

PROCEEDINGS
OF THE
COMMON COUNCIL.

ADJOURNED SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS, }
WEDNESDAY, MAY 29, 1867, 7½ O'CLOCK, P. M. }

The Common Council met in adjourned session.

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

Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Woodburn—15.

Absent—Councilmen Goddard, Grosvenor and Stanton—3.

On motion, the order of business was resumed in the order in which it was left off at the adjournment of the regular session of May 27th, 1867, viz. :

ORDINANCES ON SECOND READING.

On motion by Mr. Loomis, general ordinance No. 86 was taken up and read the second time and considered as engrossed.

On motion by Dr. Jameson, special appropriation ordinance No. 26—1867, was taken up and read the second time and considered as engrossed.

On motion by Mr. Loomis, special ordinance No. 38—1867, was taken up and read the second time, and referred to the Board of Public Improvements.

On motion by Mr. Coburn, special appropriation ordinance No. 30—1867, was taken up and read the second time, and referred to the City Attorney, with the request that he report at the next meeting of Council as to the validity of paying more than one Clerk for any Election Board of the City, acting at the late City election.

On motion by Dr. Jameson, special ordinance No. 37—1867, was taken up and read the second time, and ordered to be engrossed.

On motion by Mr. Coburn, special appropriation ordinance No. 29—1867, was taken up and read the second time.

Mr. Cottrell moved to amend by striking out so much as relates to J. H. Vajen & Co. for rubber hose and freight, and that it be referred to the Committee on Fire Department.

Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Colley, Cottrell, Davis, Geisel, Henschen, Jameson, Kappes and Woodburn—9.

Those who voted in the negative were Councilmen Burgess, Coburn, Loomis, MacArthur, Schmidt and Seidensticker—6.

So the amendment was adopted.

The ordinance, as amended, was then ordered to be engrossed.

On motion by Mr. Loomis, special ordinance No. 33—1867, was taken up and read the second time and ordered to be engrossed.

On motion by Mr. Cottrell, special ordinance No. 31—1867, was taken up and read the second time and ordered to be engrossed.

ORDINANCES ON THIRD READING.

Mr. Loomis called up general ordinance No. 86, entitled:

AN ORDINANCE to amend section 2 of an ordinance entitled "An ordinance authorizing the Indianapolis Furnace Company and the Indianapolis Rolling Mill Company to construct a railroad track or tracks in the City of Indianapolis," passed February 25, 1867,

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, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Cottrell called up general ordinance No. 83, entitled :

AN ORDINANCE prohibiting officers or agents of the City of Indianapolis, from purchasing from any City Officer,

Which was read the third time.

Mr. MacArthur moved to lay the ordinance on the table.

Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Burgess, Loomis, MacArthur and Schmidt—4.

Those who voted in the negative were Councilmen Brown, Coburn, Colley, Cottrell, Davis, Geisel, Henschen, Jameson, Kappes, Seidensticker and Woodburn—11.

So the ordinance was not laid on the table.

The question then being on the passage of the ordinance, those who voted in the affirmative were Councilmen Brown, Coburn, Colley, Cottrell, Davis, Geisel, Henschen, Jameson, Kappes, Seidensticker, and Woodburn—11.

Those who voted in the negative were Councilmen Burgess, Loomis, MacArthur and Schmidt—4.

So the ordinance passed.

Mr. Brown called up special ordinance No. 21—1867, entitled :

AN ORDINANCE to provide for grading and graveling the alley running east and west through Square numbered 86, of the City of Indianapolis,

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, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Dr. Jameson called up general ordinance No. 84, entitled :

AN ORDINANCE providing the manner in which certain claims against the city shall be audited and paid, and prescribing the duties of City Officers in relation thereto,

Mr. Colley moved to amend by striking out the following: "And in no case shall more than one day be charged for a period of imprisonment of twenty-four hours or less," and called for the ayes and noes.

Those who voted in the affirmative were Councilmen Colley, Kappes, Loomis, MacArthur and Schmidt—5.

Those who voted in the negative were Councilmen Brown, Coburn, Cottrell, Davis, Geisel, Henschen, Jameson, Seidensticker, and Woodburn—9.

So the amendment was not adopted.

The ordinance was then 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, Burgess, Coburn, Cottrell, Davis, Geisel, Henschen, Jameson, Kappes, MacArthur, Schmidt, Seidensticker and Woodburn—13.

Those who voted in the negative were Councilman Colley and Loomis—2.

So the ordinance passed.

Dr. Jameson moved that the rules be suspended, and special appropriation ordinance No. 26—1867, be taken up and 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 Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Woodburn—15.

No Councilman voting in the negative.

So the rules were suspended and special appropriation ordinance No. 26—1867, entitled :

AN ORDINANCE to amend an ordinance in relation to ten per cent. warrants,

Was taken up and 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 Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

UNFINISHED BUSINESS.

Mr. MacArthur offered the following motion :

That the City Civil Engineer be instructed to inquire whether any McHenry gas burners have yet been received or negotiated for by the late City Civil Engineer.

Which was adopted.

Mr. Cottrell offered the following motion :

That the Street Commissioner be instructed to open a passage way for the water on the south end of East street.

Which was referred to the Board of Public Improvements.

Mr. Cottrell, also, offered the following motion :

That the Street Commissioner be instructed to open the culvert on New Jersey street, north of Pogue's Run.

Which was referred to the Board of Public Improvements.

Mr. Davis offered the following motion :

That the Street Commissioner be, and is hereby, directed to remove the platform in front of the Exchange building on Illinois street; also, the platform near the corner of Ohio and Illinois streets, and to immediately open and clean the gutters on the east and west sides of said Illinois street, between Washington and Ohio streets.

Which was adopted.

Mr. Davis, also, offered the following motion :

That the Market Master be, and is hereby, directed to procure two hundred handbills, to be paid for by the City of Indianapolis, and proceed to post a part of the same in the west part of the city, and to distribute a part among the gardeners, butchers, and farmers in and about the city, in order to inform the people that there are markets in the West Market House on Mondays, Wednesdays and Fridays of each week.

Which was adopted.

Mr. Loomis presented the following petition :

INDIANAPOLIS, May 29, 1867.

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

GENTLEMEN:—The undersigned respectfully inform you that the work of laying the railroad track down Kentucky Avenue to the river bank, as au-

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thorized by ordinance, passed February 25, 1867, is now about to be begun. They therefore ask your honorable body to direct that the grade be established forthwith by the proper officials. It is important that it shall be attended to at once.

Very respectfully,

J. H. McKERNAN,
Pres't White River Iron Co. of Indianapolis.

Which was referred to the Board of Public Improvements and the City Civil Engineer.

Mr. MacArthur, from the Board of Public Improvements, made the following report :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, May 29, 1867. }

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

GENTLEMEN:—The Board of Public Improvements would respectfully report to your honorable body that, as the Street Commissioner considers himself virtually under impeachment, he does not feel at liberty to undertake the cleaning of gutters, &c., &c., until he has had his trial; therefore there are several matters referred to us that are delayed in consequence thereof.

JNO. B. MACARTHUR, } *Board.*
C. F. SCHMIDT, }

Which was received.

Mr. MacArthur, from the Board of Public Improvements, also, made the following report :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, May 29, 1867. }

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

GENTLEMEN:—The Board of Public Improvements would respectfully request of your honorable body that the City Clerk, together with the Committee on Printing and Stationery, be instructed to have 1,000 Blank Reports of the Board of Public Improvements printed for the use of said Board.

JOHN B. MACARTHUR, *Pres't Board.*

Which was referred to the Committee on Printing and Stationery.

Mr. MacArthur, from the Board of Public Improvements, also, made the following report :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, May 29, 1867. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the bids were referred, would respectfully report to your honorable body that we find that Joseph Bernauer & John Bly are the lowest bidders on the work to be done on New York street, between Alabama and New Jersey streets, viz., to grade and gravel said street and sidewalk at 53 cents per lineal foot front on each side of the street, and 24 cents per lineal foot front for sidewalk.

Also, find that Wm. Kown is the lowest bidder for grading and graveling Noble street, between Washington and North streets, his bid being 50 cents per lineal foot on each side of the street.

Also, that the Indianapolis Gas Light and Coke Co. are the only bidders for the contract to erect lamp-posts and fixtures on Bluff Road, between McCarty and Ray streets, their bid being \$33 per post for the light pattern, and \$35 for the heavy pattern.

Respectfully submitted,

JNO. B. MACARTHUR, }
C. F. SCHMIDT, } *Board.*

Which was concurred in, and the contracts awarded.

Mr. Coburn, from Select Committee, made the following report :

INDIANAPOLIS, May 29, 1867.

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

The Committee appointed at the meeting of the Council held on the 27th of May to investigate whether the charges preferred against August Richter, Street Commissioner, are such as would warrant his trial by the Common Council, beg leave to report that the report of the Committee first appointed on that subject contains statements that your committee deem sufficient grounds for recommending a trial on the following *ex parte* charges :

Charge 1st. That of paying his men habitually on Sunday.

Charge 2d. Taking receipts in blank and filling them with a larger amount than paid.

Charge 3d. Appropriating for private uses the labor of employees of the Street Commissioner, for which the City paid.

Charge 4th. Failing to properly account for materials and other property belonging to the City.

Charge 5th. Grading and graveling certain public alleys, at City's expense, without orders from the City Council.

HENRY COBURN, }
J. H. WOODBURN, } *Committee.*
AUSTIN H. BROWN, }

In relation to which Mr. Brown offered the following motion :

That the report be concurred in, and that the Mayor be requested to issue his summons requiring the accused to appear before the Council at the earliest day possible to answer the accusations contained in said report; and that this Council will meet at the time fixed in such summons for the purpose of hearing evidence in such case.

Which was adopted.

Mr. Seidensticker offered the following motion :

That all specifications or parts of charge three against August Richter, as have reference to his employing at the City's expense the labor of his men for the private benefit of Councilman A. Seidensticker, be examined into and adjudicated first before the other charges and specifications are proceeded with.

Which was adopted.

Mr. MacArthur offered the following motion :

That the charges against the Street Commissioner, so far as the grading and graveling of public alleys, be investigated and examined immediately after the charges as to having had men at work on Mr. Seidensticker's building.

Which was adopted.

Mr. Coburn introduced special appropriation ordinance No. 31—1867, entitled :

AN ORDINANCE appropriating money for the use of the Fire Department,
Which was read the first time by its title.

Dr. Jameson moved that the rules be suspended and the ordinance read the second time.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Woodburn—15.

No Councilman voting in the negative.

So the rules were suspended, and the ordinance read the second time and considered as engrossed.

Dr. Jameson 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 Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Woodburn—15.

No Councilman voting in the negative.

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 Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Loomis offered the following resolution :

WHEREAS, We have learned with sorrow of the death of our late associate in Council, HORACE A. FLETCHER, whom it has pleased Divine Providence to remove from among us, therefore,

Resolved, That this Council will attend the funeral of the deceased in a body.

Resolved, That His Honor, the Mayor, be, and is hereby, directed to appoint a Special Committee of three members of the Council to prepare suitable resolutions of condolence in this behalf, and report at the next meeting.

Resolved, That this Council do now adjourn.

The ayes and noes being taken under the Charter, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, and Woodburn—15.

No Councilman voting in the negative.

So the resolution was adopted.

DANIEL MACAULEY, *Mayor.*

ATTEST:

D. M. RANDELL, *City Clerk.*