# PROCEEDINGS

# OF THE

# COMMON COUNCIL.

# ADJOURNED SESSION.

# CHAMBER OF THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, FRIDAY, JUNE 11TH, 1869, 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 Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Shepherd, Thalman, Thoms, Whitsit, Wiles and Woodburn-16.

Absent-Councilmen Newman and Weaver-2.

The proceedings of the regular session held June 7th, 1869, were read and approved.

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

## REPORTS FROM COMMITTEES.

Mr. Thalman, from the Committee on Streets and Alleys, made the following report :

INDIANAPOLIS, June 11, 1869.

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

GENTLEMEN:-The Committee on Streets and Alleys, to whom was referred the petition of John McLaren, Alvin D. May, and others, praying that the

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alley running between lots 45 and 46, in Maguire's subdivision, be closed, report that having examined into the merits of the petition find that said alley is of no practicable use to any one, (it only being the length of one lot,) and that all property holders in the immediate vicinity favor closing it. We would, therefore, recommend granting the prayer of the petitioners.

ISAAC THALMAN, JUHN L. MARSEE, C. HECKMAN,

Which was concurred in.

Also, the following report:

INDIANAPOLIS, June 11, 1869.

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

GENTLEMEN:—The Committee on Streets and Alleys, to whom was referred the remonstrance against grading and graveling Forest Avenue, report that as a majority of the property holders are opposed to said improvement, we favor granting the petition of the remonstrants.

> ISAAC THALMAN, JOHN MARSEE, C. HECKMAN,

Which was concurred in.

Mr. Locke, from the Committee on Bridges, made the following report:

INDIANAPOLIS, June 7, 1869.

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

The committee, to whom was referred the petition of Charles Schoomeyer and twelve others, residents on McCarty street, praying for the erection of a wooden bridge over the Canal on said McCarty street, have examined the proposed location of said bridge and believe the prayer of the petitioners should be granted. We therefore recommend that the City Clerk advertise for sealed proposals for the construction of said bridge.

> ERIE LOCKE, JOHN MARSEE, HENRY GIMBER, Committee.

## Which was concurred in.

Mr. Pyle, from the Committee on Markets, made the following report :

INDIANAPOLIS, June 11, 1869.

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

GENTLEMEN:-The Committee on Markets, to whom was referred a petition from the Butchers and Gardeners, respectfully present the following ordinance as an amendment to the present Market Ordinance, and respectfully recommend the passage of the same. Respectfully submitted,

JOHN PYLE ROBT. KENNINGTON, Committee. ISAAC THALMAN,

Which was received.

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Also, genearl ordinance No. 25-1869, entitled :

AN ORDINANCE to amend section 3 of an ordinance regulating the Markets within the City of Indianapolis, defining the duties of Market Master and prescribing certain rules and regulations relative to the sale of provisions, produce and other articles in the Markets and other portions of said city.

Which was read the first time.

Mr. Pyle moved that the rules be suspended and that the ordinance be read the second and third times and placed upon its passage.

The question being on a suspension of the rules,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Shepherd, Thalman, Thoms, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the rules were suspended and the ordinance read the second time and ordered to be engrossed, 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, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Shepherd, Thalman, Thoms, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the ordinance passed.

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

INDIANAPOLIS, June 9, 1869.

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

Your Committee on Railroads, to whom was referred the petition of Indiana Central Railroad in reference to moving their tracks at the crossing of Virginia Avenue, and building additional tracks on their own ground so as to accommodate their new depot, which is now being erected, beg leave to report that we have attended to the same and are of opinion that the contemplated improvement will be beneficial to the city. We therefore unite in asking that the petitioner's request be granted

W. D. WILES, FREDERICK THOMS, JAS. McB. SHEPHERD,

Which was referred to the Committee on Revision of Ordinances, with instructions to report an ordinance. 111

Mr. Wiles, from the Committee on Gas Light, made the following report:

#### INDIANAPOLIS, June 7, 1869.

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

By a brass badge, in shield form, upon which shall be stamped the number by which each lamp shall thereafter be known.

The cost of these badges, as we learn from a formal bid in the hands of the Inspector, is only \$40 per 1,000, in the style which he is now prepared to exhibit to you. He has also had a proposal to attach the same to the lampposts, from Deloss & Jerome B. Root, at the rate of five dollars per day for the time occupied in drilling the posts, and from B. F. Haugh & Co., at the rate of four dollars per day. We would recommend that a contract be made with the latter firm, and that the Gas Inspector order from Murdock & Spencer, of Cincinnati, 1,000 lamp badges, numbered from 1 to 1,000, in accordance with their bid.

The drilling of the posts one-fourth of an inch deep will be the only expense attending the attaching of the badges, as the Gas Inspector has himself proposed to do the distributing and riveting.

W: D. WILES, ROB'T. KENNINGTON, LEON KAHN,

The question being on concurring in the report,

Those who voted in the affirmative were Councilmen Harrison, Heckman, Kahn, Kennington, Locke, Thalman, Whitsit, Wiles and Woodburn-9.

Those who voted in the negative were Councilmen Brown, Cottrell, Gimber, Marsee, Pyle, Shepherd and Thoms-7.

So the report was concurred in.

Mr. Wiles, also, made the following report:

#### INDIANAPOLIS, June 11, 1869:

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

GENTLEMEN:—The Committee on Gas Light, to whom was referred the petition of Messrs. Hogshire and others for the erection of 2 gas lamps in Pearl street, betwten Meridian and Illinois streets, have ascertained, at the office of the Gas Company, that there is no gas main upon said street. The laying down of such pipe is a necessary preliminary to the locating of a public lamp or lamps; therefore, we do not report an ordinance, according to the prayer of the petition.

We have also had a conference with a portion of the petitioners, and are prepared to recommend the work to be done, after a plan mutually decided upon, when the requisite street main shall have been laid. Until such time, in our judgment, said petition should continue in our hands.

W. D. WILES, ROBT. KENNINGTON, LEON KAHN,

Which was concurred in.

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# Mr. Wiles, also, made the following report:

#### INDIANAPOLIS, June 7, 1869.

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

GENTLEMEN:—As a means of securing prospective possession of the ninety discontinued public lamps, by us reported at the last meeting of the Council, your Committee on Gas Light would suggest that the City Clerk be directed to insert the following advertisement once each week, for two consecutive weeks, in the Daily Journal and Daily Sentinel:

#### DISCONTINUED STREET LAMPS.

The owners, in whole or in part, of the public gas lamps that were discontinued under orders of the Common Council, at its meeting held May 4th, 1868, are requested to file with the City Gas Inspector, at his office, No. 60 North Illinois street, on or before the 21st instant, their proposals to sell such property to the City of Indianapolis; said proposals to include a just and fair valuation of said lamp-posts, &c., in the condition they were when in use.

W. D. WILES, ROBT. KENNINGTON, Committee. LEON KAHN,

# In reference to which Mr. Cottrell offered the following motion :

That the report of the Gas Committee be referred to the City Attorney, with the request that he give the Council his opinion whether the Council has the legal right to discontinue the use of lamps or lamp-posts once paid for by assessment against owners of property fronting on the streets where the same are located.

Which was adopted.

Dr. Woodburn, from Select Committee, reported in favor of striking from the files all ordinances of long pendency and that are now useless.

Which was concurred in.

Mr. Marsee, from the Committee on Fire Department, made the following report :

INDIANAPOLIS, June 11, 1869.

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

The Committee on Fire Department respectfully recommend that the Chief Fire Engineer be directed to advertise for proposals for the purchase from the City of the old Steam Fire Engine, known as the "C. B. Davis." Such Engine cannot be repaired without greater expense than the good of the service will warrant, and your committee believe it will be economy on the part of the City to sell the same.

JOHN MARSEE, AUSTIN H. BROWN, ISAAC THALMAN,

Which was concurred in.

Mr. Shepherd, from Special Committee, made the following report:

#### INDIANAPOLIS, June 11, 1869.

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

GENTLEMEN:—Your committee, to whom was referred the investigation of an ordinance passed July 2d, 1849, find the conditions of said ordinance to be that the Terre Haute and Richmond Railroad Company were allowed the use of the south half of Louisiana street for the purpose of laying their track upon the following conditions:

1st. The Railroad Company shall grade and gravel one foot deep the whole of said street, so far in length as 1t may be occupied by them, grade stakes to be set under directions of the City Surveyor and Engineer conforming to the City Profile.

Upon our investigation of Louisiana street we find the same to be below the city grade on sides of track. Further, we find that there has been no gravel between Tennessee street and Kentucky Avenue, and would therefore submit the following motion and recommend its adoption.

Respectfully submitted,

JAMES McB. SHEPHERD, C. HECKMAN, TEMPLE C. HARRISON,

Committee.

# Which was received.

# Also, the following motion :

That the Terre Haute and Richmond Railroad Company be, and is hereby, ordered to fulfil the terms of an ordinance, passed July 2, 1849, granting right of way to said Company, so far as pertains to grading and graveling of Louisiana street, and that the Street Commissioner be, and is hereby, ordered, in case of non-compliance with the above order within the next 60 days, to cause the said street to be improved according to the terms of contract or agreement with said Company, and immediately thereafter proceed to collect the amount from said Terre Haute and Richmond Railroad Company.

Which was referred to the City Attorney.

## REPORTS FROM CITY OFFICERS.

# The Chief Fire Engineer made the following report:

INDIANAPOLIS, June 11, 1869

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

GENTLEMEN: — I would herewith respectfully report locations for public cisterns, and urge upon you to build 16 cisterns of -500 barrels each, costing, perhaps, \$5,000, believing this to be a small sum spent on a so much needed improvement. You are all aware that this city is but poorly supplied with water, and if, at some future time, Water Works should be established, the cisterns would still be needed, and the improvement would be permanent.

Allow me to call your attention to the fact that it would cost the city near \$5,000, each year. after Water Works had been established here, to pay for supplying cisterns and plugs for fire purposes. With these additional cisterns the danger from large fires will be greatly diminished, being located at points where water cannot be procured from other sources, and being distributed all over the different parts of the city, with two near the center portion where the danger from large fires is greatest.

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#### LOCATIONS.

1.	Broadway and Cherry streets		300
2.	Fort Wayne Avenue and Delaware street		
3.	Meridian and Vermont streets		
4.	Meridian and St. Joseph streets		
5.	Illinois and Ohio streets		
6.	New York and Douglass streets		
7.	North and Blake streets		
8.	Helen and Georgia streets		
9.	McCarty and Maple streets	500	300
10.	Tennessee and Washington streets		
11.	Illinois and Maryland streets		
12.	South street and Madison Avenue	600	360
13.	Wyoming and High streets		
14.	South and Pool streets		
15.	Virginia Avenue and Grove street		

All of which is respectfully submitted,

CHARLES RICHMANN, Chief Fire Engineer.

Which was referred to the Committee on Fire Department.

The City Treasurer made the following report:

#### INDIANAPOLIS, June 7, 1869.

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

GENTLEMEN:---I respectfully report that in obedience to the following motion, adopted 8th of February, 1869, to-wit: "That the City Treasurer be directed to tender the amount of damages assessed for the straightening of Pogue Run at once, and deducting benefits, and that the City Clerk notify the contractor to proceed with the work."

I proceeded to pay damages as assessed by the Commissioners for straightening Pogue Run, and after paying damages to Fatrick G. Hanrahan, I discovered what seems to be an error or omission on the part of the Commissioners, which, in my opinion, as well as that of the City Attorney, will require a compromise with one of the owners of a lot, whose name is omitted, or a new survey and assessment by the Commissioners; and I respectfully request that your honorable body appoint a committee of three or more, together with the City Attorney, to examine the matter and report what action is best under the circumstances. Respectfully, &c.,

ROBT. S. FOSTER, City Treasurer.

Which was referred to a select committee in connection with the City Attorney.

His Honor appointed as such committee Councilmen Brown, Kahn and Locke.

The City Clerk made the following report:

INDIANAPOLIS, May 24, 1869.

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

GENTLEMEN:—The City Clerk respectfully reports to the Common Council that there are on file in his office the following affidavits for the collection of street assessments by precept, as follow:

Michael Shea, in behalf of Ind'p'lis Gas Co. vs. Langsdale & Hamilton, for \$1.46.

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Michael Shea, in behalf of Ind'polis Gas Co. vs. Samuel Delzell, for \$0.72.

Michael Shea, in behalf of Ind'polis Gas Co. vs. R. B. Johnson, for \$4.91.

Michael Shea, in behalf of Ind'polis Gas Co. vs. Monroe McMindus, for \$3.68.

Michael Shea, in behalf of Ind'polis Gas Co. vs. W. G. & J. B Robinson, for \$10.14.

Michael Shea, in behalf of Indianapolis Gas Co. vs. W. O. Rockwood, for \$1.46.

Michael Shea, in behalf of Ind'polis Gas Co. vs. Ambrose Balweg, for \$7.76.

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

#### Respectfully,

D. M. RANSDELL, City Clerk.

Which was concurred in.

# The City Clerk made the following report:

INDIANAPOLIS, June 7, 1869.

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

GENTLEMEN:—I have appointed as my Deputies John G. Waters and John R. Clinton, and have agreed to pay the first thirteen hundred dollars and the second twelve hundred dollars per annum, and ask you to confirm the appointments. Very respectfully,

DANIEL M. RANSDELL, City Clerk.

Which was concurred in, and the nominations unanimously confirmed.

# His Honor, the Mayor, submitted the following communication :

#### INDIANAPOLIS, June 11, 1869.

#### To the Members of the Common Council of the City of Indianapolis:

GENTLEMEN:—I have the honor to call your attention to the important subject of sewerage. Its necessity has been so constantly felt, discussed, and urged by our people and former City Councils, that I shall not occupy your time by presenting arguments in its favor.

The time has arrived when it would be a neglect of the City's important interests to hesitate longer in securing this great improvement—progress demands, and the citizens desire it.

A levy of fifteen cents on the one hundred dollars last year, has given us \$30,000 for sewerage. The large sewer now in course of construction in the southern part of the city will cost, it is estimated, about \$15,000, leaving in the city treasury a balance of \$15,000 for further work. This year there has been no special provision made in the tax levy of ninety cents on the \$100 for sewerage, and it can not be expected that a wise economy can be practiced in our city expenditures to such an extent as to enable any part of the collections to be set aside for sewerage.

The case, therefore, stands as follows: Sewerage is required at the earliest possible date; there is not a sufficient amount of money on hand to construct it; there is no provision made by assessment for extending the little already commenced; nor has there been any definite plan for the whole general system of drainage devised or adopted by the city authorities.

I would, therefore, recommend to your honorable body, that a special committee on Sewerage be organized to night, with power to procure competent engineering talent—it should be the best in the country—to perfect, by scientific survey and examination, a plan showing the best means of permanently draining the city. The committee to also examine and report upon different materials and styles of work; as to whether a loan should be nego-

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tiated, and the main trunk sewers built by it, the different branches to be added thereafter, as fast as the condition of the city treasury would warrant (which plan I recommend;) in what manner the cost should be defrayed by with the subject. Very respectfully,

Your obedient servant,

#### DANIEL MACAULEY, Mayor.

Which was received.

Mr. Locke offered the following motion :

That a Standing Committee of three members of this Council be appointed by the Mayor on Sewers and Sewerage, and Water Works.

Which was adopted.

His Honor, the Mayor, appointed as such committee Councilmen Marsee, Locke and Whitsit.

# ORDINANCES ON SECOND READING.

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

Special appropriation ordinance No. 21-1869.

Special appropriation ordinance No. 22,

Special ordinance No. 110-1869.

Special ordinance No. 14, "

- Special ordinance No. 8, 66
- Special ordinance No. 11, "
- 66 Special ordinance No. 20,
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- Special ordinance No. 28,
- Special ordinance No. 43, "
- Special ordinance No. 44, "
- Special ordinance No. 45.
- Special ordinance No. 46, 63
- Special ordinance No. 47,

General ordinance No. 4-1869, preventing the ringing of locomotive bells inside the Union Depot, was read the second time and referred to the Committee on Bailroads.

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General ordinance No. 24-1869, entitled :

AN ORDINANCE to prevent the passage of velocipedes, wheelbarrows, and hand-carts over the sidewalks, and prohibiting any person from riding on velocipedes on Sunday.

Was read the second time and referred to a Select Committee consisting of Messrs. Whitsit, Woodburn and Kahn.

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# ORDINANCES ON THIRD READING.

On motion, special appropriation ordinance No. 21-1869, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis.

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, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Thalman, Thoms, Whitsit, Wiles and Woodburn-15.

No Councilman voting in the negative.

So the ordinance passed.

On motion, special appropriation ordinance No. 22-1869, entitled :

AN ORDINANCE appropriating money for the payment of sundry claims on account of the City Hospital for the month of May, 1869.

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, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Thalman, Thoms, Whitsit, Wiles and Woodburn-15.

No Councilman voting in the negative.

So the ordinance passed.

On motion, special ordinance No. 110-1869, entitled :

AN ORDINANCE to provide for grading the first alley south of Stevens street, running east and west between Water and Greer streets

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, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Thalman, Thoms, Whitsit, Wiles and Woodburn-15.

No Councilman voting in the negative.

So the ordinance passed.

On motion, special ordinance No. 8-1869, entitled :

AN ORDINANCE to provide for grading and bowldering Maryland street from Delaware to Meridian streets,

Was laid over, and the City Clerk directed to re-advertise its pendency.

On motion, special ordinance No. 11-1869, entitled :

AN ORDINANCE to provide for grading and graveling Oak street and sidewalks, between Massachusetts Avenue and Cherry streets,

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, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Thalman, Thoms, Whitsit, Wiles and Woodburn-15.

No Councilman voting in the negative.

So the ordinance passed.

Also, special ordinance No. 14-1869, entitled :

An Ordinance to provide for grading and graveling Vermont street and V \* sidewalks, between California street and the first alley west of Bright st.

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, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Thalman, Thoms, Whitsit, Wiles and Woodburn-15.

No Councilman voting in the negative.

So the ordinance passed.

Also, special ordinance No. 28-1869, entitled :

AN ORDINANCE to provide for graveling Merrill street and sidewalks, between Meridian and Pennsylvania streets.

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, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Thalman, Thoms, Whitsit, Wiles and Woodburn-15.

No Councilman voting in the negative.

So the ordinance passed.

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Also, special ordinance No. 43-1869, entitled :

AN ORDINANCE to provide for grading and paving with brick the sidewalk on Tennessee street from Ingiana Avenue to North street.

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, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Thalman, Thoms, Whitsit, Wiles and Woodburn-15.

No Councilman voting in the negative.

So the resolution passed.

Also, special ordinance No. 44-1869, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Alabama street, between Washington street and Pogue Run.

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. Cottrell, Gimber, Harrison, Heckman, Kahn, Hennington, Locke, Marsee, Pylc, Thalman, Thoms, Whitsit, Wiles and Woodburn-15.

No Councilman voting in the negative.

So the ordinance passed.

Also, special ordinance No. 45-1869, entitled:

AN ORDINANCE to provide for grading, curbing and paving with stone the sidewalks on the corner of Washington and Tennessee streets, known as the State Buildings, and occupied by State Officers and Supreme Court.

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, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Thalman, Thoms, Whitsit, Wiles and Woodburn-15.

No Councilman voting in the negative.

So the ordinance passed.

Also, special ordinance No. 36-1869, entitled :

AN ORDINANCE to provide for grading and graveling Chestnut street and west sidewalk from Ray to Morris streets.

Waich was read the third time and placed upon its passage.

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The question being, shall the ordinance pass?

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Pyle, Thalman, Thoms, Whitsit, Wiles and Woodburn-15.

No Councilman voting in the negative.

So the ordinance passed.

Special ordinance No. 92-1868, providing for repairing the bowldered pavement on Louisiana street, between Meridian and Illinois streets, was referred to the City Attorney, together with the Railroad Committee.

By consent, Mr. Brown offered the following motion:

That the Street Commissioner be directed to clean out the gutters on both sides of Illinois street, between Washington and Louisiana streets.

Which was adopted.

Dr. Woodburn offered the following motion :

That the property holders on North street, between West and Mississippi streets, have permission to grade and gravel said street between the points above named, provided said work is completed on or before the first day of September next. The Civil Engineer is hereby ordered to set the proper grade stakes.

Which was adopted.

On motion the Council adjourned

DANIEL Mayor. WA

ATTEST ELL, City Clerk.