

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

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A DJOURNED SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
SATURDAY, NOVEMBER 3D, 1866, 7 O'CLOCK, P. M. }

The Common Council met pursuant to adjournment.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members:

Councilmen Allen, Brown, Coburn, Colley, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Staub and Thompson—15.

Absent—Councilmen Kemker, Schmidt and Seidensticker—3.

His Honor, the Mayor, announced that the first business in order was the consideration of the Water Works Ordinance.

On motion by Mr. Brown, the second reading of special ordinance No. 113, was continued from section 21, the place of leaving off at last meeting.

Mr. Loomis moved to strike out the first pending amendment, or section 22.

Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Coburn, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Loomis and Thompson—8.

Those who voted in the negative were Councilmen Allen, Brown, Colley, Kappes, MacArthur, McNabb and Staub—7.

So Mr. Loomis' motion to strike out section 22 was adopted.

Mr. Brown moved to amend by inserting between the word "quantity" and the word "then," in the 9th line of the 5th section, the following words: "or shall have failed to expend in the construction of such works, within two years, the sum of twenty-five thousand dollars."

Mr. Brown called for the ayes and noes on the adoption of the amendment.

Those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Colley, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Staub and Thompson—15.

No Councilman voting in the negative.

So the amendment was adopted.

Mr. Brown moved to amend by adding the following proviso at the end of section 20:

*Provided*, That the average annual income or dividends of such Company upon its capital stock shall not, for the first twelve years, exceed ten per cent., after paying all necessary repairs and expenses and exclusive of one half per cent. per annum, which may be set apart and reserved as a surplus or contingent fund, and the water rates shall, from time to time, be reduced to such amounts as the Directors of said Company, in their judgment, shall deem sufficient to secure a yield of the per centum on their stock herein above stipulated to be retained for the stockholders of the Company.

Which amendment was adopted.

Dr. Thompson moved to strike out section 26, or the 5th blank section.

Which was adopted.

Mr. Kappes moved to amend by adding the following proviso to the end of section 21:

*Provided*, That said Indianapolis Water Works Company shall not be allowed to sell out to any other Company whatsoever within twenty-five years without first giving to the City Council the refusal to purchase at the same rates as offered to others.

Which amendment was adopted.

Mr. Brown moved to amend section 2 by inserting at the end of the 7th line the following words: "or abridge the rights and privi-

leges of the Indianapolis Gas Light and Coke Company, or interfere with."

Which amendment was adopted.

Mr. MacArthur moved to amend section 1st by striking out the word "fifty," in the 8th line, and insert in lieu thereof the word "thirty."

Mr. Emerson called for the ayes and noes.

Those who voted in the affirmative were Councilmen Colley, Kappes and MacArthur—3.

Those who voted in the negative were Councilmen Allen, Brown, Coburn, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Loomis, McNabb, Staub and Thompson—12.

So the amendment did not pass.

Mr. Brown moved to amend the ordinance by striking out all in relation to maximum of rates.

Mr. Coburn called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown and Colley—2.

Those who voted in the negative were Councilmen Allen, Coburn, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Staub and Thompson—13.

So the amendment did not pass.

Mr. Emerson moved to amend by adding at the end of the second blank section, or section 23, the following words: "except so much thereof as fronts on public grounds."

Which amendment was adopted.

Dr. Jameson moved to amend by striking out the words "until all the stock is subscribed for," in the 2d line of the 3d blank section, or section 24, and insert in lieu thereof the words "for thirty days." Also strike out all between the word "city," in the 4th line of said section and the first word "city," in the 6th line of said section.

Which amendment was adopted.

Mr. Brown moved to amend by striking out the word "ten," in the 2d and 5th lines of the 6th blank section, or section 26, and insert in lieu thereof the word "thirty."

Which amendment was adopted.

The ordinance having been read the second time, Dr. Thompson moved to suspend rule No. 9, and that the ordinance be read the third time by its title and placed upon its passage.

The ayes and noes being taken under the rules, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Colley, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Staub and Thompson—15.

No Councilman voting in the negative.

So the rules were suspended.

Special ordinance, No. 113, entitled :

AN ORDINANCE authorizing the Indianapolis Water Works Company to construct, maintain and operate water works, and to supply water to the city and citizens of Indianapolis, defining their powers and privileges, and prescribing their duties,

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, Brown, Coburn, Colley, Emerson, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Staub and Thompson—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Grosvenor offered the following resolutions :

WHEREAS, Several of the citizens of the United States are now held in close confinement as prisoners of war, and under sentence of death by the Canadian government; therefore, be it

*Resolved*, That we the Common Council of the city of Indianapolis, do deeply sympathise with these afflicted men; and, be it further

*Resolved*, That in expressing our feelings we do hereby respectfully request His Excellency, Andrew Johnson, the President of the United States, to use his influence to procure the immediate release of all persons now held by the Canadian government as prisoners under the term of "Fenians."

Which was unanimously adopted.

On motion by Dr. Thompson, the Council adjourned.

JOHN CAVEN, *Mayor*.

ATTEST :

C. S. BUTTERFIELD, *City Clerk*.