

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

ADJOURNED SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
WEDNESDAY, JANUARY 26TH, 1870, 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, Gimber, Harrison, Heckman, Kahn, Ken-  
nington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Weav-  
er, Wiles and Woodburn—15.

Absent—Councilmen Cottrell, Thoms and Whitsit—3.

The proceedings of the regular session held January 24, 1870,  
were read and approved.

CALL OF THE ROLL.

Mr. Brown offered the following motion:

That the contract for grading and graveling Severn alley, between Pratt

and St Clair streets, heretofore awarded to William Kown, and which contract was to have been completed by December 1, 1869, and which has not been so completed, be and the same is hereby declared forfeited, and the City Clerk is instructed to readvertise for proposals for such work, to be received at the meeting of the Common Council to be held on the 7th day of February, 1870.

Which was adopted, and the City Attorney instructed to bring suit against said Kown, on his bond.

Mr. Harrison presented the following petition :

INDIANAPOLIS, Jan. 26, 1870.

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

GENTLEMEN :—The undersigned, owners of the real estate fronting on Christian avenue, between Western avenue and Ash street, respectfully petition your honorable body to pass an ordinance providing for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on said avenue, between the limits named

And your petitioners will ever pray.

CHARLES P. JACOBS,  
JNO. H. BATTY,  
D. M. RANSDALL,  
W. E. MICK,

And 9 others.

Which was received.

Also special ordinance No. 7, 1870—entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Christian avenue, between Western avenue and Ash street.

Which was read the first time.

Also the following petition :

INDIANAPOLIS, Jan. 26, 1870.

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

GENTLEMEN :—The undersigned, owners of the real estate fronting on Christian avenue, between Western avenue and Ash street, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of said avenue and sidewalks, between the limits named.

And your petitioners will ever pray.

CHARLES P. JACOBS,  
JNO. H. BATTY,  
D. M. RANSDALL,  
W. E. MICK,

And 9 others.

Which was received.

Also special ordinance No. 8, 1870—entitled :

AN ORDINANCE to provide for grading and graveling Christian avenue and sidewalks, from Fort Wayne road or Western avenue, to College avenue.

Which was read the first time.

Also special ordinance No. 9, 1870—entitled :

AN ORDINANCE to provide for grading and graveling Christian avenue and sidewalks, from College avenue to Ash street.

Which was read the first time.

Mr. Harrison introduced General ordinance No. 5, 1870, entitled :

AN ORDINANCE to amend an ordinance entitled, "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 the city," ordained November 3, 1863.

Which was read the first time.

Mr. Harrison offered the following motion :

That the Market Master be and he is hereby authorized, to issue to R. C. Mabrey, Esq., a permit to use stall No. 31, in the West Market House, as a "coffee stand," until the first market morning in May, 1870; said Mabrey to pay the regular stall rent, and not to use the same during market hours.

Which was adopted.

Mr. Heckman introduced Special ordinance No. 10, 1870, entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on the National road, from the present east end of Washington street, to the west line of I. N. Phipps' property.

Which was read the first time.

Mr. Heckman offered the following motions :

That the Street Commissioner is hereby directed to repair the sidewalk on the east side of East street, between Buchanan street and the Corporation line.

That John L. Weis be allowed to pave the sidewalks with brick, in front of his property on Benton street, between Washington and Maryland streets, at his own expense. That the Civil Engineer be directed to set the grade stakes; said work to be done in ninety days.

That Hiram Sibert be allowed to pave with brick and curb with stone, the sidewalk in front of lot 11, in out-block 87; the same to be done at his own expense, and under the direction of the City Civil Engineer—to be completed in ninety days.

Which were adopted.

Mr. Heckman presented the following petition :

INDIANAPOLIS, Jan. 26, 1870.

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

GENTLEMEN:—The undersigned, in behalf of the Expressmen of the City of Indianapolis, respectfully show, that the Expressmen of the city have formed a Union, and submit to the Council for its assent and approval the following scale of charges for services to be rendered in future, which have been agreed on by the Expressmen's Union as reasonable and proper, and we ask the Council to grant in the privilege to enforce the prices set forth below :

Shipping to Depot from stores.....	\$ 40
1 or two trunks, 50c, 3 trunks, 75c, inside old Corporation line.....	
1 horse wagon for moving out first floor, per load.....	1 00
1 horse wagon for moving out second floor, per load.....	1 25
1 horse wagon for moving out third floor, per load.....	1 50
2 horse wagon for moving out first and second floor, per load.....	1 50
2 horse wagon for moving out third and fourth floors, per load.....	2 00
2 horse wagon for hauling saw dust (exclusive of price of dust), per load.....	1 50
1 horse wagon for hauling saw dust (exclusive of price of dust), per load.....	1 00
Moving pianos in or out of dwelling houses, first floor, and furnish all help.....	3 00
Moving pianos up stairs and in halls, including all help.....	5 00
For wagon and driver without help.....	1 50
For man to help, or hired, on first floor.....	60
For man to help, or hired, on second floor.....	75
For hauling boxed pianos.....	50
Taking out pleasure parties, not exceeding five miles, per day.....	5 00
Each additional mile.....	50
Delivering sewing machines.....	40
Each additional stop.....	25

D. S. POORMAN, President.

JOHN BENINGER, Secretary.

Which was referred to the Judiciary Committee.

Mr. Kahn offered the following resolution :

*Resolved*, That the rules governing this Council be so amended, that no call for the "previous question," or "to lay on the table," shall be considered in order, if the person making the same prefaces it with any remarks.

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

Mr. Kennington offered the following motions :

That the contract for straightening Pogues run be declared forfeited, that suit be instituted by the City Attorney on the bond of the contractor, and that the City Clerk is hereby directed to readvertise for proposals for such work.

That the Street Commissioner is directed to open the ditch from Morris to Ray street, in order to take the water from Morris street, and that the Street Commissioner is directed to fill up the said hole on Morris street.

Which were adopted.

Mr. Kennington introduced special ordinance No. 11, 1870, entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Russell street, between Merrill and Meridian street.

Which was read the first time.

Also special ordinance No. 12, 1870—entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Union street, between Merrill street and the south Corporation line.

Which was read the first time.

Also Special ordinance No. 13, 1870.

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on McCarty street, between Illinois street and Virginia avenue.

Which was read the first time.

Mr. Locke offered the following resolution :

*Resolved*, That the City Treasurer be and he is hereby instructed, to place upon the tax duplicate, for 1869, the taxable property of the Citizens' Street Railway Company.

Which was referred to the Committee on Judiciary and City Attorney, with instructions to report next meeting.

Mr. Newman offered the following motion.

That the City Marshal be directed to notify the parties who put in or own the stone crossings on Pennsylvania street, between Washington and Market streets, to sink the stones in the crossings to the level of the boulders of the street; and, on failure so to do, that the Marshal do so at the expense of the proper parties.

Which was adopted.

Mr. Pyle presented the following petition :

INDIANAPOLIS, Jan. 26, 1870.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Davidson street, respectfully petition your honorable body to open said street, between Washington and Market street, to a width of sixty feet, and vacate Benton street, between the same streets.

And your petitioners will ever pray,

H. C. BUDDENBAUM,

A. F. PRANGE,

G. A. ALBRECHT,

WILLIAM REGER,

And 49 others.

Which was referred to the Committee on Streets and Alfeys.

Mr. Shepherd offered the following motions :

That the City Marshal be ordered to file a complaint against any person or company obstructing the sidewalks on South Tennessee street, by the leaving of wagons or cars on said walks longer than allowed by an ordinance governing the same.

That the Street Commissioner be ordered to open the gutters on Ellis street, so as to connect the same with the gutters on West Maryland street.

Which were adopted.

Mr. Shepherd introduced Special ordinance No. 14, 1870, entitled :

AN ORDINANCE to provide for grading and graveling Chesapeake street and sidewalks, from West street to the first alley east, running north and south between Maryland and Georgia streets.

Which was read the first time.

Mr. Shepherd introduced General ordinance No. 6, 1870, entitled :

AN ORDINANCE relative to placing a flagman at the intersection of West and Louisiana streets.

Which was read the first time.

Mr. Thalman offered the following motions :

That the Judiciary Committee investigate the case of Robert Patterson, for grading and graveling Douglass street, and report at the next meeting of the City Council. Property holders on a portion of said street refuse to pay their assessments, stating that the northern portion of said street had never been opened, and that it is not recorded on the city plat.

That Anthony Weigand be allowed to drive over the sidewalk near the corner of South and West streets, for the purpose of filling up and improving property—he agreeing to put the walk in as good condition as it now is, when the work is done.

That Alexander Metzger have permission to curb the outside edge of the sidewalk in front of his property (lot 10 in out-lot 37) with white oak plank, at his own expense, and that the Civil Engineer be directed to set the grade stakes. Said work to be done within thirty days.

Which were adopted.

Dr. Woodburn introduced special appropriation ordinance No. 3, 1870, entitled :

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

Which was read the first time.

Also, Special appropriation ordinance No. 4, 1870, entitled :

AN ORDINANCE appropriating \$500 for the benefit of the Young Men's Christian Association.

Which was read the first time.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Jan. 26, 1870:

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

GENTLEMEN:—Your petitioners, property holders on Tennessee street of said city, between Second and Tinker streets, respectfully petition your honorable body as follows :

1. That your honorable body would order that Tennessee street, including

sidewalks, from the south side of Second street to the center of Tinker street, be graded according to the most approved profile thereof.

2. That the gutters thereof be opened in a proper manner.
3. That the said gutters be bridged at the crossings.
4. That the said street be graveled in such a manner, with the best quality of river gravel, as to insure a good and permanent street, and done under the direction of the City Engineer.
5. that the sidewalks of said street be graded as above, or paved with brick, as it shall seem best to your honorable body.
6. That the lamp posts be extended along the said street and the same be lighted with gas, from south side of First street to Tinker street, the city paying for the gas thereby consumed.
7. That each property holder be ordered to be assessed in payment of the above work, in proportion to the number of feet frontage owned by them.
8. That the city pay for the frontage taken up by the streets and crossings, in prosecuting said work.
9. The said work be done as soon as the weather will allow.

Respectfully submitted,

BRUNNER & CONNER,  
FRANCIS SMITH,  
JOHN T. SMITH,  
E. C. HILL,  
E. S. GREEN.

Which was referred to the Committee on Streets and Alleys.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Jan 26, 1870.

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

GENTLEMEN :—The undersigned citizens complain that the grade on South Union street is such as to cause the accumulation of a large pond of water in front of their property on said street, causing at times the overflowing of the sidewalks and portions of the lots, and thereby greatly damaging the value of the same. They therefore respectfully ask that the necessary improvements to relieve said property from the said pond be promptly made by the Street Commissioner, or proper authority.

Respectfully submitted,

JESSE D. CARMICHAEL,  
HENRY RAINFELS.

Which was received.



Dr. Woodburn moved to suspend the rules, for the purpose of passing the appropriating ordinances, including the appropriation to the Young Men's Christian Association. Objections being raised against including said appropriation, Dr. Woodburn so far modified his motion as to exclude said appropriation.

The question being on a suspension of the rules.

Those who voted in the affirmative were Councilmen Brown, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Weaver, Wiles and Woodburn—15.

No Councilman voting in the negative.

So the rules were suspended, and Special appropriation ordinance No. 3, 1870, appropriating money for the payment of sundry claims, was read the second time.

Mr. Newman offered the following amendment to the ordinance:

Insert \$500 for the Young Men's Christian Association.

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

The question being on laying on the table.

Those who voted in the affirmative were Councilmen Brown, Gimber, Heckman, Kahn, Kennington, Locke and Shepherd—7.

Those who voted in the negative were Councilmen Harrison, Marsee, Newman, Pyle, Thalman, Weaver, Wiles and Woodburn—8.

So the motion to lay on the table was lost.

Mr. Kennindton moved to adjourn.

The question being on adjournment.

Those who voted in the affirmative were Councilmen Brown, Gimber, Kahn, Kennington, Locke and Shephere—6.

Those who voted in the negative were Councilmen Harrison, Heck-

man, Marsee, Newman, Pyle, Thalman, Weaver Wiles and Woodburn—9.

So the motion to adjourn was lost.

Mr. Brown offered the following amendment :

Strike out and insert the following :

Five hundred dollars for the benefit of the poor of the city is hereby appropriated, to be expended under the immediate direction of the Mayor of the city.

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

The question being on laying on the table.

Those who voted in the affirmative were Councilmen Harrison, Marsee, Newman, Pyle, Thalman, Weaver, Wiles and Woodburn—8.

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

So the motion to lay on the table was adopted.

Mr. Kennington moved to adjourn.

Those who voted in the affirmative were Councilmen Brown, Gimber, Kahn, Kennington, Locke and Shepherd—6.

Those who voted in the negative were Councilmen Harrison, Heckman, Marsee, Newman, Pyle, Thalman, Weaver, Wiles and Woodburn—9.

So the motion to adjourn was lost.

The question then recurring on Mr. Newman's amendment.

It was adopted.

The ordinance was then ordered to be engrossed.

Special appropriation ordinances Nos. 1 and 2, 1870, appropriating money to the City Hospital, were read the second time and ordered to be engrossed.

His Honor, the Mayor, presented the following invitation :

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

GENTLEMEN:—The Commissioners of Stark county, the City Council of Canton, and Trustees of City Water Works, respectfully solicit the honor of your attendance at the dedication of the Stark County Court House, and opening of Canton City Water Works.

LOUIS SCHAEFER, for Commissioners.  
DANIEL WORLEY, Pres't, for City Council.  
JACOB HAWK, for Trustees of Water Works.

Which was accepted.

By consent, Mr. Marsee presented the following from the Fire Committee :

INDIANAPOLIS, Jan. 26, 1870.

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

GENTLEMEN:—Your Committee, in compliance with instructions from this Council, to have the boiler of the Latta steam fire engine examined, with a view of ascertaining the expediency of having her rebuilt, invited Mr. James Suitt, Benj. Hethrington and Sam'l Stephens, to make the necessary examination, and their report is herewith submitted.

INDIANAPOLIS, Jan. 26, 1870.

*To the Chairman and Members of the Fire Committee :*

GENTLEMEN:—We the undersigned have this day examined the boiler of your Latta steam fire engine, and believe the same to be in perfect order and good condition, and, from all present appearances, will be a good boiler for years to come, with proper care. (Signed),

JAMES B. SUITT,  
BENJ. HETHRINGTON,  
SAM'L STEPHENS.

Your Committee herewith return the proposition of C. Ahrens & Company, of Cincinnati, Ohio, for rebuilding said engine. While the terms seem high, still your Committee are of the opinion that it is to the interest of the city to accept the same, and we respectfully offer for adoption the following motion :

That the Committee on Fire Department, with the Chief Fire Engineer and City Attorney be authorized to contract with C. Ahrens & Co., of Cincinnati, Ohio, to rebuild the Latta steam fire engine in accordance with their proposition.

Respectfully submitted.

JOHN L. MARSEE,  
AUSTIN H. BROWN. } Committee.  
ISAAC THALMAN, }

Which was received and the motion adopted.

By consent, Mr. Thalman, from the Committee on Streets and Alleys, made the following reports :

INDIANAPOLIS, Jan. 26, 1870

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

The Committee on Streets and Alleys to whom was referred a petition from Jesse VanBlaricum, F. Robinnus, John MacIntyre and others, in regard to the grading and graveling of Cumberland street and sidewalks, from Missouri to West street, by James Mahoney, stating that said Mahoney was not putting on the kind of gravel called for in his contract, would state that said contractor (since complaint has been made) has been putting on an article of good river gravel, and in case he does not continue to do so, that the Civil Engineer notify him to quit at once.

H. A petition was also referred to your Committee from James C. Ferguson, J. S. Carey and others, asking the Council to open Helen street through out-lot 143, and extending the same from Washington to Maryland street. We would recommend that said petition be referred to the City Commissioners, and that the City Clerk give the requisite notice.

Respectfully submitted,

ISAAC THALMAN, }  
JOHN L. MARSEE, } Committee.  
C. HECKMAN, }

INDIANAPOLIS, Jan. 26, 1870

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

GENTLEMEN:—The Committee on Streets and Alleys, to whom was referred sundry papers, would respectfully report to your honorable body :

a. 1. A motion was referred to your Committee, directing the Marshal to notify Messrs. Spiegel & Thoms and Henry Hahn, to open an alley running between lots 4 and 5 and 16 and 17 in out-lot 85, would report in favor of the Marshal giving the said parties written notice to that effect, and on their failure to so do within ten days of such notice, to report such fact to the Council.

2. A petition was also referred to your Committee, signed by F. A. Lehr, A. M. Benham and others, asking the Council to vacate East Vermont street, lately opened by an order of the Common Council from East to Liberty street. The Committee would report adversely to prayer of the above named petitioners, and ask the Council to concur with the Committee in said recommendation.

3. A petition was also referred to your Committee from Andrew Wallace, stating that the Street Commissioner had deposited in the alley back of his dwelling and dwelling of William Sheets, a large quantity of dirt and filth. If the statement of Mr. Wallace is correct, we would recommend that the Street Commissioner be directed to take the same away.

Respectfully submitted,

ISAAC THALMAN, }  
JOHN L. MARSEE, } Committee.  
C. HECKMAN, }

Which were concurred in.

Mr. Harrison, from Committee on Printing and Stationery made the following report :

INDIANAPOLIS, Jan. 26, 1870.

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

GENTLEMEN:—The Committee on Printing and Stationery, who were instructed to purchase a safe for the City Treasurer's office, at a price not to exceed \$600, beg leave to report that we have had the matter under consideration, and are of the opinion that a safe suitable for the purposes required cannot be purchased for the amount stated, and we would therefore recommend that authority be given the Committee to purchase a fire and burglar-proof safe combined, at a cost of about \$1,000 or \$1,200.

Respectfully submitted,

FR. THOMS,  
TEMPLE C. HARRISON, } Committee  
JAMES McB. SHEPHERD }

Which was received and Committee discharged.

On motion, the Council adjourned.

*Daniel Macauley*  
DANIEL MACAULEY, Mayor.

ATTEST:

*D. M. Russell*  
~~City Clerk~~, City Clerk.