

PROCEEDINGS
OF THE
COMMON COUNCIL.

ADJOURNED SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
THURSDAY, APRIL 11TH, 1867, 7½ O'CLOCK, P. M. }

The Common Council met in adjourned session.

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

Councilmen Allen, Brown, Coburn, Colley, Emerson, Glazier, Jameson, Loomis, MacArthur, Seidensticker and Staub—10.

Absent—Councilmen Fletcher, Grosvenor, Kappes, Kemker, McNabb, Schmidt and Thompson—7.

His Honor, the Mayor, announced that the first business in order was the consideration of the City Treasurer's Report in relation to the Bank Loan, laid over from last meeting.

The report of the Treasurer was read for the information of the Council.

Dr. Jameson presented the following :

INDIANAPOLIS, April 8, 1867.

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

As an addition to our agreement with P. H. Jameson, Chairman of your Finance Committee, the First National Bank proposes that, should the

finances of the city be in as satisfactory condition, and without greater indebtedness than at present, and upon three months notice that the same will be required being given, that she will renew upon like terms one-half of the amount of the loan now granted to the city.

JNO. C. NEW, *Cashier.*

Which was received.

Dr. Jameson also stated that he was authorized to say that the First National Bank would take the loan at $11\frac{1}{2}$ per cent. per annum.

Dr. Jameson offered the following motion :

That the City Treasurer be authorized and directed to accept the Bank Loan of \$60,000 offered by William H. English, Esq., for the First National Bank, at a rate of interest of $11\frac{1}{2}$ per centum per annum, provided that said Bank will agree to renew, on like terms, one-half of said loan when the same shall become due, upon receiving three months' notice that the same will be needed, and the City being in as satisfactory condition and without greater indebtedness than at present.

Councilman MacArthur called for the ayes and noes on the adoption of the motion.

Those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Colley, Emerson, Glazier, Jameson, Loomis, Seidensticker and Staub—10.

Councilman MacArthur voting in the negative—1.

So the motion was adopted.

Mr. Brown offered the following motion :

That the City Treasurer be authorized and directed to negotiate with the Citizens' National Bank, and William and Isaiah Mansur, for the remainder of the loan (\$40,000) at the rate of interest of $11\frac{1}{2}$ per cent. per annum, in proportion to the amount of their respective bids, or in such other proportion as they may themselves agree upon.

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

Those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Colley, Emerson, Glazier, Jameson, Loomis, MacArthur, Seidensticker and Staub—11.

No Councilman voting in the negative.

So the motion was adopted.

UNFINISHED BUSINESS.

Dr. Jameson called up special appropriation ordinance No. 18—1867, entitled :

AN ORDINANCE appropriating money for the payment of the Bank Loan of the City of Indianapolis,

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, Glazier, Jameson, Loomis, MacArthur, Seidensticker and Staub—11.

No Councilman voting in the negative.

So the ordinance passed.

Dr. Jameson introduced special ordinance No. 17—1867, entitled :

AN ORDINANCE to provide for grading and graveling New York street and south sidewalk, between Alabama and New Jersey streets,

Which was read the first and second times and ordered to be engrossed.

Mr. Brown called up general ordinance No. 81—1867, entitled :

AN ORDINANCE to amend section 8 of an ordinance entitled "An ordinance prescribing rules and regulations for the government of the City Council, its officers, and officers connected with the City Government," passed August 20, 1866,

Which was read the third time.

Dr. Jameson then moved to lay the ordinance upon the table.

Which motion prevailed.

Mr. MacArthur presented the following petition :

INDIANAPOLIS, April 8, 1867.

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

The undersigned respectfully petition your honorable body to get the privilege to sink a well in front of our property on Washington street. We will dig the necessary sink to carry off the surplus water, and comply with all the requirements of the ordinance regulating such matters.

J. L. & M. K. FATOUT,
Per MACARTHUR.

Which was referred to the Board of Public Improvements.

Mr. Brown offered the following motion :

That the Board of Public Improvements be directed to take immediate steps for the enlargement of the Pogue's Run culvert under the canal.

Which motion was adopted.

Dr. Jameson offered the following motion :

That the Street Commissioner be directed to repair the well near fire cistern at the crossing of Massachusetts avenue and Noble street.

Which was referred to the Board of Public Improvements.

Mr. MacArthur moved that the seat of Mr. Grosvenor, as a member of the Board of Public Improvements, be declared vacant, and that the Council proceed to an election to fill the vacancy.

Mr. Brown raised the point of order, that so long as Mr. Grosvenor was recognized as a Councilman, he must be recognized as a member of the Board of Public Improvements, and that the Council had no power to declare his (Grosvenor's) seat vacant.

His Honor, the Mayor, sustained the point of order raised by Mr. Brown.

Mr. Loomis offered the following motion :

That His Honor, the Mayor, Auditor, and City Treasurer, together with the Committee on Finance, be directed to submit a report showing the total amount of funds received during the past four years, and from what source received, as also the amount disbursed, and for what purpose.

Also, to compare the same, *as near as possible*, with the receipts and disbursements of other cities, showing the per cent. of assessments of other cities, as compared with ours, with such other information as they may be pleased to report touching city taxes, and that they be requested to report at an early day.

Which was adopted.

Mr. Brown called up general ordinance No. 83, entitled :

AN ORDINANCE providing for the appraisalment of real estate for the purpose of taxation, for the year 1867,

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, Glazier, Jameson, Loomis, MacArthur, Seidensticker and Staub—11.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Loomis presented the following communication :

INDIANAPOLIS, April 8, 1867.

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

The undersigned, members of the Indianapolis Builders' and Manufacturers' Association, of the City of Indianapolis, and citizens of said city, represent that said Association obtained of the city, in the usual form and manner, a "building permit," to erect a planing mill on the south half of the north-west quarter of square eighteen, in said city; that certain good citizens of the Second Ward—wherein the mill is to be erected—and of the city, under the pretense that the erection of the mill "will be productive of great annoyance to the Ward School and to the occupants of residences in the neighborhood, and tend greatly to the depreciation of the value of their property by the smoke and noise which it will create, and by increasing the hazard of fire; and that most of the persons in that vicinity purchased their property, and paid cash price for the same, because by general consent that quarter of the city seemed to have been set apart for private residences, and was free from the inconveniences and risks of manufacturing districts," have prayed your honorable body to revoke the permit granted and to prohibit the erection of the mill. That the manner of erecting and using the mill will avoid even the pretense of evil assumed by the remonstrants, in that the mill will make but little noise, will be, so far as practicable, fire proof, and the smoke stack be near one hundred and twenty-five feet from the pavement and a greater distance from the nearest building and further still from any of the fine residences of the persons in that vicinity, who "purchased their property and paid cash prices" for the same twenty years ago, "because by general consent that quarter of the city seemed to have been set apart for private residences," in fact was so private the cows of the city pastured on the very ground for which cash prices had been paid, "free from the inconvenience and risks of manufacturing districts."

That the Association paid greenback prices for their ground, because, by "general consent, that quarter of the city" should "be set apart" to work and public enterprise, and "free from the inconvenience and risk" of monopoly and that exclusiveness which seeks the private enjoyment of its own, but allows the same right to no one else.

That if "general consent" had set apart this city, including "that quarter, to private residences," our goodly town would have been free from the "inconvenience and risks of manufacturing districts," and, at the same time, free from the wealth which gives a silver lining to the cloud of remonstrants, who represent that a planing mill in their neighborhood "would tend greatly to the depreciation of the value of their property by the smoke and noise which it will create," and that the boys and girls of the Ward School like planing mills.

That the undersigned depend upon the justice and public spirit of the men who compose your honorable body, to refuse to acknowledge the power of "general consent," by setting apart any quarter of the city to special private whim, to deprive any of the citizens of Indianapolis of the free use of their property, while using it without injury to others.

We therefore pray you, from the prayers of the remonstrants to deliver us, and that you long may "live and let live."

Charlton Eden, stockholder,	— Henschen,
J. L. Avery,	Anthony Miller,
T. W. Brouse,	J. B. Many & Sons,
Sam. C. Eden,	John G. Hereth,
John McReande,	R. M. Cashy,
John Fearnly,	C. Bock,
Chauncey Aldrich,	Henry Bock,
Robert Donavan,	Fred. W. Miller,
David Kreglo,	Andrew Cherry,
Adam Helm,	Peter Routier,
— Hildebrand,	Eugene Daly.

Which, on motion by Mr. Seidensticker, was received and laid upon the table for the present.

On motion by Mr. Seidensticker the Council adjourned.

JOHN CAVEN, *Mayor.*

ATTEST:

C. S. BUTTERFIELD, *City Clerk.*