#### PROCEEDINGS

OF THE

# COMMON COUNCIL.

### REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS,
Monday, February 19th, 1866, 7 o'clock, p. m.

The Common Council met in regular session.

Present—His Honor, the Mayor, John Caven, in the chair; and the ollowing members at first roll-call:

Councilmen Allen, Boaz, Brown, Coburn, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Seidensticker, Staub and Thompson—14.

Absent-Councilmen Colley, Fletcher, Lefever and Schmidt-4.

The proceedings of the regular session, held February 12th, 1866, were read and approved.

### By Mr. Emerson—Petition:

Indianapolis, February 19, 1866.

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

We, the undersigned, respectfully ask of your honorable body the privilege of taking our names from the remonstrance and placing them on the petition for the improvement of New York street.

Wm. Turffray, Mrs. Dr. Prunk, H. M. Goe, D. M. Goodall, Wm. Scudder, John Brannan,

Gentlemen:—Your petitioners most respectfully ask of your honorable body to pass the ordinance now pending for the improvement of New York street from West to Blake street; also, the north sidewalk from the east side of the first alley west of Bright street to Blake street, and the sidewalk upon the south side of said street from Blake street to the north-west corner of the Old Military Grounds; as in duty bound your petitioners will ever pray.

Hampton Clark,

James A. Isgrigg,

Thos. E. Bracken,

James A. Isgrigg
And 9 others.

Which, on motion, was laid upon the table until the order of business should be called for "introduction of ordinances."

### By Mr. Grosvenor-Petition:

Indianapolis, February 19, 1866.

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

Whereas on or about the —— day of ———, 1865, the City Council of the City of Indianapolis granted to certain petitioners the privilege of grading and graveling the sidewalk on the west side of Missouri street, between Merrill and South street, at their own expense, under the supervision of the City Engineer: And whereas, in pursuance of said authority, certain property holders have constructed the improvements prayed for adjacent to their own property: And whereas, a petition is now pending before the said City Council for the re-improvement of said sidewalk at the joint expense of all the property holders adjacent thereto; therefore, the undersigned petitioners, owning and having graded and graveled three hundred and thirty-three feet of the whole number of feet (to-wit, 800 feet) to be graded and graveled, under the authority aforesaid, would respectfully pray your honorable body that they be permitted to complete said improvements, at their own expense, adjacent to their own property, and to be relieved from all assessments for the completion of such improvements adjacent to the property of others on the said sidewalk, they having done, and are still willing to do, all that may be required of them under the aforesaid and first permit.

Wm. W. Smith, Cornelius Kelley, Thomas Manley, Mathew O'Haire.

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

## By Dr. Thompson—Remonstrance:

Indianapolis, February 17, 1866.

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

The undersigned, noticing the publication of a notice in the Evening Gazette proposing to vacate and change alley in out-lot 171, would respectfully remonstrate against the same, as the alley is now straight, and, as such, should remain. If changed, as petitioned for, it will make it almost impassable by reason of a jog; they cannot admit that the public advantage should yield to the private interest of advertisers.

R. F. Fletcher, William Hinesley, Robert Evans, J. Herman Baldwin. George D. Staats, Jas. M. Tomlinson, Jos. B. Wilson.

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

By Dr. Thompson-Petition:

Indianapolis, February 14, 1866.

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

We respectfully ask for the passage of an ordinance for paving the sidewalk of Vermont street, on the north side, from its intersection with Illinois street to its intersection with Tennessee street.

> J. D. HOWLAND, SILAS T. BOWEN, E. T. SINKER,

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

### By Mr. Coburn-Petition:

Indianapolis, February 19, 1866.

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

We, the undersigned, petition your honorable body to have the alley lying between Delaware and Alabama streets, and Pratt and St. Joseph streets, graded.

JOHN F. MAYER.

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

### By His Honor, the Mayor-Communication;

Indianapolis, February 19, 1866.

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

GENTLEMEN:—I thought I would suffer my loss on them cisterns without saying anything about it, but I find I am not able to bear it if I can help it, so I thought I would ask you, as honorable gentlemen, that you at least make up to me in city orders what I paid out in cash. Although I failed to get my work done according to contract, it was attributable to causes which I could not control. I have been a contractor for forty years, and this is the first time I ever failed in one. When I took this contract brick was worth five to five fifty per thousand, and in one month the price went up to nine, then to twelve dollars per thousand. Everything else accordingly; lime double, cement from \$2.25 to \$4.00 per barrel. So you see I necessarily had to pay out about five hundred dollars more in cash than I got in city orders, and the city orders only being worth 85 cents to the dollar, it makes a clear loss to me of about \$330.00 besides, in all about \$830.00. This is more than I am well able to lose; besides, in the one cistern at the corner of Cedar and Elm streets, the water came in so that I necessarily had to build a thicker wall and lay the brick in cement mortar. It took about 12 barrels of cement and about 3,000 more brick than the ordinary way of building.

Now, gentlemen, you have it in your power to make me whole or in part; do what you think is right in this matter; I am not asking anything for my

labor and trouble. Yours respectfully,

WILLIAM WOOD.

Which, on motion, was laid upon the table.

By Mr. Grosvenor-Petition:

Indianapolis, February 11, 1866.

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

Gentlemen:—The undersigned respectfully represent that Messrs. Louis F. Lannay & Co. have erected and fitted up buildings near the south end of West street for the purpose of manufacturing steamed and curled hair, and of dressing hog's bristles, and of doing a general business as dealers in Tampico hemp, bone dust, &c., and have invasted therein a large amount of morey. That in said business great numbers of workmen will be employed, and the manufacturing interest of the city receive additional importance.

That the said Louis F. Lannay & Co., as your petitioners believe, will so manage and conduct said business in such a manner as to prevent its becoming an annoyance or a nuisance, and that to prevent their carrying into effect their enterprise would be prejudical to the interests of the city, and would

be unjust to Messrs. Lannay & Co.

Your petitioners therefore pray your honorable body to take no measures

that will prevent the success of the undertaking of Messrs. Lannay & Co., but that they receive such encouragement from you as you may deem just and proper.

Respectfully,

Martin McGinty, Mary McGinty, John D. Clark, John Williams, Edward Melville, And 121 others.

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

#### Mr. Brown moved-

That the Mayor and Police Force be requested to suspend the enforcement of the ordinance regulating the running of Railroad trains for two weeks.

Which motion was adopted.

#### Mr. Loomis moved-

That the City Treasurer is hereby directed to refund the taxes erroneously assessed against Michael Hogarty, being one thousand dollars of personal property, upon which the assessment is \$15.00.

Which motion was referred to Finance Committee.

#### Mr. Glazier moved-

That W. L. Lingenfelter be allowed to put in pump on New Jersey street at the corner of the alley first square south of Washington street.

Which motion was referred to the Board of Public Improvements.

#### Mr. Allen moved-

That the Street Commissioner be, and is hereby, directed to immediately repair the crossings over the Indianapolis and Cincinnati Railroad at the high bridge on Noble street with gravel, so as to make the same passable to footmen.

Which motion was referred to the Board of Public Improvements.

Mr. Seidensticker introduced special ordinance No. 3—1866, entitled:

An Ordinance to provide for the grading and graveling of Vermont street and sidewalks, between the Peru Railroad track and Winston street,

Which was read the first time by its title; and, on motion, was read the second time and laid over to have notice of pendency given.

Mr. MacArthur introduced special ordinance No. 4—1866, entitled:

An Ordinance to provide for the grading and graveling of North Mississippi street and sidewalks, from North street to the Corporation line, north,

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

Mr. MacArther then moved that rules numbered 19 and 24 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, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Staub and Thompson-13. 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, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Staub and Thompson—13. Noes, none.

So the ordinance passed.

Mr. Nmerson introduced special ordinance No. 5-1866, entitled:

An Ordinance to provide for the grading and graveling of New York street from West street to Blake street, also the sidewalk on the north side of said street, from the west side of the first alley west of Bright street to Blake street; also the sidewalk on the south side of said street, from Blake street to the north-west corner of the old Fair Grounds,

Which was read the first time, and, on motion, was read the second time and laid over to have notice of pendency given.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, ) Indianapolis, Feburary 15, 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 herewith they submit to you, properly amended, so as to comply with the provisions of the new charter, the following special ordinances for street improvements;

Alley running through square 71.

No. 9.

Alley running through out-lots 140 and 141. Walnut street, between Alabama and Liberty streets. No. 28.

No. 30. Spring street, between Vermont street and north end out-lot 45.

No. 33. Henry street, between Mississippi street and Canal. No. 36. McCarty street, between Illinois street and Canal.

No. 43. (Paving) Meridian street, between Washington street and Union Railroad track.

No. 77. (Paving) South sidewalk of Washington street, between Tennessee and Mississippi streets.

No. 78. Alley running through square 57.

No. 82.

Duncan street, running through out-lots 19 and 22. Blake street, between National Road and New York street. No. 87.

New York street, between West and Blake streets. No. 88.

All these ordinances, by the respective orders for their postponement, would now stand upon their third reading and passage. We recommend, however, that they all lay upon the table until called up at the discretion of the Councilmen representing the respective Wards in which they are proposed.

HENRY COBURN,
AD. SEIDENSTICKER,
W. CLINTON THOMPSON.

Which, on motion, was concurred in.

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

Office Board of Public Improvements, Indianapolis, February 19, 1866.

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

The Board would respectfully report the following ordinance for the grading and graveling of the west sidewalk of Missouri street, between South and Merrill streets, as petitioned for by two-thirds of the property holders.

Respectly submitted,

HENRY COBURN,
AD. SEIDENSTICKER,
W. CLINTON THOMPSON,

Board.

Also, special ordinance No. 6-1866, entitled:

AN ORDINANCE to provide for grading and graveling the sidewalk on the west side of Missouri street, between South and Merrill streets,

Which was read the first time, and, on motion, was read the second time, and laid over to have notice of pendency given.

### By Mr. Coburn, from Committee on Accounts and Claims:

Indianapolis, February 19, 1866.

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

Gentlemen:—The Committee on Accounts and Claims report the following ordinance allowing accounts for the month ending on the 19th day of February, 1866, and respectfully recommend the passage of the same.

HENRY COBURN, J. HENRY KAPPES, Committee.

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

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the following named persons be allowed the amounts set opposite their respective names from any moneys in the City Treasury not otherwise appropriated as follows, to-wit:

Hiram J. Craft, Assistant Civil Engineer	\$225	00
Central street.	26	80
David Seibert, Taxes Refunded	18	6,5
E. C. Mayhew, Taxes Refunded	58	10
C. E. Whitsit-Street Improvements-paving Illinois street	252	75
Munson & Jonnston, Specific	39	00
W. J. H. Robinson, Jail Expenses	724	45
Laz. Noble, Costs	20	86
W. H. Glenn, Rent of City Offices and Council Chamber	250	00
Charles Kuhn, Pest House	165	69
Amount corried forward	\$1,781	30

Amount brought forward	\$1,781	30
Geo. W. Mears, Pest House	347	
J. H. Ross, "	30	00
Martha Hoss, "	45	00
V Havs.	60	00
Coburn & Jones, Fire Department	21	49
Sulgrove & Reynolds, "	4	25
David Seibert, "	60	00
Cottrell & Knight, "	4	67
J. H. Vajen & Co. "	11	50
Emerson & Thompson, "	87	68
Browning & Sloan, "	12	35
McCord & Wheatley "	14	88
J. & W. C. Burk "	75	00
J. L. Frankem, "	22	
Gates & Lemon, "	47	50
Sinker & C., "	99	
Emerson & Thompson, House of Refuge	22	
Mrs. Albon, " "	200	
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Total	\$2.946	85
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RECAPITULATION.		
Jail Expenses-Boarding City Prisoners	\$724	45
Pest House—Services of attendants and sundries	647	
Fire Department—Sundries by Chief Engineer	461	
Street Improvements—City's portion of sundry estimates	279	
Rent—For Council Chamber and City Offices	250	
Rent—For Council Chamber and City Offices.  Assisting Civil Engineer—Clerk hire, &c.	225	
House of Refuge-Plan, &c., of	222	
Taxes Refunded—By reason of erroneous assessment	_	75
Specific—Sundries for City Offices		00
Costs—City v. Sturdevant in S. C. I	20	
Total		

SEC. 2. The City Clerk is hereby authorized and directed to issue warrants upon the City Treasury to the persons named, and for the amounts as set forth specifically in section first of this ordinance.

SEC. 3. This ordinance shall take effect and be in force from and after its passage.

Ordained and established this 19th day of February, 1866.

JOHN CAVEN, Mayor.

#### ATTEST:

C. S. BUTTERFIELD, City Clerk.

Which, on motion, was read the first time by its title.

On motion, the ordinance was placed upon its second reading.

Mr. Brown moved to strike out the account of Alexander Wood, for assisting Civil Engineer, and that the same be referred to Civil Engineer for explanation, &c.

Which motion prevailed.

The ordinance was then read the second time.

Mr. Coburn 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, Boaz, Brown, Coburn, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Staub and Thompson—13. 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, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Staub and Thompson—13. Noes, none.

So the ordinance passed.

Mr. Staub presented an account of William Kown for \$88.50 for extra graveling at crossing of St. Clair and Chatham streets.

Which was referred to the City Attorney and Civil Engineer.

Mr. Grosvenor presented accounts of McKernan, Pierce & Yandes, and McKernan and Pierce, for material furnished and labor on bridge over Canal, and for gravel furnished Street Commissioner.

Which, on motion, were referred to Committee on Accounts and Claims.

By Dr. Jamesen, from Finance Committee:

Indianapolis, February 19, 1866.

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

GENTLEMEN:—The Committee on Finance, to whom sundry matters have been referred, would recommend that the sum of twenty-two dollars and fifty cents (\$22.5) be appropriated in favor of Jesse M. Vanblaricum, the same being for taxes levied on erroneous assessment of his property for the year 1865.

Also, that the sum of thirty-two dollars and ten cents (\$32.10) be appropriated in favor of Barton D. Jones for taxes levied on erroneous assessment of his property for the year 1865, and that the Committee on Accounts and Claims be directed to report an ordinance appropriating the several amounts above named.

The committee would report that it is inexpedient at this time to raise the wages of the employees of the Fire Department in compliance with petition herewith returned.

· In reference to granting license to Tabernacle Company, the committee beg leave to report the same back to the Council, recommending immediate action thereon.

Respectfully,

P. H. JAMESON, Chairman.

Which, on motion, was concurred in.

General ordinance No. 37, entitled:

A Special Ordinance granting an annual licence to the Indianapolis Tabernacle Association to exhibit concerts, &c., in the City of Indianapolis,

Was then taken up, 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, Boaz, Emerson, Glazier, Grosvenor, Jameson and Loomis—7.

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

So the ordinance passed.

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

Indianapolis, February 19, 1866.

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

The Committee on Streets and Alleys, to whom was referred the petition of Henry Seibert and others, report the accompanying resolution and recommend its adoption.

AUSTIN H. BROWN, Chairman Committee on Streets and Alleys.

Resolved, That the City Clerk is hereby instructed to give twenty-one days' notice to each of the Commissioners heretofore appointed by the Common Council, that they will be required to make an appraisement of the real estate proposed to be appropriated by the opening of Waters street from its present northern terminus to Stevens street, in the same width as the other part of said street, to-wit: 60 feet, as petitioned for by Henry Seibert and others in their petition presented to the Common Council on the 12th of February, 1866; and also, to give like notice, as required by the 59th section of an act entitled "An act repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities," &c. approved December 20, 1865, to each of the owners or agents of lots or lands upon or through which the extension of such street is proposed to be made.

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

So the resolution passed.

By Mr. Boaz, from Committee on Police:

Indianapolis, February 19, 1866.

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

The Police Committee, to whom was referred general ordinance No. 36, beg leave to report the following amendments thereto, which they recommend be adopted, and, when the ordinance is so amended, that the same be passed.

WM. BOAZ, J. H. KAPPES, Committee.

On motion, the report was received, and the amendments to the ordinance read and adopted.

General ordinance No. 36, entitled:

An Ordinance creating a Board of Police, and authorizing such Board to appoint all the officers and members of the Police of the city, and empowering such Board to remove from office, for good cause, any officer or member of such Police.

Was then taken up for its third reading.

Mr. Loomis moved to refer the ordinance to the Judiciary Committee.

The ayes and noes were called for.

The question being on the motion to refer the ordinance to the Judiciary Committee, those who voted in the affirmative were Councilmen Allen, Emerson, Glazier, Loomis and Thompson—5.

Those who voted in the negative were Councilmen Boaz, Brown, Coburn, Grosvenor, Jameson, Kappes, MacArthur and Staub—8.

So the motion to refer did not pass.

Dr. Thompson then moved to adjourn.

The ayes and noes were called for.

The question being on the adoption of the motion to adjourn, those who voted in the affirmative were Councilmen Allen, Emerson, Loomis and Thompson—4.

Those who voted in the negative were Councilmen Boaz, Brown, Coburn, Grosvenor, Jameson, Kappes, MacArthur and Staub—8.

So the motion to adjourn was not adopted.

The ordinance was then read the third time as amended.

Mr. Brown then moved the previous question.

The question being, "Shall the main question be now put?"

The ayes and noes were called for.

Those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Emerson, Grosvenor, Jameson, Kappes, MacArthur and Staub—9.

Councilman Allen voting in the negative-1.

So the motion to put the previous question was adopted.

The question then being, shall the ordinance pass? those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Emerson, Grosvenor, Jameson, Kappes, MacArthur and Staub—9.

Councilman Allen voting in the negative-1.

So the ordinance passed.

Mr. Brown moved that the Council now proceed to ballot for a Board of Police.

Which motion was adopted.

His Honor, the Mayor, appointed Councilmen Coburn and Kappes to act as tellers.

The following Councilmen were placed in nomination: Allen, Boaz, Brown, Grosvenor, Jameson, MacArthur, Staub and Thompson.

Mr. Boaz received	6 votes.
Mr. Brown received	2 votes.
Mr. Coburn received	1 vote.
Mr. Grosvenor received	5 votes.
Dr. Jameson received	7 votes.
Mr. MacArthur received	5 votes.
Mr. Staub received	6 votes.

Councilmen Boaz, Jameson and Staub having received the highest number of votes, and being a majority of all the votes cast, were declared duly elected members of the Board of Police in and for the City of Indianapolis, to serve as such until the first Monday in May, 1867, and until their successors shall be elected and qualified.

Councilman Allen asked and obtained leave of absence.

Dr. Jameson, for Committee on Gas Light, offered the following resolution:

WHEREAS, This Council is informed that the Indianapolis Gas Light and Coke Company will demand bankable funds for all gas furnished street lamps after the third of March next:

AND WHEREAS, The city has no other means wherewith to meet her current liabilities except city warrants, which are not bankable funds; therefore,

Resolved, That a committee of three, consisting of the Mayor and two members of the Council, to be appointed by him, be directed to confer, without delay, with said Company, to ascertain how said lamps may be best lighted at the expense of the holders of property bordering on streets lighted by the same.

Which, on motion, was laid upon the table.

### By Mr. Staub, from Select Committee:

Indianapolis, February 19, 1866.

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

The undersigned Special Committee, to whom was referred the ordinance amending the ordinance on Fire Limits, and the petitions referring thereto, repectfully report that there were before us:

1. A petition to exclude from the fire limits the north half of the square between Washington and Market and Liberty and Noble streets.

2. A remonstrance against this amendment.

3. A petition to exclude the whole of said square from the limits.

The last petition seems to have obtained signers from those who were on the 1st petition, and also some who had signed the remonstrance, and their number is larger than that signed to either of the other documents.

We have, therefore, amended the ordinance in accordance to the last men-

tioned petition, and respectfully submit it for your decision.

AD. SEIDENSTICKER, Committee.

On motion, the report was concurred in, and the amendment reported by the committee adopted.

General ordinance No. 32, entitled:

An Ordinance amendatory of the 1st section of "An ordinance to amend section 1st of an ordinance entitled 'An ordinance concerning the prevention of fires, passed November 30th, 1863," passed April 3d, 1865,

Was then read the second and third times and placed upon its passage.

The question being shall the ordinance pass? those who voted in the affirmative were Councilmen Boaz, Brown, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Staub and Thompson—11. Noes, none.

So the ordinance passed.

On motion of Mr. Brown, the Council adjourned.

Present at roll-call on adjournment: Councilmen Boaz, Brown, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Staub and Thompson—11.

JOHN CAVEN, Mayor.

ATTEST:

C. S. BUTTERFIELD, City Clerk.