

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
MONDAY, JULY 23D, 1866, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

His Honor, the Mayor, John Caven, President of the Council, and Hon. Sims A. Colley, President *pro tem.* being absent, Mr. Brown moved that Mr. Seidensticker take the chair and call the Council to order.

Which motion was adopted.

Present at first roll call, Councilmen Allen, Brown, Coburn, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Staub and Thompson—15.

Absent—Councilmen Colley, Kemker and McNabb—3.

By Dr. Jameson Petition :

INDIANAPOLIS, July 23, 1866.

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

The undersigned petitioners respectfully ask permission to grade and gravel the alley adjoining their premises, running north and south through the south half of out-lot No. 178; the grade to be fifteen inches, and the gravel nine inches.

F. A. Lehr,  
J. R. McKibben,  
Andrew Fisher,

A. H. Turner,  
Miller & Dial,  
And 3 others.

On motion of Dr. Jameson, the prayer of the petitioners was granted and the Civil Engineer directed to set the grade stakes.

By Mr. Loomis—Petition :

INDIANAPOLIS, July 23, 1866.

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

Your petitioner, William Stolte, respectfully represents to your honorable body that he, together with Adolph Stolte, is the owners of lots Nos. 7, 8 and 9, in Stolte's subdivision of the south half of out-lot No. 101 of the City of Indianapolis; that upon the occasion of the opening and laying out of Water street, from Stevens street through the south half of out-lot 101, the Commissioners charged with the duty of laying out said Water street, assessed against your petitioner and said Adolph Stolte the sum of \$43.75 for each of said lots 7, 8 and 9, as benefits supposed to result to said owners from the laying out of said Water street. He also states that he is the owner of lot No. 6 in the same subdivision of the south half of out-lot No. 101; that the same adjoined Water street, and that your petitioner was assessed for supposed benefits to that lot (No. 6) to the amount of \$43.75, which he has paid; that the other lots, to wit: Nos. 7, 8 and 9, do not adjoin Water street, that they are not benefited or increased in value by the laying out of Water street one cent, or any greater amount; that there was an outlet for said lots, both in front and rear, for all necessary and convenient purposes before said Water street was laid out, and that the laying out of Water street does not add anything in the way of convenience for an outlet. He further says that precepts have been issued to the City Treasurer to collect said assessments, and the Treasurer has advertised that unless said assessments shall be paid within twenty days after the publication shall have been made for three weeks, he will proceed to sell said lots. Your petitioner further says that inasmuch as the laying out of Water street was not in any manner required for the benefit of said lots Nos. 7, 8 and 9, no assessment ought to be made against the owners for any such supposed benefits, but as the street must have been laid out for the use of the public generally, or to benefit other property, the expenses for which the assessment was made should have been paid by a public tax, or by assessment on property benefited, and not by private assessments upon said lots 7, 8 and 9, against the petitioner. And since the matter is under the control of your honorable body, he prays that his petition may be favorably considered, and that he may be released from said assessment.

WM. STOLTE.

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

By Dr. Jameson—Communication :

INDIANAPOLIS, July 23, 1866.

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

City of Indianapolis,	To I. Hodgson, Architect,	Dr.
July 6, 1866—To design in sketch and estimate of City Prison,		\$50 00

Which, on motion, was referred to the Committee on Accounts and Claims, with instructions to embrace same in next ordinance allowing accounts.

By Mr. Allen—Remonstrance :

INDIANAPOLIS, July 23, 1866.

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

The undersigned property owners would respectfully remonstrate against the grading and graveling of west side of Virginia Avenue, between Cedar

and Elk streets, as the same is now graded and graveled and in good condition, and such further improvement would be useless.

H. H. Rosebrock,	David Hoss,
John Brenimeire,	Christ. Iske,
Henry Rodewald,	And 2 others.

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

Dr. Jameson moved that the Council now proceed to elect a City Civil Engineer.

Which motion was adopted.

The chair appointed Councilmen Allen and Grosvenor as tellers.

The following gentlemen were placed in nomination for the office of City Civil Engineer :

JAMES B. CUNNINGHAM,  
 JAMES W. BROWN,  
 JOSHUA STAPLES, JR.,  
 CHARLES KOSTAR.

The following is the result of the first ballot :

Mr. Cunningham received.....	3	votes.
Mr. Brown " .....	7	"
Mr. Staples " .....	2	"
Mr. Kostar " .....	6	"

There being no choice, neither candidate having received a majority of all the votes cast, as required by the Charter, the Council proceeded to further balloting.

His Honor, the Mayor, John Caven appeared and took his seat as President of the Council.

After five more ballots without a choice, Mr. Allen moved that the the two lowest candidates be dropped.

Which motion was adopted.

Mr. Cunningham and Kostar having the lowest number of votes, on the sixth ballot, were dropped from the list of candidates.

The Council then proceeded to ballott, with the following result on the tenth ballot :

Joshua Staples, Jr., received.....	10	votes.
James W. Brown " .....	8	"

Mr. Staples having received a majority of all the votes cast was declared duly elected to the office of City Civil Engineer, for the unexpired term of the late James Wood, Esq., late City Civil Engineer.

Mr. Emerson moved—

That the contractors on West Washington street be authorized to complete the space left at the bridge, provided they will do the work at the same rate that they do the rest of the street.

Which motion was adopted.

Mr. Seidensticker moved—

That the Civil Engineer be respectfully requested to nominate an Assistant Engineer as soon as possible for the furthorance of the public business, and further, to report as soon as possible estimates for such contractors as have complied with their contracts.

Which motion was adopted.

Mr. Loomis moved that when the Council adjourn, it adjourn to meet on Tuesday, July 24, 1866, at 7½ o'clock P. M.

Which motion prevailed.

Mr. Coburn moved—

That the Civil Engineer be instructed to change the estimate allowed Samuel Patterson for grading and graveling New York street, changing University Square to the City instead of the State of Indiana.

Which motion was adopted.

Mr. Loomis offered the following resolution :

*Resolved*, That the Street Commissioner be, and is hereby, directed to clear the alley at the culvert on McCarty street, so that the water can run off, and not encumber private property, and that he be directed to make the proper culvert under Stevens street.

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

By Mr. Loomis :

*Resolved*, That the Board of Public Improvements be directed to contract for the digging of a ditch to provide for the water below Virginia Avenue, known as Virginia river; the same to be dug without delay, and in the alley, on a direct line with the culvert on Virginia Avenue.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Colley, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—18. Noes, none.

.So the resolution passed.

By Mr. Loomis :

*Resolved*, That Blackford street be opened from New York street to Market street, in accordance with the report of the proper Commissioners, made January 2d, 1865. and on that date approved by this Council; that the City Engineer set the proper stakes and cause the street to be opened in accordance with said report.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Colley, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—18. Noes, none.

So the resolution passed.

Dr. Jameson introduced general ordinance No. 62, entitled :

AN ORDINANCE supplementary to an ordinance, entitled "An ordinance prescribing the duties of City Auditor, and such other officers as are affected by the creation of that office, and regulating other matters connected therewith.

Which was read the first time by its title and laid over.

Mr. Kappes introduced special ordinance No. 79—1866, entitled :

AN ORDINANCE to provide for the paving of the west sidewalk of Delaware street, between Ohio street and St. Clair street,

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

By Dr. Thompson from the Committee on Gas :

INDIANAPOLIS, July 23, 1866.

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

GENTLEMEN:—The Committee on Gas, to whom was referred the subject of Peter Fontaine's gas regulator, to ascertain its merits, have had the same under consideration, and beg leave to make the following statement: Fontaine's gas regulator was placed in the public offices and engine houses by permission of this Council, on the 1st day of June, 1866. The difference in the amount of gas consumed under the use of Fontaine's gas regulator, between June and the preceding month of May, was fifteen hundred feet in favor of the economy of the gas regulator. For May, 8,100 feet; for June, 6,600 feet; difference, 1,500 feet.

The following named gentlemen certify that they have used Mr. Fontaine's gas regulator and find that it saved them from 30 to 40 per cent. in gas consumed, and at the same time it has given them increased brilliancy and steadiness of light. In view of all these facts your committee is quite satisfied in saying that this gas regulator of Mr. Fontaine is altogether meritorious, and worthy of the patronage of our citizens.

W. CLINTON THOMPSON, } Committee.  
C. F. SCHMIDT, }

This is to certify that we, the undersigned, having used Fontain's Gas Purifier and Regulator at our places of business for some time past, find that

it saves us from 30 to 40 per cent. in gas consumed, and that it increases the steadiness and brilliancy of the light. We would cheerfully recommend this patent to the public as doing all, or more than all, that is claimed for it by its inventor.

G. Sindlinger,  
Emil Damon,  
Conrad Spommel,  
George Lebritter,  
Wm. Dell,

R. Reinmun,  
Zimmer Field,  
Benedict Fisher,  
Eugene Renard,  
Charles Duchene.

On motion the report was received.

Dr. Thompson offered the following motion on the subject:

That in the opinion of this Council Peter Fontain's Gas Regulator, on account of its economy in the consumption of gas, its yielding an increased brilliancy and steadiness of light, should be introduced into general use, and that this Council recommend it to the consideration of all gas consumers of Indianapolis.

Which motion was adopted.

On motion of Dr. Jameson, the communication from the City Printer presented at last meeting of Council, was taken from the table and read.

Mr. Seidensticker then offered the following motion:

That the motion requiring the publication of improvement estimates as part of the proceedings by the City Printer be, and is hereby, rescinded, and that the communication from the City Printer be received and laid upon the table, and that the Committee on Printing be directed to continue the printing of the proceedings of Council under the old contract.

By Mr. Loomis, from Select Committee:

INDIANAPOLIS, July 23, 1866.

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

GENTLEMEN:—Your Committee of Condolence, appointed to draft resolutions expressive of the feelings of the Council in reference to the late sudden decease of James Wood, late Civil Engineer, ask to report the accompanying resolutions.

Respectfully submitted,

W. H. LOOMIS,  
AD. SEIDENSTICKER,  
W. CLINTON THOMPSON, } Committee.

WHEREAS, It has pleased God, in the mysterious dispensation of His divine providence, to suddenly take from our midst, while in the active performance of the duties of life, JAMES WOOD, Esq., late Civil Engineer of the City of Indianapolis, who departed this life on the morning of the 19th of July, 1866; therefore,

*Resolved*, That the Common Council of Indianapolis bear cheerful testimony to his uniform kindness and gentlemanly deportment both as an enterprising citizen and as a public officer, who held for many years the responsible position of City Civil Engineer, which office his father had held before him.

2. *Resolved*, That we deeply sympathise with the sorrowful and afflicted family of our departed friend in this the hour of their great bereavement, and that with them we mournfully bow to the will of Him who hath given and who hath taken away, believing that He loveth those whom He chasteneth, and that He doeth all things well.

3. *Resolved*, That these resolutions be entered upon the records of the Council, and that the City Clerk be directed to forward an authenticated copy of the same to the family of the deceased.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Colley, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—18. Noes, none.

So the resolution passed.

On motion of Mr. Seidensticker the sealed proposals received by the Council were referred to the Board of Public Improvements.

Mr. Coburn called up the following ordinance :

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 :

Jesse M. Vanblaricum, one month and six days' salary as Chief of Police, at fifteen hundred dollars per annum .....	\$150 00
Wm. Hollenbeck, services at the City Hospital, as per bill rendered ...	23 00
Indianapolis Gas Light and Coke Company, for gas furnished City Street Lamps, Engine Houses, and City Offices .....	1,311 68
Indianapolis Gas Light and Coke Company, Internal Revenue on gas for gas consumed in June, 1866 .....	104 93
Indianapolis Gas Light and Coke Company, for one load of Coke for City Auditor's Office .....	4 00
Todd, Carmichael & Williams, Stationery for City Treasurer's office...	35 40
Hume Adams & Co., Paper furnished to paper the City Treasurer's Office .....	13 10
William Deitrich, services as Clerk at Special Election in 6th Ward...	4 00
John S. Johnson, services as Clerk at Special Election held in 6th Ward	4 00
John S. Russell, services as Judge at Special Election held in 6th Ward	4 00
Peter Lieber, services as Judge at Special Election held in 6th Ward...	4 00
George Koeninger, services as Inspector of City Election held in the 6th Ward .....	8 00
Charles Mayer, sundries .....	4 25
Charles Cox, repairs done on Street Lamps for Lamp-Lighters .....	159 65
W. J. H. Robinson, Jail Expenses for month of June .....	713 85
Sims & Thayer, Pigeon holes for City Auditor's, and repairing door in Clerk's Office .....	12 50
S. Smith, Posting Bills .....	6 00
Charles Cox, Fire Department .....	54 60
C. Schmidt, Removing Nuisances .....	50 00
Browning & Sloan, Fire Department .....	34 52
W. & H. Glenn, Fire Department .....	12 37
Amount carried forward .....	\$2,713 85

Amount brought forward .....	\$2,713 85
Stewart & Morgan, Fire Department.....	15 70
Sinker & Co., Fire Department .....	49 91
Sulgrove & Reynolds, Fire Department .....	13 80
Stewart & Morgan, Lamp Glass furnished Lamp Lighters from June 1st to July 7th, 1866 .....	80 00
F. Schultmeyer, Lighting and Extinguishing 652 Street Lamps at 45 cents per lamp, to be paid in cash as per contract.....	293 40
Wehling & Walle, Fire Department.....	15 40
J. & W. C. Burke, Coal furnished Fire Department .....	173 50
Charles Richmann, Fire Department.....	26 50
Thomas R. Shea, Assistant Civil Engineer.....	60 00
Alexander Wood, Assistant Civil Engineer.....	60 00
Sellers & Wood, Fire Department.....	18 60
Philip Dohn, for Repairing Assessor's Table.....	4 00
James S. Coyner, 962 feet at 37½ cents per foot, and making gates for same.....	380 75
Wm. H. Craft, Percentage on Tax collected from March 20, 1866, to July 10, 1866 .....	297 47
Wm. H. Craft, Interest paid on Orders from March 20 to July 10, 1866	138 67
J. B. Cunningham, services as Engineer.....	65 00
Viney Hays, Pest House.....	20 00
James S. Coyner, Markets .....	245 00
<b>Total.....</b>	<b>\$4,671 50</b>

SECTION 2. The City Auditor is hereby authorized and directed to issue warrants upon the City Treasury, to the person named and for the amount as set forth specifically in section 1st of this Ordinance.

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

Ordained and established this 24th day of July, 1866.

J. CAVEN, *Mayor*.

Attest:

C. S. BUTTERFIELD. *City Clerk*.

Which was 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, Brown, Coburn, Colley, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—18. Noes, none.

So the ordinance passed.

#### UNFINISHED BUSINESS.

Mr. Allen, from Committee on Fire Department, presented the following report from the Chief Fire Engineer.

INDIANAPOLIS, July 23, 1866.

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

GENTLEMEN:—I would most respectfully report that some two months since you directed me, together with the Committee on Fire Department, to purchase 1,000 feet of new rubber hose. A contract was accordingly made with the New York Belting and Packing Company at \$2.00 per foot, this being 40 cents less per foot than the next lowest, and 80 cents less per foot than the



highest bid. The hose will be here within one or two days, and I hope you will make some provision to pay for the same, the amount being,

For 1,000 feet of hose at \$2.00 per foot	-	-	-	\$2,000 00
For two flexible hose pipes, with nozzle, at \$12.00 each	-	-	-	24 00
Total	-	-	-	<u>\$2,024 00</u>

This does not include the couplings nor freight on the hose.

Respectfully submitted, CHARLES RICHMANN,  
*Chief Fire Engineer.*

Which, on motion, was referred to the Committee on Fire Department.

On motion of Mr. Kappes, the Council adjourned.

Present at roll-call on adjournment: Councilmen Allen, Brown, Coburn, Colley, Emerson Fletcher, Glazier, Grosvenor, Jameson, Kappes, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker Staub and Thompson—18.

JOHN CAVEN, *Mayor.*

ATTEST:

C. S. BUTTERFIELD, *City Clerk.*