

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, MARCH 8TH, 1869, 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 Coburn, Foster, Geisel, Goddard, Jameson, Loomis,
MacArthur, Schmidt, Stanton and Woodburn—10.

Absent—Councilmen Brown, Burgess, Colley, Davis, Foster and
Kappes—6.

The proceedings of the Common Council held February 22, 1869,
and March 1st 1869, were read and approved.

In accordance to the Standing Rule of the Council, His Honor the
Mayor announced that the first matter for the consideration of the
Council, was the motion offered by Mr. Davis on the 22d day of Feb-
ruary, 1869, declaring the seat of Mr. Seidensicker, Councilman
from the 9th Ward vacant.

Upon which the previous question had been demanded by Mr.
Davis.

The question now being, shall the main question be now put?

Upon which Mr. Geisel demanded the ayes and noes.

Those who voted in the affirmative were, Councilmen Coburn, Goddard, Jameson, Loomis, MacArthur, Schmidt and Woodburn—7.

Mr. Geisel declined to vote, and Messrs. Seidensticker and Stanton were excused.

No Councilman voting in the negative.

So the demand for the previous question was sustained.

The question being upon the adoption of Mr. Davis' motion.

The ayes and noes being demanded.

Those who voted in the negative were, Councilmen Coburn, Goddard, Jameson, Loomis, MacArthur, Schmidt and Woodburn—7.

Mr. Geisel declined to vote and Messrs. Seidensticker and Stanton were excused.

No Councilman voting in the affirmative.

So the motion was lost.

REGULAR ORDER OF BUSINESS.

Mr. Coburn presented the following petition :

INDIANAPOLIS, March 8, 1869.

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

GENTLEMEN:—The undersigned respectfully represent that they are wrongfully and illegally assessed upon two hundred thousand dollars of United States 5-20 bonds; that they purchased said bonds on September 10th, 1864, for the purpose of a permanent investment; that since said purchase said bonds have not been sold or changed; and that the investment has not been a changeable or a shifting one, but has been permanent.

They respectfully petition your honorable body to cause said assessment to be corrected, and said sum of two hundred thousand dollars, invested as aforesaid in United States bonds, to be exempted from taxation.

Respectfully,

FLETCHER & SHARPE.

Which was referred to the City Attorney.

Mr. Coburn offered the following motion :

That the property owners on Washington street, between Pennsylvania and Delaware streets, be notified by the City Clerk to repair the sidewalks in front of their property.

Which was adopted.

Dr. Jameson introduced special ordinance No. 9—1869, entitled :

AN ORDINANCE to provide for grading and paving with brick, the east sidewalk on Alabama street, from Washington street to Massachusetts Avenue.

Which was read the first time.

Mr. Seidensticker presented the following petition :

INDIANAPOLIS, March 8, 1869.

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

The undersigned respectfully represents that he was awarded a contract for the embankment of Pogues Run and the grading and graveling of the alley in square 96; that he did his work faithfully and diligently and to the entire satisfaction of the Engineer, and that on the 16th of November last an estimate for said work was granted to him. Some of the parties against whom this estimate was directed refused to pay, after delaying your petitioner for a long time; and on the 11th of January he applied to your honorable body for a precept in accordance to the Charter.

Since that time the Council has for various reasons delayed action in the matter, and your petitioner is kept out of his money and all means to collect it, though from first to last his faithful performance of the contract has not been questioned. Your petitioner submits whether this is just to a man who has honestly fulfilled his contract with the city, and earnestly petition, that your body should either pay his contract out of the City Treasury, or award him his legal remedy against the property owners at once.

HENRY HELM.

Which was postponed for one week.

Dr. Woodburn moved to reconsider the vote take on Mr. Davis' motion to declare the seat of Mr. Seidensticker in Council, vacant.

Mr. Coburn moved to lay the motion to reconsider upon the table.

Which was adopted.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, IND., March 8, 1869.

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

We the undersigned property owners on the square between Tennessee and Mississippi and St. Clair and Pratt streets, would petition your honorable body to grade and gravel the alley running north and south through said square.

L. N. Andrews,
N. Hume,
J. M. Sims,

Lucy Hines,
D. Dearing,
And 4 others.

Which was received.

Also the following petition :

INDIANAPOLIS, March 8, 1869.

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

GENTLEMEN:—We the undersigned would respectfully ask that the alley running south from Washington street to Union depot through square 66, 65, 75, 76, 87 and 86, be changed to the name of Wall street. Said alley has long been known and called Wall street, therefore we would most respectfully ask said change be made to that of Wall street.

Wm. R. Hogshire,
C. S. Hahn,
Geo. F. Meyer,

Henry Schnull,
J. H. Vajen,
And 9 others.

Which was referred to the Committee on Streets and Alleys.

Dr. Woodburn introduced special ordinance No. 10--1869, entitled :

AN ORDINANCE to provide for grading and graveling St. Clair street, between Tennessee and Mississippi streets.

Which was read the first time.

Dr. Woodburn offered the following motion :

That the City Clerk report the amount expended by the city for expenses caused for relieving this city from the draft, also amount expended for relief of soldiers' widows, wood for the poor, and also amount expended for paying for substitutes for citizens of this city, also interest paid on war debt to date.

Which was adopted.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Feb. 22, 1869.

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

The undersigned would respectfully show, that they are the lessees of, for a term of over three years, and now occupying room No. 100 East Washington street, Indianapolis, from Washington street to the alley adjoining, and North on Delaware street, That they need for the full and profitable enjoyment of said premises, an outside stairway ascending to the second story over said premises.

They further show that there is no other passway to the front offices over 98 and 100 East Washington street, except by said stairway, and that no one will be injured in any way, and that the erection of the same will not in any way interfere with the rights of any other parties: Wherefore they ask that they may be permitted to erect a stairway of the width of three feet on Delaware street, beginning about 10 feet distant from the corner of No. 100 East Washington street ascending to the 2d floor of said premises.

Respectfully submitted,

J. C. GREEN & CO.

Which was referred to the Committee on Streets and Alleys.

Dr. Woodburn offered the following motion :

That the seat of A. P. Stanton be declared vacant, as he has removed from the Fourth Ward.

Mr. Henschen having arrived since the first roll-call, moved to lay the motion on the table.

Mr. Seidensticker desired a direct vote upon the motion.

Which was taken and lost.

Dr. Woodburn moved to reconsider the vote just taken on his motion.

Mr. Coburn moved to lay the motion to reconsider on the table.

Which was adopted.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Feb. 22, 1869.

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

GENTLEMEN:—The undersigned represents that on driving a loaded wagon over the gutter at the crossing of Tennessee and Market streets, he broke a wheel and was damaged to the amount of \$4.50 thereby. He asks that he may be reimbursed for the damages. The accident happened on last Saturday.

Very respectfully,

WILLIAM BOWMAN.

Which was referred to the Committee on Streets and Alleys.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, March 8, 1869.

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

GENTLEMEN:—The undersigned would respectfully represent that she is the owner of lot No. 14, square No. 8, of this city, situated on the east side of Mississippi street between Vermont and Michigan streets, and that three-fourths of said lot was assessed to her for the year 1868 in the sum of thirteen hundred dollars, the tax on which she has paid, amounting to sixteen dollars and twenty-five cents. The remaining one-fourth of said lot was assessed in the sum of six hundred dollars to Samuel Delzell on which the tax is unpaid, and for which she is responsible, making the whole assessment on said lot nineteen hundred dollars, which is more than the said lot is worth if the title was perfect, which is not the case. She therefore respectfully requests that the assessment on said lot be reduced to the actual worth of the premises, and that she be allowed an order upon the Treasurer for the amount overpaid. The assessment for 1867 on the whole of said lot was one thousand dollars.

Very respectfully,

CLARISSAH HURD.

Which was referred to the Committee on Finance.

Mr. MacArthur offered the following motion :

That the City Clerk be instructed to readvertise for bids for the grading and graveling of the east sidewalk of Ellen street between North street and Indiana Avenue, the contractor to whom the contract was awarded being dead.

Which was adopted.

Mr. Seidensticker offered the following motion :

That the Civil Engineer be requested to notify Mr. Robinson, the contractor for digging the new channel of Pogue Run, to go on with his work immediately.

Which was adopted.

Mr. Geisel from the Committee on Benevolence presented the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING FEBRUARY 20, 1869.

Number of patients in Hospital at last report.....	25
Number of patients received in Hospital since last report	2
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	23

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING FEBRUARY 27, 1869.

Number of patients in Hospital at last report.....	23
Number of patients received in Hospital since last report.....	3
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report.....	0
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report.....	27

Also, the following :

RECAPITULATION OF THE MONTHLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING FEBRUARY 28, 1869.

Number of patients in Hospital at last report.....	23
Number of patients received in Hospital since last report.....	13
Number of patients born in Hospital since last report.....	3
Number of patients discharged from Hospital since last report.....	12
Number of patients died in Hospital since last report.....	1
Number of patients remaining in Hospital at present report.....	26

Also, the following :

RECAPITULATION OF THE MONTHLY REPORT OF EXPENDITURES OF THE CITY HOSPITAL, ENDING FEBRUARY 28, 1869.

Total expenditures for the month.....	\$464 38
Aggregate number of days for which subsistence, etc., was furnished.....	732
Average expense per capita per diem.....	0.63

Which were received.

Also special appropriation ordinance No. 9—1869, appropriating money for the payment of sundry claims on account of the City Hospital for the month of February 1869.

Which was read the first time.

Dr. Jameson from the Committee on Finance made the following report :

INDIANAPOLIS, March 7, 1869.

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

GENTLEMEN:—The Committee on Finance beg leave to report in case of petition of J. M. W. Langsdale in behalf of Langsdale and Hamilton, in reference to refunding of certain purchase money paid for real estate used for school purposes, that in the opinion of said Committee the amount actually paid by said parties should be refunded with six per cent. interest per annum from the time of said purchase, *Provided*, said amount should not exceed \$370.82, and that the Auditor be directed to prepare an ordinance appropriating this amount in favor of said claimants.

P. H. JAMESON, }
C. F. SCHMIDT, } Committee.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, Feb. 22, 1869.

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

GENTLEMEN:—I would respectfully report that there are on file in my office the following affidavits for the collection of street assessment by precept as follows:

Henry Helm vs. Peter Kretsch for \$176.48.
 “ “ vs. H. A. Fletcher Jr. for \$1,124.26.
 “ “ vs. Benedict Fisher for \$176.48.
 Cowgill and Huffington vs. Solomon Fox for \$15.30.
 “ “ vs. J. Maloney for \$16.05.
 James Mahoney vs. Philip Brown's heirs for \$206.54.
 “ “ vs. Edward Cain for \$18.29.
 “ “ vs. Edward Kendrick for \$11.40.

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

Respectfully submitted,

DAN. M. RANSELL, City Clerk.

Which was concurred in.

The Chief Fire Engineer made the following report :

INDIANAPOLIS, Feb. 22, 1869.

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

I herewith submit a statement of the expenses of the Fire Department for the quarter ending Feb. 17, 1869:

Amount paid for salaries.....	\$3,950 45
Other expenses.....	829 09
Total.....	\$4,777 54
Total expenses from May 18, 1868 to Feb. 17, 1869.....	\$19,859 15

Respectfully submitted,

CHARLES RICHMANN, Chief Fire Engineer.

Which was concurred in.

The Market Master made the following report :

INDIANAPOLIS, Feb. 20, 1869.

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

GENTLEMEN:—I would respectfully present the following:

1. The receipts from the East and West Market Houses, up to the present date, amount to \$1,178.94, as shown by the City Treasurer's books. The greater proportion of this has been collected from the East Market—the West, not amounting to one-fifth, nor even one-tenth of the total receipts. Between this and the first of June next, additional receipts of money for permits, &c., can be estimated at (at least) fifty dollars; which will swell the entire proceeds to \$1,228.94.

The above estimate of receipts from the markets for the year ending June 1, 1869, will fall rather below than above the amount estimated; and had the year been more favorable for the renting of stall, the receipts would have shown a healthy increase over that of any preceding year.

I would respectfully recommend to your honorable body that the East Market House (or shed) and square be immediately placed on a war footing. The grounds are in a deplorable condition. The grading of Wabash street and sidewalks, between Alabama and Delaware streets, instead of improving that section, only made it worse, as the filling up of that street throws all the drainage upon the Market square. I can see no permanent remedy for this unless the North sidewalk of the market is widened out to 25 feet, planked

on entire side by a good oak curb; the intervening space between it and Wash street graded and graveled, and the whole drained by a gutter emptying into Delaware street. The sidewalk should be graveled with pit gravel, as that will beat down quicker than river.

The market square proper should also be regraded and graveled in such places as is needed.

Upon the opening of the Spring trade, I shall need some new benches. Quite a number this winter have been abstracted from both market houses. I can only account for their absence by a scarcity of fuel in regions thereabout.

The West Market House must be either rebuilt or trussed up, or else it will fall by its own weight. I leave that matter in your hands without any recommendation; simply advising that during the coming year the rents of stalls, benches, &c., be increased to half the rates in the East Market.

By direction of the Common Council in July last, a Saturday afternoon Market was established in the west end, which during the summer and fall months, was unanimously commended and patronized by the citizens of that part of the city. During the winter it has maintained a sickly existence, while the morning markets died out entirely. There is a prospect of the revival of both during the coming month.

2. I would earnestly recommend the stoppage of the sale of cut meats on the outside of the market houses. I make this recommendation not to serve any personal end, but simply from a financial point of view. After the first of next June, if this is not done, not a bench or stand will be sold. The gardeners, who now own benches, claim that the crowd is now attracted to the north side of the market, and that they are going there also. The same is said by gardeners renting posts on the south side. The ordering of all butchers selling cut meats to the inside of the market houses will not advance the price of meat one cent, will place all upon a common level, and will add materially to the finances of the city. An examination will disclose (I think,) this fact clearly to the mind of all the Councilmen.

I herewith submit the following ordinance.

All of which is respectfully submitted.

GID. B. THOMPSON, *Market Master.*

Which was referred to the Committee on Markets.

By consent Mr. MacArthur presented the following petition:

INDIANAPOLIS, March 8, 1869.

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

By an act of the Common Council there was a lamp post erected in front of my property on South Illinois street, west side, between Maryland and Georgia streets. For said lamp and post I was compelled to pay the sum of twenty five dollars. Now as they have discontinued the lighting of said lamp and removed the same, I ask that the said twenty-five dollars be refunded to me.

Very respectfully,

E HOWARD.

Which was received.

ORDINANCES ON SECOND READING.

Special ordinance No. 7—1860, was called up and read the second time and after being amended by Mr. Cottrell, was ordered to be engrossed.

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

Special appropriation ordinance No. 9—1869.

Special ordinance No. 2—1869.

General ordinance No. 169—1868.

On motion special ordinance No. 6—1869, was referred to the Judiciary Committee and City Attorney.

ORDINANCES ON THIRD READING.

Special appropriation ordinance No. 7—1869 was called up and read the third time and placed upon its passage.

The question being shall the ordinance pass? those who voted in the affirmative were Councilmen Coburn, Cottrell, Goddard, Henschen, Jameson, MacArthur, Schmidt, Seidenstickr, Stanton and Woodburn—10.

No Councilman voting in the negative.

So the ordinance passed.

General ordinance No. 169—1868, entitled :

AN ORDINANCE repealing an ordinance creating the office of City Judge and regulating the duties thereof, and all ordinances amendatory or supplementary thereto

Was called up and read the third time and placed upon its passage.

The question being shall the ordinance pass? those who voted in the affirmative were Councilmen Coburn, Cottrell, Goddard, Henschen, Jameson, MacArthur, Stanton and Woodburn—8.

Those who voted in the negative were Councilmen Schmidt and Seidensticker—2.

So the ordinance passed.

On motion by Dr. Jameson, the vote by which action was deferred for one week upon the petition of Henry Helm, was reconsidered, and on motion the petition was received and the precepts reported by the Clerk were ordered to be issued.

Mr. Goddard offered the following motion :

That a culvert be built at the crossing of McCarty and Tennessee streets on the east side of Tennessee street.

Which was adopted.

On motion the Council adjourned.

DANIEL MACAULEY, *Mayor.*

ATTEST :

D. M. RANDELL, *City Clerk.*