

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

---

ADJOURNED SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
THURSDAY, NOVEMBER 11TH, 1869, 7 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, Newman, Pyle, Thalman, Thoms, and  
Wiles—14.

Absent—Councilmen Shepherd, Whitsit, Weaver and Woodburn—4.

The Street Commissioner made the following report :

INDIANAPOLIS, Nov. 8, 1869.

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

GENTLEMEN:—I have the honor to state that I have appointed Mr. Gideon Reich as Superintendent of the Chain Gang, and respectfully ask that he be confirmed by your honorable body.

Respectfully submitted.

AUGUSTUS BRUNER. *Street Commissioner.*

Which was referred to the Board of Police.

Also the following report :

INDIANAPOLIS, Nov. 2, 1868.

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

GENTLEMEN:—I have the honor to submit the following report of work done in my department since October 4, 1869:

FIRST WARD.

Repaired the culvert on Massachusetts Avenue and New Jersey St.....	\$ 38 00
Opened the gutter on the south side of North St., between East and Winston Sts.....	24 00
Opened the gutter on Michigan St., between New Jersey and Railroad Sts.....	13 00
Opened the gutter on the north side of New York St., between Noble and Winston Sts.....	19 00
Opened the gutters on Noble St., between New York and North Sts.....	27 00
Opened the gutters on Davidson St., between New York and North Sts.....	29 00
Opened the gutters on Winston St., between New York and North Sts.....	24 00
Opened the gutter on the east side of Meridian St., between New York and North Sts.....	29 00
Removed the stone from Delaware St., near North.....	19 00
Repaired the sidewalk on Michigan St., at the first alley west of Pennsylvania St.....	7 00
Repaired the culvert on New Jersey and Vermont Sts.....	3 00
Repaired the culvert on New Jersey and New York Sts.....	1 50
Total .....	\$235 50

SECOND WARD.

Repaired the culvert on Alabama and North Sts.....	\$7 00
Opened the gutter on the north side of North St., between East and Winston Sts.....	24 00
Opened the gutters on Noble St., between North and St. Clair Sts.....	13 00
Opened the gutters on Winston St., between North and St. Clair Sts.....	15 00
Opened the gutters on East St., between St. Clair and Cherry Sts.....	13 00
Opened the gutters on Gregg St., between New Jersey and East Sts.....	9 00
Opened the gutters on the east side of Meridian St., between First and St. Clair Sts.....	27 00
Opened the gutters on St. Joseph St., between Meridian and Pennsylvania Sts.....	14 00
Opened the gutters on St. Clair St., between Railroad St. and the Corporation line.....	19 00
Opened the gutters on Walnut St., between Pennsylvania and Meridian Sts.....	14 00
Total .....	\$155 00

THIRD WARD.

Cleaned the north of Washington St., between Tennessee and Illinois Sts.....	\$27 00
Cleaned Illinois St., between Washington and Market Sts.....	14 00
Hauled two yards of gravel on Tennessee and First Sts.....	24 00
Filled the holes about the culvert on Mississippi and Market Sts.....	13 00
Placed a new foot-bridge on Indiana Ave and Mississippi St.....	5 00
Opened the gutters on the west side of Meridian St., between First and New York Sts.....	57 00
Repaired the foot-bridges on Illinois St., between North and First Sts.....	48 00

Placed 8 new foot-bridges on Tennessec and Walnut Sts.....	32 00
Repaired the culverts on New York and Mississippi Sts., and Vermont and Mississippi Sts.....	17 00
Opened the gutter on Walnut St., between Meridian and Illinois Sts.....	14 00
Scraped the gravel from the gutters on Illinois St., between North and First Sts., and rolled the same.....	48 00
Repaired the culverts on Ohio and Mississippi Sts.....	14 00
Total.....	\$313 00

## FOURTH WARD.

Filled the holes about the culvert on Market and West Sts.....	\$13 00
Hauled 39 yards of gravel on Indiana Ave., between St. Clair and Cali- fornia Sts.....	43 00
Total.....	\$56 00

## FIFTH WARD.

Cleaned Illinois St., between Washington and Louisiana Sts.....	\$53 00
Cleaned the south side of Washington St., between Tennessee and Dela- ware Sts.....	29 00
Placed a foot-bridge on Mississippi and Washington Sts.....	4 00
Placed a foot-bridge on Meridian and Washington Sts.....	19 00
Repaired the culvert on Kentucky Avenue and Washington St.....	12 00
Repaired the culverts on West and Maryland Sts.....	19 00
Repaired the culvert on Illinois and _____ Sts.....	17 00
Repaired the culvert on Kentucky Ave. and Maryland St.....	9 00
Total.....	\$162 00

## SIXTH WARD.

Hauled 195 yards of gravel on Meridian St., between Ray Street and the Corporation line.....	\$185 00
Hauled 20 yards of gravel and repaired the crossing on Pennsylvania and Merrill Sts.....	18 00
Repaired the culvert on McCarty St. and Madison Ave.....	2 00
Total.....	\$205 00

## SEVENTH WARD.

Repaired the crossing at the first alley south of Sinker St., on Alabama St	\$ 3 00
Repaired the culverts on Delaware and Wyoming Sts., and Delaware and Bicking Sts.....	7 00
Total.....	\$7 00

## EIGHTH WARD.

Hauled 5 yards of gravel and repaired the sidewalk on east side of East St., at the first alley south of Merrill St.....	\$5 75
Changed the grade of McCarty St., at intersection of Water St., and built a culvert on McCarty and Water Sts.....	155 00
Repaired the culvert on Noble and Georgia Sts.....	3 00
Total.....	\$163 75

## NINTH WARD.

Cleaned the north side of Washington Street, between Meridian and Delaware Sts.....	\$29 00
Cleaned Pennsylvania St., between Washington and Market, and the culvert on Pennsylvania and Washington Sts.....	29 00
Cleaned the culvert on Market and Delaware Sts.....	9 00
Placed two foot-bridges on New Jersey and Ohio Sts.....	8 00
Placed a foot-bridge on Delaware and Ohio Sts.....	4 00
Opened the gutters on the south side of New York St., between Noble and Winston Sts.....	19 00
Opened the gutters on Winston St., between Market and New York Sts.....	19 00
Opened the gutters on Davidson St., between Market and New York Sts.....	2 00
Repaired the culvert on Ohio and Pennsylvania Sts.....	3 00
Repaired the culvert on New Jersey and Vermont Sts.....	
<b>Total.....</b>	<b>\$135 00</b>

## BRIDGES, &amp;c.

Repaired the bridge over Pogues Run on Market St.....	\$25 00
Repaired the bridge over the Canal on Washington St.....	24 00
Repaired the bridge over the Canal on New York St.....	13 00
Repaired the bridge over the Canal on Indiana Avenue.....	49 00
Repaired the bridge over Pogue's Run on Illinois St.....	13 00
I have also filled lot No. 3 in square 78 with 156 yards of earth, at 30 cts. per yard.....	46 80
<b>Total.....</b>	<b>\$170 30</b>

## RECAPITULATION BY WARDS.

Showing the amount on hand October 4, 1869, the amount appropriated October 27, 1869, the amount expended since October 4, 1869, and the amount on hand at the present date:

WARDS.	Am't on hand Oct. 4, 1869.	Deficit Oct. 4, '69.	Am't appropriated Oct. 27, 69.	Total on hand with appropriation.	Am't expended since Oct. 4, 1869.	Balance on hand at present date.
First Ward.....	\$235 70		\$500 00	\$735 70	\$235 50	\$500 20
Second Ward.....	431 95		500 00	931 95	155 00	776 95
Third Ward.....	301 34		500 00	804 34	313 00	491 34
Fourth Ward.....	29 34		500 00	529 34	56 00	473 34
Fifth Ward.....		\$55 72	500 00	444 28	162 00	282 28
Sixth Ward.....	438 20		500 00	938 20	205 00	733 20
Seventh Ward.....	45 70		500 00	545 70	10 00	535 70
Eighth Ward.....	281 50		500 00	781 50	163 75	617 75
Ninth Ward.....	118 95		500 00	618 95	135 00	483 95
Bridge Fund.....		180 92	500 00	1819 08	270 30	1548 78
	\$1885 68	\$236 64	\$6500 00	\$8149 04	\$1705 55	\$6443 49

Respectfully submitted,

AUGUSTUS BRUNER, *Street Commissioner.*

Which was received.

The City Sexton made the following report :

INDIANAPOLIS, Nov. 1, 1869

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

GENTLEMEN:—The following interments have been made in the City Cemeteries during the month ending October 31, 1869:

Interments under 5 years -----	20
Between 5 and 10 years -----	0
"    10 and 20 " -----	3
"    20 and 30 " -----	9
"    30 and 40 " -----	7
"    40 and 50 " -----	3
"    60 and 70 " -----	2
"    70 and 80 " -----	1
Total -----	46

All of which is respectfully submitted,  
 JAS. H. HEDGES, *City Sexton.*

Which was received.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }  
 Indianapolis, Nov. 8, 1869. }

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

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

Hiram Seibert vs. Mary A. E. Peck, for	-	-	-	\$13 60
Hiram Seibert vs. Wm. Jones, for	-	-	-	32 00
Hiram Seibert vs. Sarah E. Bogardus, for	-	-	-	32 00
Charles Roney vs. Frederick Scheigert, for	-	-	-	38 18
Richard Carr vs. Robt. B. Johnson	-	-	-	32 20

And would respectfully recommend that the precepts be ordered to issue.  
 D. M. RANSDELL, *City Clerk.*

Which was concurred in, and the precepts order to issue.

The Market Master made the following report :

INDIANAPOLIS, Nov. 8, 1869.

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

GENTLEMEN:—I have the honor to transmit to you my report as Market Master for the quarter ending Nov. 10. 1869.

Since my last report I have sold 30 garden stalls on the south side of the East Market. There still remains vacant 16. The East Market is in a promising condition. I have had all the work done that has been ordered by the Council. There is needed a few loads of gravel on the north walk of the East Market.

Respectfully submitted,  
 T. W. PEASE, *Market Master.*

Which was concurred in.

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

INDIANAPOLIS, Oct 10, 1869.

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

GENTLEMEN:—Your Committee on Gas, to whom was referred the petition of Adam Dietz, George Fisher, and others, praying for a change from the Miner patent street lamp to the old pattern lamp, on Fort Wayne Avenue, beg leave to report back said petition, and ask to have it stricken from the files, as we learn from a number of the petitioners personally that they have changed their minds in regard to the change, and now wish the Miner lamp retained on their street.

Respectfully submitted.

W. D. WILES,  
ROBERT KENNINGTON, } Committee.  
LEON KAHN.

Which was concurred in.

#### ORDINANCES ON SECOND READING.

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

Special Ordinance No. 118—1869.

Special Ordinance No. 119—1869.

Special Ordinance No. 120—1869.

Special Ordinance No. 121—1869.

Special Ordinance No. 122—1869.

Special Ordinance No. 123—1869.

Special Appropriation Ordinance No. 49—1869

General Ordinance No. 53—1869, was read the second time and postpond.

*W.* The general ordinance authorizing the Water Works Company of Indianapolis to construct, maintain and operate water works, and supply water to the city and citizens of Indianapolis, defining their powers and privileges, and prescribing their duties, was called up and read the second time.

Mr. Thoms offered the following amendment :

That section eight be amended by inserting after the words, "of said company the following, to-wit: "If so instructed by a majority of the voters of said city, at an election to be held for that purpose."

Which amendment was adopted.

Mr. Thalman offered the following amendment to section 8 :

Sec. 8. From and after the expiration of five years from the time of the organization of said company, the city of Indianapolis shall have the right and privilege of purchasing from said company all the buildings, machinery, aqueducts, pipes, water-courses, casements, fixtures, apparatus, and other property of such company, with all its corporate rights and privileges, at such price as may be agreed upon by the Common Council and the Board of Directors of said company, and ratified by a majority vote of the voters of said city of Indianapolis, at a special election to be held for that purpose. *Provided*, That said Water Works Company shall not be allowed to sell out to any company whatsoever within five years, without first giving to the citizens the refusal to purchase at the same rates as offered to others.

Which amendment was adopted.

Mr. Brown moved to amend section — of said ordinance by striking out in line 9 the words, “and duly vested.”

Which motion was adopted.

Mr. Gimber moved to postpone the further consideration of the ordinance until the first Monday in January, 1870.

The question being on the motion to postpone, Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown and Gimber—2.

Those who voted in the negative were Councilmen Cottrell, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Thalman, Thoms and Wiles—12.

So the motion to postpone was not adopted.

Mr. Brown moved to amend as follows :

Amend section ten by inserting after the word “provided :” “That the said ordinance shall be first ratified by a majority of the votes of the legal voters of the city of Indianapolis, at a special election to be held on the first Tuesday in February, 1870; and provided further.”

Mr. Newman moved to lay the amendment on the table.

Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Cottrell, Kahn, Kennington, Locke, Marsee, Newman, Pyle and Wiles—8.

Those who voted in the negative were Councilmen Brown, Gimber, Harrison, Heckman, Thalman and Thoms—6.

So the amendment was laid on the table.

Mr. Brown moved to amend as follows :

Strike out section nine and insert in lieu the following : " Nothing in this ordinance contained shall be so construed as to grant any exclusive privilege of constructing or operating water works in the city of Indianapolis."

Mr. Cottrell offered the following amendment to Mr. Brown's amendment :

But the city reserves the right to construct works of any kind at any and all times.

Which was accepted by Mr. Brown.

The motion to amend, as amended, was then adopted.

Mr. Brown moved to amend as follows :

Amend section eight by striking out the words, " water-courses, casements," and the words, " with all its corporate rights and privileges."

The question being on the adoption of the amendment :

Those who voted in the affirmative were Councilmen Cottrell, Gimber, Harrison, Heckman, Hahn, Kennington, Locke, Newman, Pyle, Thalman and Wiles—11.

Those who voted in the negative were Councilman Brown, Marsee, and Thoms—3.

So the motion to amend was adopted.

Mr. Brown moved to amend as follows :

Amend section five by inserting after the words, " connected with said water works," wherever the same occurs, the words : " One-half of which shall be laid down north of Washington street, and one-half of which shall be laid down south of Washington street."

Mr. Newman moved to lay the motion to amend on the table.

The question being to lay the motion on the table, those who voted in the affirmative were Councilmen Harrison, Kahn, Kennington, Locke, Newman, Pyle, Thomas and Wiles—8.



Those who voted in the negative were Councilmen Brown, Cottrell, Gimber, Heckman, Marsee and Thalman—6.

So the motion was laid on the table.

Mr. Brown moved to amend as follows:

Add to the end of the fifth section the following: " *Provided*, That the Common Council reserves the right at any and all times to fix by ordinance the rates at which water shall be furnished to citizens and the city, and such company shall not charge any greater rates than those so fixed; said rates to be made upon the basis provided in sections 4 and 5 of this ordinance."

Which was adopted.

Mr. Locke moved to amend as follows:

That no water shall be taken from the Central Canal for propelling purposes in the supplying of the necessary amount of water as indicated in section —, to the detriment of any lessee of water from said Central Canal, under penalty of the forfeiture of all the privileges herein granted.

Mr. Kennington moved to lay on the table.

Mr. Locke called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Harrison, Heckman, Kahn, Kennington, Marsee, Newman Pyle, Thomas and Wiles—11.

Those who voted in the negative were Councilmen Gimber, Locke and Thalman—3.

So the motion to lay on the table was adopted.

On motion, the ordinance was made the special order of business for next Monday evening.

On motion, the Council adjourned.

*Daniel Macauley*  
DANIEL MACAULEY, Mayor

ATTEST:

*A. M. Russell*  
A. M. RUSSELL, City Clerk.