Councilmen Kennington and Whitsit—2.

Special Ordinance No. 64, 1871, entitled :

An Ordinance to provide for the erection of lamp-posts, lamps and and fixtures complete to burn gas except the service pipe on St. Clair street, between Meridian and Delaware streets.

Was taken up, read the third time, and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Kennington, Marsee, Newman, Thalman, Thoms, Weaver, Whitsit and Wiles—12.

Negative—Councilmen Cottrell, Heckman, Gimber and Reagan—4.

Special Ordinance No. 35, 1871, entitled :

An Ordinance to provide for lighting with gas Fayette street, between North and St. Clair streets.

Was taken up, read the third time, and on motion by Mr. Heckman, stricken from the files.

Special Ordinance No. 47, 1871, entitled :

An Ordinance to provide for lighting with gas Buchanan street, from East street to Virginia avenue.

Was called up, read the third time, and on motion by Mr. Heckman, stricken from the files.

Special Ordinance No. 16, 1871, entitled :

An Ordinance to provide for lighting with gas Huron street, from Noble street to the Corporation line east.

Was read the third time, and on motion, stricken from the files.

Mr. Whitsit called up Special Ordinance No. 87, 1871, entitled :

An Ordinance to provide for grading and paving with brick the sidewalks of Virginia avenue, from East street to the corporation line south.

Mr. Kennington moved that the ordinance be referred to a Select Committee of three.

Which was lost by the following vote :

Affirmative—Councilmen Brown, Cottrell, Gimber, Kennington, Newman, Reagan and Wiles—7.

Negative — Councilmen Batty, Bigham, Craft, Heckman, Marsee, Thalman, Thoms, Weaver and Whitsit—9.

The question then being, shall the ordinance pass? those who voted in the

Affirmative—Were, Councilmen Batty, Bigham, Craft, Heckman, Marsee, Newman, Thalman, Thoms, Weaver, Whitsit and Wiles—11.

Those who voted in the

Negative—Were, Councilmen Brown, Cottrell, Gimber, Kennington and Reagan—5.

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

Special Ordinance No. 101, 1871, entitled :

An Ordinance to provide for grading and paving with brick the north sidewalk of Louisiana street, between Illinois and Tennessee streets, where not already paved.

Was called up, and on motion, referred to the Councilmen from the 5th and 6th wards, with the City Civil Engineer.

By consent, Mr. Wiles, from the Committee on Railroads, made the following report :

INDIANAPOLIS, IND., Sept. 11, 1871.

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

GENTLEMEN—The petition of Ed. King, for privilege of extending his railroad switch across the extreme eastern terminus of New York street, has been considered, and your Committee is of the opinion that the request should be granted, and therefore report it back with the following ordinance and ask its passage.

An Ordinance granting the C. C. C. & I. R. R. the right to construct and maintain a switch from the crossing of Winston street, and their main track across East New York and Biddle streets, and connecting with their main track again at or near St. Clair street, was also referred; and inasmuch as the said switch will occupy the Company's ground entirely, with the exception of the crossings alluded to, and in the opinion of your Committee, tend very materially toward relieving the crossings in that vicinity from the accumulation of standing trains, we recommend that the ordinance should pass.

Respectfully submitted,

W. D. WILES,
THOMAS COTTRELL,
FR. THOMS,

Committee.

Which was received.

On motion, the rules were suspended, and the following general Ordinance No. 50, 1871, entitled :

An Ordinance authorizing the C. C. & I. R. R. Co., to construct a railroad track across New York street, Biddle street and the first alley south of Biddle street, in the city of Indianapolis.

Was read the second and third times.

Mr. Brown offered the following motion :

Moved : That the notice of pendency of this ordinance be given by three days' advertisement in the *Daily Commercial*, before being taken up for final passage, said notice to describe the streets and alleys to be crossed.

Which was lost by the following vote :

Affirmative—Councilmen Brown, Gimber, Kennington, Marsee and Whitsit—5.

Negative—Councilmen Batty, Bigham, Cottrell, Craft, Heckman, Newman, Reagan, Thalman, Thoms, Weaver and Wiles—11.

The question then being, shall the ordinance pass? those who voted in the

Affirmative—Were Councilmen Batty, Bigham, Cottrell, Craft, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit and Wiles—14.

Negative—Councilmen Brown and Gimber—2.

So, the ordinance passed.

Mr. Batty presented the following petition :

INDIANAPOLIS, IND., Sept. 11, 1871.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on Alabama street, between Morrison street and Home avenue, respectfully petition your honorable body to allow your petitioners to grade and gravel said street between the points indicated, under the direction of the City Civil Engineer; and your petitioners severally promise to pay the proportion of the costs of said work according to the front feet owned by us respectively. Said work to be contracted for by private contract with the subscribers.

And your petitioners will ever pray, etc.

JOHN S. SPANN,
T. A. MOONS,
GEO. W. SLOAN,
A. E. PIERCE,

And 3 others.

Which was granted.

Mr. Newman moved to adjourn.

Which was lost.

Mr. Brown moved to suspend the rules for the purpose of presenting papers to be acted upon without debate.

Which was lost.

Mr. Newman moved to adjourn.

Which was lost.

By consent, Mr. Marsee offered the following motion :

Moved : That the City Marshal notify the Citizens Street Railway Co. to temporarily remove their track from Kentucky avenue, within thirty days from this date, for the purpose of allowing the construction of Kentucky avenue sewer.

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During the pendency of which the Council adjourned.

DANIEL MACAULEY.

Mayor.

ATTEST:

JOHN R. CLINTON,

City Clerk.