

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS,  
MONDAY, SEPTEMBER 13TH, 1869, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

Present—Austin H. Brown in the chair, and the following members :

Councilmen Cottrell, Gimber, Harrison, Heckman, Kennington, Locke, Marsee, Pyle, Shepherd, Thalman, Weaver, Whitsit and Wiles—14.

Absent—Councilmen Kahn, Newman, Thoms and Woodburn—4.

The proceedings of the regular session held Sept. 6, 1869, and of the adjourned session held Sept. 9, 1869, were read and approved.

Mr. Brown presented the following :

INDIANAPOLIS, Sept. 13, 1869

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

GENTLEMEN:—Having a necessary occasion to go to New York, I ask leave of absence for a week or ten days.

JOHN S. NEWMAN.

Which was granted.

Mr. Wiles moved that the special order for the meeting, viz., the Sewerage question, be postponed, and the Council proceed in regular order.

The question being on the suspension of the rules,

Those who voted in the affirmative were Councilmen Harrison, Locke, Pyle, Thalman, Wiles and Weaver—6.

Those who voted in the negative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Shepherd and Whitsit—7.

So the motion to suspend was lost.

By consent, Mr. Cottrell presented the following petition :

INDIANAPOLIS, Sept. 13, 1869

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

The undersigned, your petitioners, believing as we do that only a very small minority of the tax payers of this city desire Water Works and Sewerage, we therefore pray that you will submit both questions to the people separately.

Signed by

DELOSS ROOT,  
GEO. W. GILLISPIE,  
And 75 others.

The report of the Committee on Sewerage, made to Council Aug. 23, 1869, was called up and read.

Mr. Wiles moved to defer action on the report for one week.

Mr. Whitsit moved to lay Mr. Wiles' motion on the table.

The question being on laying the motion on the table.

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Heckman, Kennington, Locke, Marsee, Shepherd, Pyle and Whitsit—9.

Those who voted in the negative were Councilmen Brown, Harrison, Thalman, Wiles and Weaver—5.

So the motion to lay on the table was adopted.

Mr. Marsee offered the following resolution :

*Resolved*, First, That the plan for the South street Sewer, recommended by the Committee, be, and is hereby, adopted.

Second. That the City Civil Engineer is hereby directed to make the necessary survey and profile for the South street Sewers.

Third. That the City Clerk is hereby directed to advertise in the Daily Journal and Sentinel, for twenty days, for proposals for building a Sewer com-

mencing at Pogue Run, on South street, running thence on South street to Fletcher Avenue, thence on Fletcher Avenue to Cedar street. So much of said sewer as runs from Pogue Run to East street to be completed this fall, and the remainder to be completed as early next season as possible.

Mr. Wiles moved to lay the resolution on the table.

Those who voted in the affirmative were Councilmen Harrison, Locke, Pyle, Weaver and Wiles—5.

Those who voted in the negative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Marsee, Shepherd, Thalman and Whitsit—9.

So the motion to lay the resolution on the table was lost.

The question being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Marsee, Pyle, Shepherd, Thalman, Weaver, Whitsit and Wiles—12.

Those who voted in the negative were Councilmen Harrison and Locke—2.

So the resolution was adopted.

On motion, the remainder of the Sewerage report was laid over for one week.

By consent, sealed proposals for public work were opened and read, and referred to the Committee on Contracts.

On motion, business was resumed in regular order, commencing with the

#### CALL OF THE ROLL.

Mr. Brown presented the following petition:

INDIANAPOLIS, Sept. 13, 1869.

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

GENTLEMEN:—The undersigned, owner of part of lot 12, in Square 69, fronting 60 feet on South Mississippi street, respectfully petitions your honorable body to pass a resolution granting him permission to grade and pave with brick, to the width of 9 feet, the sidewalk in front of said property, and asking that the City Engineer be directed to set the grade stakes for the same. And your petitioner will ever pray, &c.

P. H. GRIFFITH,

Which was granted.

Mr. Brown introduced special ordinance No. 106—1869, entitled :  
AN ORDINANCE to provide for grading and graveling Garden street and sidewalks, between Tennessee and Mississippi streets.

Which was read the first time.

Mr. Brown offered the following motion :

That the Trustees of the Grand Masonic Lodge be allowed the privilege of paving the sidewalks on Washington and Tennessee streets, in front of the Masonic Hall, with flag stones, provided the same be done at their own expense and to the satisfaction of the City Civil Engineer.

Which was adopted.

Mr. Harrison offered the following motion :

That the Chief Fire Engineer be instructed to designate on each Alarm Box, by attaching a written card thereto, or otherwise, as he may deem best, where, and in whose hands, the key may be found.

Which was adopted.

Also, the following motion :

That the Street Commissioner be instructed to bowlder the curve in the track of the Citizens' Street Railway Company, at the corner of North New Jersey street and Fort Wayne Avenue.

Which was referred to the Committee on Streets and Alleys.

Mr. Harrisor presented the following petition :

INDIANAPOLIS, Sept. 13, 1869.

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

The undersigned, owners of property situate on Railroad street, in the City of Indianapolis, between Massachusetts Avenue and St. Clair street, respectfully represent that said street was opened and laid out for the use of the Bellefontaine Railway Company—that said Railway Company has abandoned said street and relinquished all the interest of said Company therein to the city; that so much of said street as lies between Massachusetts Avenue and St. Clair street is of no public utility, the same being very low and usually a pond of stagnant water; that the undersigned are the owners of the property between said streets, and in view of the facts, respectfully ask that the City Council will vacate so much of said Railroad street as lies between said designated points.

W. S. BROWN,  
NANNIE BROWN,  
And 5 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Shepherd presented the following petition :

INDIANAPOLIS, Sept. 13, 1869.

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

GENTLEMEN:—We, the undersigned, owners and drivers of Hacks in this city, do hereby petition your honorable body to pass an ordinance prohibit-

ing runners for Hacks, within the corporate limits, and compelling owners or drivers of Hacks to wear badges designating the number of their Hacks while driving the same.

Our reasons for asking the passage of such an ordinance is, that many citizens are liable to be imposed upon by unscrupulous drivers, and wishing our business to be so conducted as to make it as respectable as any other business. And for which your petitioners will ever pray.

William Courtney, Richard Hurley,  
Joseph Grinstener, Dennis Sullivan.

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

Mr. Pyle introduced special ordinance No. 107—1869, entitled:

AN ORDINANCE to provide for grading and paving with brick the west sidewalk on Pennsylvania street, from Market street to the first alley north of Market street.

Which was read the first time.

Mr. Pyle also introduced special ordinance No. 108—1869, entitled:

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on New York street, between East and Tennessee streets.

Which was read the first time.

Mr. Thalman presented the following communication:

INDIANAPOLIS, Sept. 7, 1869.

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

Observing, in the proceedings of the Council on last evening, an offer of ground on Alabama street for a City Prison, I conclude to make a proposal to sell to the city, for such purpose, seventy (70) feet of ground on North Alabama street, nearly opposite the County Jail, by one hundred and forty-two and a half (142½) feet deep, lying on the north side of the first alley north of Washington street, if the city desires it, and the terms can be made mutually satisfactory.

Very respectfully,

JAMES M. RAY.

Which was referred to the Committee on Public Buildings.

Also, the following petition:

INDIANAPOLIS, Sept. 13, 1869.

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

The undersigned, Ray, Mayhew & Co., request of Council a correction of the taxes assessed against their firm for the year 1868. The amount assessed was \$40,000 on stock in trade, whereas, as the firm was closing out, the average of the stock in boots and shoes for said year was not more than \$25,000 at the outside.

We have paid the taxes on \$40,000, and respectfully ask the Council to or-

der the refunding of the amount paid over and above what was just and right.

PARISH L. MAYHEW,  
For Ray, Mayhew & Co.

STATE OF INDIANA, }  
MARION COUNTY, } ss:

Subscribed and sworn to before me, a Notary Public in and for said county, the 9th day of September, 1869. Witness my hand and Notarial seal.

EDWARD P. HOWE, N. P.

Which was referred to the Committee on Finance and the City Assessor.

Mr. Thalman offered the following motions :

That Corbaley & Cossel be granted permission to dig a well and put in a pump in front of their place of business, on West Washington street near White River bridge, they complying with the city ordinance governing the same.

That the City Clerk be ordered to re-advertise for building a stone arch over the Canal on West Washington street near Geisendorff's Woolen Factory, the former contractors, Burk & Richter, having refused to file their bond.

Which were adopted.

Also, the following motion :

That the Council consent to the transfer of the contract of grading and graveling Blake street and sidewalks from the north side of Rhode Island street to Indiana Avenue, by John Schier, the contractor, to S. W. & R. H. Patterson.

Which was referred to the City Attorney.

Also, the following motion :

That the Street Commissioner take the Roller in Military Park and use it on Illinois street, where the two squares have been graveled with screened River gravel, to pack the same.

Which was adopted.

Mr. Wiles introduced special ordinance No. 109—1869, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Walnut street, between Alabama and New Jersey streets.

Which was read the first time.

## REPORTS FROM COMMITTEES.

Mr. Weaver, from the Committee on Benevolence, presented the following :

RECAPITULATION OF THE MONTHLY REPORT OF EXPENDITURES OF THE CITY HOSPITAL, ENDING AUGUST 31, 1869.

Total expenditures for the month.....	\$459 71
Aggregate number of days for which subsistence, etc., was furnished ----	880
Average expense per capita per diem.....	0.52

Also the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING SEPTEMBER 4, 1869.

Number of patients in the Hospital at last report.....	28
Number of patients received in the Hospital since last report.....	7
Number of patients born in Hospital since last report .....	0
Number of patients discharged from Hospital since last report.....	10
Number of patients died in the Hospital since last report.....	0
Number of patients remaining in the Hospital at present.....	25

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING SEPTEMBER 11, 1869

Number of patients in Hospital at last report.....	25
Number of patients received in Hospital since last report.....	7
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report.....	5
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report.....	28

Which were received.

Mr. Heckman, from the Committee on Accounts and Claims, reported back special appropriation ordinance No. 35—1869, appropriating money for the payment of sundry claims against the City of Indianapolis.

Which was read the second time and ordered to be engrossed.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer made the following report :

INDIANAPOLIS, Sept. 13, 1869.

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

GENTLEMEN :—I hereby report the following work finished according to contract :

John Schier, for grading and graveling Vermont street and sidewalks from California street to the alley west of Bright street :

Length on the north side, - - -	729 feet 9 inches.
Length on the south side, - - -	729 feet 9 inches.
Total length, - - -	1,459 feet 6 inches.
At 65 cents per lineal foot, - - -	\$948 67

From the above estimate Mrs. Buist is entitled to a credit for improvement on the sidewalk in front of her lot - - - - - 20 44

Amount due contractor, - - - - - \$928 23

Also, S. W. Patterson and R. P. Dunning for bowldering the gutter and curbing the sidewalks on Alabama street, from Washington street to Pogue Run:

Length of bowldering 1133 feet, at 61 cents per foot, - - - \$691 13  
Length of curbing 1129 feet, at 73 cents per foot, - - - 824 17

Total estimate, - - - - - \$1,515 30

Also, Hanway & Lefever, for grading, graveling and bowldering the gutters and crossing of streets and alleys on Illinois street, from the north side of North street to the north side of St. Clair street:

Length of graveling on the west side, - - - 905 feet.  
Length of graveling on the east side, - - - 895 feet.

Total lineal feet of graveling, - - - 1800

At one dollar and seventy-one cents per lineal foot, - - - \$3,078 00

Length of bowldering on the west side, - - - 905 feet.  
Length of bowldering on the east side, - - - 895 feet.

Total lineal feet of bowldering in gutters, - - - 1800

At fifty-nine and a half cents per lineal foot, - - - 1,071 00

Bowldering streets and alley crossings:  
376.6 square yards, at 76½ cents per yard, - - - 288 09

Total estimate, - - - - - \$4,437 09

Also, Andrew Douglass, for grading, bowldering and curbing the alley running from Massachusetts Avenue to New York street:

Length on the north side, - - - 154 feet 2 inches.  
Length on the south side, - - - 162 feet 2 inches.

Total length, - - - - - 316 feet 4 inches.

At 58 cents per lineal foot, - - - - - \$183 47  
62 yards of excavation at 18 cents per yard, - - - 11 16

Total estimate, - - - - - \$194 63

Respectfully, R. M. PATTERSON, *Civil Engineer.*

Which was concurred in.

The City Clerk made the following report:

OFFICE OF CITY CLERK,  
Indianapolis, Sept. 13, 1869. }

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

The City Clerk respectfully reports to the Common Council the following Estimates:

1st. First and final estimate allowed Hanway & Lefever for grading, graveling and bowldering the gutters, and, also, bowldering the crossings of the streets and alleys the width of the sidewalks, is presented for your approval.

2d. First and final estimate allowed John Schier for grading and graveling Vermont street and sidewalks, from California street to the alley west of Bright street.



3d. First and final estimate allowed S. W. Patterson and R. P. Dunning for bowldering the gutters and curbing the sidewalks on Alabama street from Washington street to Pogue Run.

4th. First and final estimate allowed Andrew Douglass for grading, bowldering and curbing the alley running from Massachusetts Avenue to New York street.

Respectfully submitted,

D. M. RANDELL, *City Clerk.*

Which was concurred in.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed Hanway and Lefever for grading, graveling and bowldering the gutters and the crossings of the streets and alleys the width of the sidewalks, on Illinois street, from North to St. Clair streets, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen, Brown, Cottrell, Gimber, Harrison, Heckman, Kennington, Locke, Marsee, Pyle, Shepherd, Thalman, Weaver, Whitsit and Wiles—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed John Schier for grading and graveling Vermont street and sidewalks from California st. to the alley west of Bright street, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

The question then being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kennington, Locke, Marsee, Pyle, Shepherd, Thalman, Weaver, Whitsit and Wiles—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also the following resolution :

*Resolved*, That the foregoing first and final estimate allowed Patterson & Dunning for bowldering the gutters and curbing the outside edges of the sidewalks with stone, on Alabama street, between Washington street and Pogue Run, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kennington, Locke, Marsee, Pyle, Shepherd, Thalman, Weaver, Whitsit and Wiles—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed Andrew Douglass for grading, bowldering and curbing the alley running from Massachusetts Avenue to New York street, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

The question then being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kennington, Locke, Marsee, Pyle, Shepherd, Thalman, Weaver, Whitsit and Wiles—14.

No Councilman voting in the negative.

So the resolution was adopted.

The City Attorney made the following report :

INDIANAPOLIS, Sept. 13, 1869.

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

GENTLEMEN:—I have examined the deed of S. A. Fletcher, Sr., "conveying certain real estate to be used as a Home for Abandoned Females." The deed contains the following provision: "The same to be held in trust for use and erection of a House of Refuge and Reform for Abandoned Females, both prostitutes and those given to intoxication, and the premises to revert to the donor or his heirs, should the same be dedicated to a use inconsistent herewith." If Mr. Fletcher will consent to a sale of the building material, I suppose there would be no difficulty in carrying out the effect of the resolution referred to me; but if the materials are attached to the real estate, and the city has abandoned the purpose of erecting the House of Refuge for Abandoned Females, they are the property of Mr. Fletcher.

Respectfully,

B. K. ELLIOTT, *City Attorney*.

Which was concurred in, and the resolution offered by Mr. Cottrell at the meeting of Council held August 11, 1869, was adopted—bids to be received Sept. 27, 1869.

The City Attorney also made the following report :

INDIANAPOLIS, Sept. 13, 1869.

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

GENTLEMEN:—In obedience to the resolution introduced by Mr. Cottrell, I transmit an ordinance amending the ordinance prescribing rules and regulations for the government of the Common Council.

Respectfully,

B. K. ELLIOTT, *City Attorney*.

Which was received.

Also, general ordinance No. 52—1869, entitled :

AN ORDINANCE to amend section ten of an ordinance prescribing rules and regulations for the government of the City Council, its officers, and officers connected with the city government.

Which was read the first time.

The City Treasurer made the following report :

INDIANAPOLIS, Sept. 13, 1869.

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

GENTLEMEN:—I have the honor to respectfully report that the balance remaining in the City Treasury on the Nth day of May last, was \$192,177.23, as per my report, and that since that time the sum of \$5,683.53 has been collected on account of taxes; and the further sum of \$2,699.96, on account of licenses, &c., up to September 11, 1869—making a total of \$200,559.96. And that since that date (May 11, 1869) the sum of \$94,029.20 has been expended, as per vouchers on file in my office—which leaves a balance of \$106,530.76 in the Treasury on September 11, 1869.

Respectfully, &c.,

ROBT. S. FOSTER, *City Treasurer.*

Which was received and referred to the Committee on Finance.

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

INDIANAPOLIS, Sept. 13, 1869.

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

Your Committee on Bridges, to whom was referred the proposition to erect a foot bridge at the crossing of the Canal on Market street, report that, in their opinion, the bridge ought to be built, and as in their opinion the cost will not exceed one hundred dollars, they offer for adoption the accompanying motion.

ERIE LOCKE,  
J. L. MARSEE, } Committee.  
H. GIMBER,

Which was concurred in, and the following motion adopted :

That the Street Commissioner is hereby instructed to erect over the Canal, at the crossing of Market street, a suitable foot bridge, under the direction of the Civil Engineer.

#### ORDINANCES ON THIRD READING.

Special appropriation ordinance No. 35—1869, appropriating money for the payment of sundry claims, a'

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, Cot-

trell, Gimber, Harrison, Heckman, Kennington, Locke, Marsee, Pyle, Shepherd, Thalman, Weaver, Whitsit and Wiles—14.

No Councilman voting in the negative.

So the ordinance passed.

On motion, the Council adjourned to meet on Thursday Sept. 16, 1869, at 7½ o'clock, P. M.

*Daniel Macauley*

~~DANIEL MACAULEY~~, Mayor.

ATTEST:

*D. M. Ransdell*

~~D. M. RANSELL~~, City Clerk.