

PROCEEDINGS

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, FEBRUARY 7, 1870, 7 O'CLOCK P. M. }

The Common Council met in regular session.

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, Shepherd, Thalman,
Thoms, Weaver, Whitsit, Wiles and Woodburn—18.

Absent—None.

The proceedings of the regular session held January 31, 1870,
were read and approved.

Mr. Brown moved to take up the report of the special committee
proposing to lease Cottrell & Knight's building for the use of the
City Officers, made to Council December 7, 1870.

The said report was read.

Dr. Woodburn moved to postpone the consideration of said report for one week, in order that other committees might report on the same subject.

The question being on postponement.

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

Those who voted in the negative were Councilmen Brown, Gimber, Heckman, Kennington, Marsee, Shepherd, Thoms and Whitsit—8.

There being a tie vote, his Honor, the Mayor, voted in the affirmative.

So the motion to postpone was adopted.

CALL OF THE ROLL.

Mr. Brown offered the following motion :

That the proprietors of competing engines who were invited to leave their engines for a three month's trial, by a motion of the Council on the 29th day of January, 1870, be required to deliver their engines here by the 15th of March next.

Which was adopted.

Mr. Brown introduced General ordinance No. 7, 1870, entitled :

AN ORDINANCE providing for the inspection of steam boilers.

Which was read the first time.

Mr. Cottrell introduced Special ordinance No. 15, 1870, entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on New Jersey street, from Merrill street to Bicking street.

Which was read the first time.

Mr. Cottrell introduced Special ordinance No. 16, 1870, entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on East street, from South to Dougherty street.

Which was read the first time.

Mr. Cottrell offered the following motions :

That the Street Commissioner be instructed to open the gutter on the east side of Delaware street, between Merrill and Bicking street.

That the street Commissioner be instructed to repair the east sidewalk of Alabama street, between Merrill street and the first alley south, the same now being in a dangerous condition.

That permission be given to the property holders to grade the alley (at their own expense) running north and south through out-lot No. 105, to the first alley south of Merrill street, and that the Civil Engineer be directed to set the necessary grade stakes.

Which were adopted.

Mr. Cottrell offered the following resolution :

Resolved, That a resolution passed by the Common Council on 7th day of January, 1870, in reference to contractors, be and is hereby reconsidered.

The question being on the adoption of the resolution.

Those who voted in the affirmative were Councilmen Brown, Gimber, Heckman, Locke, Shepherd, Whitsit and Woodburn—8.

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

So the resolution was not adopted.

Mr. Harrison offered the following motion :

That permission be and is hereby granted to Thomas McHugh, to grade and gravel the sidewalk in front of his property, on the east side of Plum street, from Cherry street to the first alley north of Cherry street; the same to be done at his own expense, and according to grade stakes to be set by the City Civil Engineer.

Which was adopted.

Mr. Harrison presented the following remonstrance :

INDIANAPOLIS, Feb. 7, 1870.

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

GENTLEMEN:—The undersigned would respectfully remonstrate against the passage of the ordinance now pending before your honorable body, for the grading and graveling of Chesapeake street and sidewalks, from West street to the first alley east of West street, between Georgia and Maryland streets. Your petitioner is the owner of 125 feet fronting on said street, and does not deem said improvement necessary at the present time, and especially if the same is not made through to Missouri street. It would neither be just nor beneficial to improve the street to said alley only, and not clear through to Missouri street.

Respectfully submitted,

TIMOTHY SPLAN.

I am the owner of 77 feet fronting on said street, and fully concur in the above.

JOSEPH CUSICK.

I am the owner of 48 feet fronting on said street, and fully concur in the above.

JOHN ^{his} GRAY.
mark.

Which was referred to the Committee on Streets and Alleys.

Mr. Heckman presented the following remonstrance :

INDIANAPOLIS, Feb. 7, 1870.

To the Chairman and Members of the Judiciary Committee :

GENTLEMEN:—We, the property owners living on Georgia and Bates streets, respectfully remonstrate against the grading and graveling of the alley which runs from Cady street to the Corporation Line, between the above named streets.

Respectfully submitted,

TIMOTHY SHEA,
MICHAEL CURRAN,
THOMAS SHEA,
MICHAEL CROORAN,
And 14 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Heckman offered the following motion :

Mr. D. F. Coleman having failed to file his bond for grading and graveling Cedar street, the Clerk be authorized to readvertise for grading and graveling the same.

Which was adopted.

Mr. Heckman offered the following motion :

That the street between Washington and Maryland streets, and between Benton and the first alley east of Benton, be called Cumberland street.

Which was referred to the Committee on Streets and Alleys.

Mr. Kennington offered the following motion :

That the City Civil Engineer be directed to advertise for proposals for building a bridge across the new channel of Pogues run, on Tennessee street, according to plans and specifications for the same, to be prepared by the City Civil Engineer.

Which was adopted.

Mr. Kennington introduced Special ordinance No. 17, 1870, entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Tennessee street, from Pogues run to Ray street.

Which was read the first time.

Mr. Kennington introduced General ordinance No. 8, 1870, entitled :

AN ORDINANCE establishing and bounding the wards of the city of Indianapolis.

Which was read the first time.

Mr. Locke presented an injunction or restraining order against the further prosecution of the work of straightening Pogues run, until Friday, February 11, 1870.

Mr. Cottrell moved to lay on the table, and called for the ayes and noes.

The question being on the adoption of the motion to lay on the table.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Kennington, Marsee, Shepherd and Thalman—7.

Those who voted in the negative were Councilmen Harrison, Heckman, Locke, Newman, Pyle, Thoms, Weaver, Whitsit, Wiles and Woodburn—10.

So the motion to lay on the table was lost.

On motion by Mr. Brown the City Attorney was instructed to defend the injunction suit, and the Contractor directed to proceed with that part of the work not enjoined.

Mr. Pyle presented the following petition :

INDIANAPOLIS, Feb. 7, 1870.

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

GENTLEMEN :—The undersigned respectfully petitions that authority be granted him to regravel, at his own expense, the sidewalk on the south side of St. Clair street, between Meridian and Illinois streets, adjoining his property on the north ; said work to be done under the supervision of the City Civil Engineer ; work to be done in ninety days.

Respectfully submitted,

J. H. BALDWIN.

Which was granted.

Mr. Thalman offered the following motion :

That the City Treasurer call on W. Y. Wiley and ascertain what amount he is willing to pay for the grading and graveling done through his property on Douglass street, and that he report at the next meeting of the Council.

Which was adopted.

Mr. Thoms offered the following motion :

That the alley between East and Liberty street, from Georgia street to Pogues run, be called Cook street.

Which was referred to the Committee on Streets and Alleys.

Mr. Wiles introduced Special ordinance No. 18, 1870, entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on West street, between Indiana avenue and St. Clair street.

Which was read the first time.

Mr. Wiles offered the following motion :

That the City Marshal be instructed to have two drawers, with locks and keys complete, in the front (east) side of the large table within the bar of the Council Chamber, for the purpose of keeping therein blank ordinances and stationery.

Which was not adopted.

Mr. Kahn offered the following motion :

That the taxes assessed against and collected from the Indianapolis "Turnverein," be and is hereby remitted.

The ayes and noes being demanded.

Those who voted in the affirmative were Councilmen Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Thoms, Wiles and Woodburn—11.

Those who voted in the negative were Councilmen Brown, Cottrell, Shepherd, Thalman, Weaver and Whitsit—6.

So the motion was adopted.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Feb. 7, 1870.

To the Chairman and Members of the Judiciary Committee :

GENTLEMEN:—We the undersigned freeholders, resident and non-resident, of Mississippi street, between First and Seventh streets, deeming our street to be in a condition very much to our prejudice and to the public generally, would respectfully and earnestly request that you grant the right, as early as the condition of the street will permit, to grade and gravel in such a manner as you may direct, that part of Mississippi street situated between First and Seventh streets.

Respectfully submitted,

FRANKLIN HALL,
W. C. MCGILL,
S. J. MITCHELL,
WM. H. LINDENBOWER,
And 15 others.

Which was referred to the Committee on Streets and Alleys.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Feb. 7, 1870.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on North Mississippi street, between First street and Second street, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling, with good coarse creek or river gravel, the one square above named and the sidewalks of the same.

Respectfully submitted,

JAMES FRANCIS,
 RUDOLF GUTKNECHT,
 JOHN H. KEVERS,
 ELIZABETH DUNN,
 And 11 others.

Which was referred to the Committee on Streets and Alleys.

Dr. Woodburn offered the following motion :

That a committee of three be appointed by the Chair, to inquire what further legislation, if any, is necessary, to secure a more regular and efficient service by the cars of the Street Railway Company, with leave to report by ordinance or otherwise.

Which was adopted, and Councilmen Woodburn, Brown and Heckman appointed as such committee.

Dr. Woodburn presented the following bill :

The City of Indianapolis to Patterson & Dunning.

Dr.

9) For plowing Illinois street, between Ohio and North streets, and removing the gravel, so as to allow the Street Commissioner to lower the Citizens' Street Railway track, and moving the same to its proper place again,

\$375 00

Which was referred to a select committee composed of Messrs. Kahn, Pyle, Whitsit, Civil Engineer and Street Commissioner.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Feb. 7, 1870.

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

GENTLEMEN:—The undersigned, resident freeholders of the city of Indianapolis, would respectfully petition your honorable body to open a street fifty feet wide, to connect Meridian and Illinois streets; the said street to commence on the west side of Meridian street, on the east line of lot No. 12 in St. Clair's addition to the city of Indianapolis, about two hundred and thirteen feet north of the southeast corner of said lot, to run thence west parallel with the south line of said lot, and on the line dividing the lands of

J. D. Condit and William Henderson, to the west line of said lot twelve (12); thence west on the same parallel line and through block No. 20 in Drake's addition to Illinois street. The said street, when opened, will run through the lands of Wm. Henderson, J. D. Condit, E. B. Martindale and John A. Hoagland.

The said petitioners further pray that that part of Twelfth street lying between squares Nos. twenty (20) and twenty-one (21) in Drake's addition to the city of Indianapolis, being that part of said street lying east of Illinois street, and running from the said Illinois street to the west line of lot No. 12 in St. Clair's addition to the city of Indianapolis, be vacated; that the lands and lots lying on and adjoining said street, as now located, belongs to Calvin Darnell and John A. Hoagland.

Respectfully submitted,

JOHN F. JOHNSTON,
S. & W. JOHNSTON.

Which was referred to the Committee on Streets and Alleys.

Dr. Woodburn offered the following motion :

That the City Civil Engineer be directed to advertise for proposals for building a bridge over Pogues run on Garden street, according to plans and specifications to be prepared by the said Engineer.

Which was adopted.

Dr. Woodburn presented the following :

RECAPITULATION OF THE MONTHLY REPORT OF EXPENDITURES OF THE CITY HOSPITAL, ENDING JANUARY 31, 1870.

Total expenditures for the month.....	\$597 22
Aggregate number of days for which subsistence, etc., was furnished ----	1301
Average expense per capita per diem.....	0.45

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF THE CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL ENDING JANUARY 31, 1870.

Number of patients in Hospital at last report.....	35
Number of patients received in Hospital since last report.....	25
Number of patients born in Hospital since last report.....	4
Number of patients discharged from Hospital since last report.....	24
Number of patients died in Hospital since last report.....	1
Number of patients remaining in Hospital at present report.....	39

Which were received.

Also Special appropriation ordinance No. 7, 1870, entitled .

AN ORDINANCE appropriating money for the payment of sundry claims on account of City Hospital, for the month of January, 1870.

Which was read the first time.

His Honor, the Mayor, offered the following motion :

That the Street Commissioner be directed to trim the trees on the south side of Walnut street, between Illinois and Meridian streets, their present condition being a danger and a hindrance to passing vehicles and their occupants.

Which was adopted.

REPORTS FROM COMMITTEES.

Mr. Thoms, from select committee, made the following report :

INDIANAPOLIS, Feb. 7, 1870

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

GENTLEMEN :—The select committee, to whom was referred the proposals for erecting a Station House, have examined the same, and find that James Maloney is the lowest bidder on both plans, as furnished by Messrs. Enos & Huebner, and Messrs. Daggett & Roth; his price under the plan of Enos & Huebner being \$8,130 86, and under the plans prepared by Daggett & Roth, \$8,754 75; the bid under Enos & Huebner's plan being \$623 89 less than under the plan of Daggett & Roth. The committee would respectfully report the same to the Council for their decision—which plan had better be adopted.

Respectfully submitted,

FR. THOMS,	} Committee.
LEON KAHN,	
JAMES McB. SHEPHERD,	
C. E. WHITSIT,	
ISAAC THALMAN,	

Which was received.

Mr. Brown offered the following motion :

Amend by striking out and inserting, "that the bids under the plan of Messrs. Daggett & Roth be accepted and the contracts awarded, with the exception of the roof, and that special bids be invited for a slate roof."

The question being on the adoption of the motion.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Shepherd, Thalman, Whitsit and Woodburn—10.

Those who voted in the negative were Councilmen Harrison, Locke, Newman, Pyle, Thoms, Weaver and Wiles—7.

So the motion was adopted.

On motion, the Council adjourned.

Daniel Macauley
DANIEL MACAULEY, *Mayor.*

ATTEST:

A. M. Russell
~~E. M. Russell~~, *City Clerk.*