

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, SEPTEMBER 18TH, 1865, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members at first roll-call :

Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Loomis, MacArthur, Staub and Thompson—13.

Absent—Councilmen Fletcher, Jameson, Lefever, Schmidt and Seidensticker—5.

The proceedings of the regular session, held September 11th, 1865, and of the adjourned session held September 12th, 1865, were read and approved.

By Mr. Brown—Petition :

INDIANAPOLIS, September 18, 1865.

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

GENTLEMEN :—The undersigned, in behalf of the heirs of Francis A. Costigan, deceased, asks the privilege of building a cistern in the alley adjoining the Oriental House on the south, to hold from 200 to 300 barrels, and pledges himself that the same shall be so constructed that it will be no obstruction to the alley, and in such manner that it can be used by the Fire Department.

D. S. BEATY, *Adm'r.*

On motion, the prayer of the petitioner was granted, provided the work be done under the direction of the Civil Engineer.

By Mr. Staub—Petition :

INDIANAPOLIS, Sept. 18, 1865.

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

We, the undersigned property owners on Winston street, between Ohio street and the north line of out-lot 45, agree to have pit gravel on said street instead of river or creek gravel, in consideration of a deduction of 40 cents per cubic yard.

John Helm,
Levie Marshall,
J. E. Ludlum,

David Paul,
Henry Aufderkeille,
And 55 others.

Which, on motion of Mr. Staub, was laid upon the table.

By Mr. Brown—Petition :

INDIANAPOLIS, September 18, 1865.

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

We, the property holders and tax payers on South Illinois street, respectfully remonstrate against the Sewer from the Palmer House, at present running through the sidewalk. We respectfully petition the City Council of the City of Indianapolis to have the curbing and pavement put down solid, and that the present sewer at the Palmer House be no longer allowed, as it is an injury to our property, and puts our health and lives in danger.

J. F. Ramsay,
J. H. Roll,
H. F. Jennings,

E. A. Hardy,
G. W. Goodhue,
And 7 others.

Which, on motion, was referred to the Board of Public Improvements.

By Mr. Grosvenor—Petition :

INDIANAPOLIS, Sept. 18, 1865.

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

The undersigned respectfully petitions that the lamp post on Meridian street, below Georgia—that was taken up when his block was commenced—be permitted to be re-set about twenty-five feet north from its original location and placed in the front centre of his block.

Respectfully submitted,

E. S. ALVORD.

Which, on motion, was referred to the Committee on Gas.

By Mr. Brown—Communication :

INDIANAPOLIS, Sept 18, 1865.

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

This Indenture, made this September 18th, 1865, witnesseth, that James M. Ray and Sophia P. Ray, his wife, hereby grant, donate and convey to the city of Indianapolis, forever, for a public alley of the city, the following real estate in said city, to-wit: Twelve feet in width on the west side of Delaware street front, south of a line parallel with the north line of Georgia

street, extended across the east half of block ninety eight (98) one hundred and eighty-five (185) feet, the same width of twelve feet.

IN WITNESS WHEREOF, The said James M. Ray and Sophia P. Ray, his wife, hereto set their hands and seals.

JAMES M. RAY,
SOPHIA P. RAY. [SEAL.]

INDIANA, TO-WIT, }
MARION COUNTY. }

Before me, Kells H. Boland, a Notary Public in and for said county, personally came James M. Ray and Sophia P. Ray, his wife, and acknowledged the above as their act and deed.

Given under my hand and notarial seal this September 18, 1865.

[SEAL.]

KELLS H. BOLAND,
Notary Public.

Which, on motion, was referred to the Committee on Streets and Alleys.

Dr. W. Clinton Thompson introduced special ordinance No. 71, entitled:

AN ORDINANCE to provide for furnishing and erecting lamp-posts, lamps and fixtures on Illinois street, between the north side of St. Clair street and the Corporation line north.

Which was read the first time, and, on motion, was read the second time.

Mr. Brown introduced general ordinance No. 17, entitled:

AN ORDINANCE supplemental to an ordinance authorizing the construction, extension, and operation of certain Passenger Railways, in and upon the streets of the City of Indianapolis, passed January 18th, 1864.

Which was read the first time, and, on motion, was read the second time.

Mr. MacArthur moved to lay the ordinance upon the table.

Pending which, the ayes and noes were called for.

The question being on laying the ordinance upon the table, those who voted in the affirmative were Councilmen Loomis, MacArthur, Schmidt and Staub—4.

Those who voted in the negative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes and Thompson—10.

So the ordinance was not laid upon the table.

Mr. Brown then moved that the rules be suspended and the ordinance read the third time and placed upon its passage.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes and Thompson—9.

Those who voted in the negative were Councilmen Grosvenor, Loomis, MacArthur, Schmidt and Staub—5.

So the rules were not suspended, there not being a two-thirds vote in the affirmative, as required by rule number 26.

On motion of Mr. Coburn, the ordinance was then referred to the Committee on Streets and Alleys.

Mr. Loomis introduced the following ordinance :

AN ORDINANCE directing the City Marshal to purchase a sufficient number of Settees for the use of the Lobby of the Council Chamber of the City of Indianapolis, and appropriating money therefor.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the Marshal is hereby directed to purchase a sufficient number of Settees for the use of the Lobby of the Council Chamber of the City of Indianapolis.

SEC 2. The sum of seventy-five dollars is hereby appropriated to pay for the same to the person from whom said Marshal may purchase said chairs.

SEC. 3. This ordinance shall take effect and be in force from and after its passage.

Ordained and established this 18th day of September, 1865.

J. CAVEN, *Mayor.*

Attest:

C. S. BUTTERFIELD, *City Clerk.*

Which was read the first time, and, on motion, was read the second time.

Mr. Loomis then moved that the rules be suspended and the ordinance read the third time, and placed upon its passage.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Loomis MacArthur, Schmidt, Staub and Thompson—14. Noes none.

So the rules were suspended, and the ordinance read the third time, and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Loomis MacArthur, Schmidt, Staub and Thompson—14. Noes, none.

So the ordinance passed.

By Mr. Coburn, from the Committee on Accounts and Claims :

INDIANAPOLIS, September 18, 1865.

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

GENTLEMEN:—The Committee on Accounts and Claims report the following ordinance allowing accounts for the month ending on the 18th day of September, 1865, and respectfully recommend the passage of the same.

HENRY COBURN,
J. HENRY KAPPES,
W. CLINTON THOMPSON, } Committee.

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

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the following named persons be allowed the amounts set opposite their respective names from any moneys in the City Treasury not otherwise appropriated, as follows, to-wit:

Frederick Richter, repairing Washington street culvert-bridges	\$1,065 00
David Mahony, Street Improvements	172 75
Michael Shea, Street Improvements.....	211 40
John Stumph, Street Improvements.....	88 16
John Stumph, Street Improvements.....	3,471 00
August Richter, Street Improvements.....	536 82
John Tritter, Street Improvements	28 33
John M. Kennedy, Street Improvements.....	866 85
Otto Christman, Specific.....	14 25
Clemens Vonnegut, Street Repairs.....	35 50
Thomas A. Loyd & Co., Street Improvements.....	1 50
Thomas A. Loyd & Co., Pest House.....	3 45
Bowen, Stewart & Co., Books and Stationery	17 40
J. H. Vajen & Co., Street Improvements	20 00
Michael Shea, Street Improvements.....	15 00
Alexander Wood, Street Improvements	60 00
C. E. Whitsit, Street Improvements.....	146 22
C. E. Whitsit, Street Improvements.....	86 03
William H. Craft, Percentage, Interest, &c.....	657 16
Osgood & Smith, Street Improvements.....	40 00
Gates & Lemon, Fire Department.....	69 70
Josiah Smith, Fire Department.....	10 90
H. Hemholter, Fire Department	5 60
Charles Richmann, Fire Department.....	20 25
Samuel M. Scibert, Fire Department.....	16 50
J. & W. C. Burk, Fire Department.....	40 00
Sulgrove, Reynolds & Co., Fire Department.....	10 60
Sulgrove, Reynolds & Co., Fire Department.....	18 00
Sulgrove, Reynolds & Co., Fire Department	8 60
Samuel Raymond, Fire Department.....	15 90
Browning & Sloan, Fire Department.....	18 73
J. H. Vajen & Co., Fire Department.....	19 84
Coburn & Jones, Fire Department.....	28 59
Wm. J. H. Robinson, Jail Expenses	1,301 00
Thomas Wren, Street Improvements.....	256 81
Total.....	<u>\$9,377 84</u>

RECAPITULATION.

Street Improvements—City's portion of sundry estimates, &c.	\$6,000 87
Jail Expenses—Boarding City Prisoners.....	1,301 00
Bridges—Repairs on Arch over Pogue's Run, on Washington street.....	1,065 00
Percentage—Allowed City Treasurer.....	593 79
Fire Department—For Sundries.....	283 21
Interest on City Orders—Paid by City Treasurer.....	53 62
Street Repairs—Sundries by Kemper.....	35 50
Specific—Sundries.....	21 75
Books and Stationery—Sundries by Civil Engineer.....	17 40
Pest House—Sundries by Dr. Mears.....	3 45
Interest on Loan from Banks—Paid by City Treasurer.....	2 25
Total	<u>\$9,377 84</u>

SEC. 2. The City Clerk is hereby authorized and directed to issue warrants upon the City Treasury to the persons above named, and for the amounts as set forth in section first of this ordinance.

SEC. 3. This ordinance shall take effect and be in force from and after its passage.

Ordained and established this 18th day of September, 1865.

JOHN CAVEN, *Mayor.*

ATTEST:

C. S. BUTTERFIELD, *City Clerk.*

Which was read the first time, and, on motion, was read the second time.

Mr. Kappes then moved that the rules be suspended and the ordinance read the third time, and placed upon its passage.

The question being, on the suspension of the rules those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Loomis, MacArthur, Schmidt, Staub and Thompson—14. Noes, none.

So the rules were suspended and the ordinance read the third time.

The question then being, shall the ordinance pass? those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Grosvenor, Kappes, Loomis MacArthur, Schmidt, Staub and Thompson—14. Noes, none.

So the ordinance passed.

By Mr. Emerson, from the Committee on Bridges:

INDIANAPOLIS, September 18, 1865.

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

GENTLEMEN:—The Committee on Bridges beg leave to report that North street bridge is in a dangerous condition and should be rebuilt immediately.

Also, Market street bridge, which was reported upon some three months since. Market street bridge wants to be raised and a new bent put under each end and re-covered with new plank. North street bridge should be a new bridge entire.

Your Committee would recommend that the Civil Engineer advertise for proposals for the construction of the two bridges mentioned at once.

All of which is respectfully submitted.

R. B. EMERSON, }
WM BOAZ, } *Committee*

Which, on motion, was concurred in, and the Civil Engineer instructed to advertise for sealed proposals.

Mr. Colley, from the Committee on Revision of Ordinances, introduced general ordinance No. 18, entitled :

AN ORDINANCE authorizing the Cincinnati, Indianapolis and Danville Railroad Company to construct a track through the City of Indianapolis, and prescribing the terms thereof.

Which, was read the first time by its title.

The ordinance now being on its second reading.

Mr. Loomis moved to amend by striking out paragraph 8 of the second section, and inserting in lieu thereof, the following :

"8.—That the Cincinnati, Indianapolis and Danville Railroad Company shall not discriminate in the rates charged on all freights per mile, as between Danville, Illinois, and Cincinnati, Ohio, and to the detriment of Indianapolis."

Pending which amendment, Mr. Brown moved that the ordinance and amendment be laid over until the next regular meeting of Council, and that the Clerk be directed to have the same printed

Which motion prevailed.

From the Civil Engineer—Report :

INDIANAPOLIS, September 18, 1865.

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

The Civil Engineer respectfully reports to the Council :

1st. A profile of McCarty street, between East street and Virginia Avenue, for your approval.

2d. That C. E. Whittsett, the contractor for grading and paving the east sidewalk on Pennsylvania street, between St. Clair street and the Corporation line north, has completed the same according to contract, and an estimate is herewith reported in his favor for your approval.

3d. That Martin L. Coyner has filed his contract and bond with me for the improvement of Vermont street and north sidewalk, between Pennsylvania and Meridian streets, but has neglected to put on the necessary stamps. I presume he will attend to it when he gets out. I have been informed that he is confined to his house by sickness.

At the last meeting of the Common Council the Civil Engineer was instructed to report an ordinance for lighting the east and west ends and south side of East Market House.

The Civil Engineer would respectfully recommend that the Civil Engineer be instructed to advertise for the erection of a sufficient number of lamp posts at the above named points; such lamps and posts to be erected under the direction of the Civil Engineer and Board of Public Improvements, as the city will have to pay the whole bill for the erection of the same.

JAMES WOOD, *Civil Engineer.*

On motion, so much of the Engineer's report as relates to the profile of McCarty street was, together with the profile, referred to the Committee on Streets and Alleys.

By Mr. Coburn :

Resolved, That the first and final estimate, as reported and certified to by the Civil Engineer, in favor of C. E. Whitsit for grading and paving the side walk on the east side of Pennsylvania street, between St. Clair street and the corporation line north, be and the same is hereby adopted as the estimate of this Council, and the owners are hereby required to pay the sums set opposite their respective names.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Loomis, MacArthur, Schmidt, Staub and Thompson—14. Noes, none.

So the resolution passed.

No. 3 received

On motion so much of the report as relates to lighting the east market square with gas, was concurred in, and the Civil Engineer instructed to advertise for sealed proposals for the erection of a sufficient number of gas posts at both the East and West Market Houses to light the same, as in his judgement may be best.

From the City Treasurer—Report:

INDIANAPOLIS, September 18, 1865.

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

The City Treasurer would respectfully submit the following monthly report of Receipts and Disbursements from August 1st to September 12, 1865, inclusive:

RECEIPTS.

To balance from last report.....	\$2,328 00
Current tax collected.....	555 80
Delinquent tax collected.....	2,626 81
From Mayor Caven, jail fees.....	3,161 75
From Mayor Caven, fines.....	2,412 47
From City Clerk, licenses.....	1,913 00
From Market Master, rents.....	119 50
Total.....	<u>\$10,789 33</u>

DISBURSEMENTS.

For street improvements.....	\$329 60
Fire Department.....	630 19
Police.....	510 25
Salary.....	501 90
Specific.....	67 00
Lincoln funeral decoration.....	81 71
Street repairs.....	950 00
Elections.....	6 00
Jail expenses.....	97 05
Cemetery.....	26 00
Balance to next report.....	7,589 63
Total.....	<u>\$10,789 33</u>

WM. H. CRAFT, *City Treasurer.*

Which, on motion, was accepted and approved.

From the City Treasurer—Report :

INDIANAPOLIS, Sept. 18, 1865.

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

The City Treasurer would respectfully submit the following quarterly report of Receipts and Disbursements from May 10, 1865, to September 12, 1865, inclusive :

RECEIPTS.

Delinquent tax collected.....	\$5,752 85
From Mayor Caven, fines.....	4,412 47
From Mayor Caven jail fees.....	3,161 75
From City Clerk, licenses.....	1,913 00
From J. K. English, former Treasurer.....	639 20
Current taxes collected.....	555 80
From Mayor Caven, proceeds of old decorations.....	184 20
Market Master, rents.....	119 50
From City Marshal, sale of hogs.....	43 79
From printing on precepts.....	10 50
Total.....	<u>\$16,793 06</u>

DISBURSEMENTS.

Interest on loan from banks.....	\$1,600 00
Fire Department.....	1,295 62
Salary.....	1,026 40
Street repairs.....	950 00
Police.....	901 15
Street improvements.....	335 10
Lincoln funeral decorations.....	226 21
Specific.....	172 00
Pest house.....	100 00
War Fund, substitutes.....	100 00
Jail expenses.....	97 05
Cemetery.....	26 00
Elections.....	20 00
Costs.....	14 40
Wood for poor.....	10 00
Books and Stationery.....	1 50
Balance to next report.....	9,917 63
Total.....	<u>\$16,793 06</u>

WM. H. CRAFT, *City Treasurer.*

Which, on motion, was accepted and approved.

From the City Marshal—Report :

INDIANAPOLIS, September 18, 1865.

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

The Marshal would report that in accordance with the resolution passed at the last session of your honorable body, I have employed ——— McClain to remove dead animals from the city at the following wages: Sixty dollars for the first month and fifty per month thereafter.

He would also report that he has removed the shanty in the first alley east of Noble and fronting Bates street, as directed.

Respectfully submitted,

JOHN UMVERSAW, *City Marshal.*

Which, on motion, was accepted and approved.

Mr. MacArthur moved—

That the Street Commissioner be ordered to clean the gutters of Indiana Avenue north-west of North street. Also, the gutters on West and California streets.

Which, on motion, was referred to the Board of Public Improvements.

Mr. Allen moved—

That the contractors for grading and graveling Georgia or Bates streets be permitted to use so much of the surplus earth as may be necessary to fill a pond on the lot of Dennis Kane at the intersection of said streets and caused by the fill on Bates street—the stagnant water in the pond being the occasion of much sickness in families living in its vicinity.

Which, on motion, was referred to the Board of Public Improvements.

Mr. Glazier moved—

That the Market Master be allowed to pay the bills for work on Market Square out of funds collected for sale of stands.

Which motion prevailed.

Mr. Grosvenor moved—

That the Street Commissioner be ordered to bridge the gutter on the West side of West street, at the intersection of Maryland street with West street.

Which motion was adopted.

Dr. W. Clinton Thompson moved to reconsider the vote referring general ordinance No. 17, to the Committee on Streets and Alleys.

Which motion prevailed.

Mr. Brown then moved that the vote on the suspension of the rules for a third reading of said general ordinance No. 17, be reconsidered, but which failed to suspend for want of a two-thirds vote.

Which motion prevailed.

The ordinance then being on the second reading,

Dr. W. Clinton Thompson then moved that the rules be suspended and the ordinance read the third time, and placed upon its passage.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Loomis, Schmidt, Staub and Thompson—13.

Councilman MacArthur voting in the negative—1.

So the rules were suspended.

Special ordinance No. 17, as follows :

AN ORDINANCE supplemental to an ordinance authorizing the construction, extension, and operation of certain Passenger Railways in and upon the streets of the City of Indianapolis, passed January 18th, 1864.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the National Road within the limits of the City of Indianapolis, from the point where it intersects West Washington street, west to the east end of the Bridge across White River, on said National Road, is hereby adopted by the City and declared one of the streets of the City of Indianapolis, under the name of the National Road Street.

SEC. 2. Consent, permission and authority are hereby given, granted and vested unto the Citizens' Street Railway Company of Indianapolis, and their successors, to lay, construct and operate a single or double track for passenger railway lines, with all the necessary and convenient tracks for turn-outs, side tracks and switches, in, upon and along said National Road Street from its intersection with West Washington street to the east end of the Bridge across White River, in the City of Indianapolis.

SEC. 3. It is hereby declared to be the true intent and meaning of an ordinance passed January 18, 1864, entitled "An Ordinance authorizing the construction, extension and operation of certain passenger railways in and upon the streets of the City of Indianapolis," to give to the said Citizens' Street Railway Company, and their successors, permission, consent and authority to lay, construct and operate a single or double track for passenger railway lines, with all necessary and convenient tracks for turn-outs, side tracks and switches, in, upon and along the course of all streets or roads within the corporate limits of the City of Indianapolis, whether named in said ordinance or not: and consent, permission and authority are hereby given, granted and duly vested in said Citizens' Street Railway Company, to lay, construct and operate such tracks in, upon and along the course of all the streets and roads of the City of Indianapolis, together with all streets that may be laid off, or that are now laid off and may be hereafter included in the city by the extension of the corporate limits of the City of Indianapolis.

SEC. 4. That in laying, constructing and operating said track and road on said National Road Street, and all other streets and roads, the said Citizens' Street Railway Company shall be governed by the provisions of said ordinance hereinbefore named, passed January 18, 1864.

SEC. 5. This ordinance shall take effect and be in force from and after its passage.

Ordained and established this 18th day of September, 1865.

JOHN CAVEN, *Mayor.*

Attest.

C. S. BUTTERFIELD, *City Clerk.*

Was then read the third time, and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Loomis, Schmidt, Staub and Thompson—13.

Councilman MacArthur voting in the negative—1.

So the ordinance passed.

Mr. Allen asked and obtained leave to present the following petition :

INDIANAPOLIS, September 16, 1865.

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

We the undersigned would respectfully pray your honorable body to abate a nuisance that is being perpetrated by the Indianapolis and Cincinnati Railroad Company in building hog pens on Louisiana street inside of the corporate limits of the city, immediately around and adjoining the property of the undersigned. While we respect the rights of the Railroad Company we also have some regard for our own.

Henry Hossman,	J. F. Smith,
Edmonson R. Wood,	Henry Kurtser,
William Hall,	And 26 others.

Mr. Allen moved—

That the City Marshal be, and he is hereby directed, to notify the Indianapolis and Cincinnati Railroad Company not to erect hog or cattle pens inside of the corporation.

Which was adopted.

On motion of Mr. Colley, the Council adjourned.

Present at roll-call on adjournment: Councilmen Allen, Boaz, Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Schmidt, Staub and Thompson—15.

JOHN CAVEN, *Mayor.*

ATTEST :

C. S. BUTTERFIELD, *City Clerk.*