

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, SEPTEMBER 24TH, 1866, 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 :

¶ Councilmen Allen, Brown, Coburn, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Seidensticker and Thompson—13.

Absent—Councilmen Colley, Fletcher, Kemker, Schmidt and Staub—5.

The proceedings of the regular session held September 17th, 1866, were read and approved.

Mr. Allen presented the following petition :

INDIANAPOLIS, Sept. 24, 1866.

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

GENTLEMEN :—The undersigned would respectfully petition your honorable body to pass an ordinance for the grading and graveling of the alley running north and south through out-lot No. 85, between East and Liberty and Georgia streets and the Central Railroad, the undersigned being the owners of the number of feet opposite our names.

Spiegel, Thoms & Co.,
W. Cook,

Henry Hahn,
And 1 other.

Which was referred to the Board of Public Improvements with instructions to report an ordinance.

Mr. Brown presented the following petition :

INDIANAPOLIS, Sept. 24, 1866.

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

GENTLEMEN:—We, the undersigned, property holders living along the line of Bluff Road, between McCarty and Ray streets, respectfully petition your honorable body to direct the Indianapolis Gas Light and Coke Company to extend their mains along said street, between the limits aforesaid, the property owners along said street obligating themselves to take a sufficient number of burners for gas to equal fifteen to each space of 510 feet along said street; and as in duty bound your petitioners will ever pray.

Charles Schier,	Maurice Ferriter,
Henry Wagener,	W. H. H. Johnson,
Michael Clune,	H. Julow,
John W. Surface,	H. Tilly.

Which was referred to the Committee on Gas.

On motion by Mr. Brown,

The Civil Engineer was instructed to prepare and report profiles for the following named alleys and street :

1. The alleys running east of Pogue's Run and north and south through out-lot 16.
2. The alleys running west of Pogue's Run and north and south through out-lot 15.
3. Garden street, between Illinois and Meridian streets.

On motion by Mr. Brown,

The Board of Public Improvements was instructed to inquire into the expediency of constructing a new bridge over Pogue's Run, on South street, with stone abutments, the full width of the street and sidewalks, and of such height as to allow a free flow of water underneath at the highest water mark.

Mr. Emerson presented the following petition :

INDIANAPOLIS, Sept. 24, 1866.

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

GENTLEMEN:—Your petitioner would respectfully state to your honorable body that he is one of the property owners on North street, between Blackford and Missouri streets, and that an estimate has been given to S. J. Patterson, the contractor, by your honorable body, for the improvement of said street. The Engineer, Joshua Staples, measuring the grade and fill both, which never has been the custom by former Engineers. I hope that the property holders will only have to pay what is just and fair and no more.

Respectfully,

WM. JOHNSON.

Which was referred to the Board of Public Improvements.

Mr. Glazier offered the following motion :

The Street Commissioner be instructed to raise the portion of the bridge that has given away on Virginia Avenue, as it will fall entirely down if not attended to at once.

Which was referred to the Board of Public Improvements.

Dr. Jameson offered the following motion :

That the Street Commissioner be directed to clean the gutters on New Jersey street, between Michigan street and Ft. Wayne Avenue.

Which was referred to the Board of Public Improvements.

Dr. Jameson presented an account of W. C. Smock, Clerk of the Court of Common Pleas of Marion County, for \$8.75, also an account from William Wallace for costs amounting to \$111.64.

Which were referred to the Committee on Accounts and Claims.

Dr. Jameson offered the following resolution :

WHEREAS, Mr. A. D. Rose having organized a Mercantile Police Force, said force being supported and sustained by the contributions of merchants and others doing business on the Squares located on the principal business streets, for the purpose of immediately protecting their property: Therefore,

Be it resolved, That the Mayor be, and he is hereby, authorized and instructed to administer to the members of such force, from time to time, as they may be selected by Mr. A. D. Rose, the oath usually administered to members of the City Police Force, for the purpose of enabling such mercantile force to exercise Police powers.

Resolved, That in case any complaint shall be made to the Mayor as to the bad character or bad conduct of any particular member of such Mercantile Police Force, and he shall be satisfied that the continuance on such force of such member will be detrimental to the public interest, the Mayor shall notify Mr. Rose that that the police powers of such member is revoked, and after such notice, if continued on such force, his acts as to making arrests, &c., shall not be recognized: *Provided*, That such powers shall not extend to any other hours of the day than between 6 o'clock, P. M., of one day, until 6 o'clock, A. M., of the day following.

Which was adopted.

Dr. Jameson introduced special Ordinance No. 98—1866, entitled :

AN ORDINANCE To provide for grading and graveling Wabash street, between New Jersey and East streets,

Which was read the first time by its title.

Dr. Jameson introduced special ordinance No. 99—1866, entitled :

AN ORDINANCE To provide for grading and graveling Cherry street and sidewalks, between Fort Wayne Avenue and Ash street,

Which was read the first time by its title.

On motion by Mr. Loomis,

His Honor, the Mayor, was instructed to appoint a Special Committee of five to report on a thorough system of bridging, and providing for the water that now must pass through Pogue's Run and Virginia river, and that they be required to report at their earliest convenience.

His Honor, the Mayor, appointed as such Committee, Councilmen Loomis, Seidensticker, Brown, Grosvenor and Glazier.

On motion by Mr. Loomis,

No charges are to be made by the city for pumping out the water from sundry cellars incident to the late flood.

On motion by Mr. Loomis,

L. S. Grizuard was permitted to grade and gravel the sidewalk in front of his property on Virginia Avenue, being 40 feet front on the north-east side of said Avenue, at his own expense, under the direction of the City Civil Engineer.

Mr. Loomis offered the following resolution :

Resolved, That the Street Commissioner be directed to build two bridges across Virginia river over the ditch recently dug through Square 101, Coffman's sub-division, between East street and Virginia Avenue, being on the east and west, and Merrill street on the north and south in said square, at the intersection of two alleys running north and south across said ditch.

Which was referred to the Board of Public Improvements.

Mr. Loomis presented the following petition :

INDIANAPOLIS, Sept. 24, 1866.

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

The undersigned respectfully represents that his new house at the corner of Virginia Avenue and Noble street has been injured by the bursting of the city culvert, for Virginia river running under the same and through his lot, to the amount of seven hundred dollars, which he respectfully asks the city to make good to him.

AUGUST RICHTER.

Which was referred to the Board of Public Improvements.

Mr. MacArthur presented the following petition :

INDIANAPOLIS, Sept. 24, 1866.

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

GENTLEMEN:—I hereby respectfully petition your honorable body to get the privilege of putting down a plank crossing across the gutter in front of my grocery, corner of Indiana Avenue and New York street, and your petitioner will ever pray, &c.

DAVID KREGLO.

Which was granted.

Mr. Seidensticker presented the following remonstrance :

INDIANAPOLIS, Sept. 24, 1866.

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

The undersigned, citizens and tax payers of Indianapolis, respectfully but earnestly remonstrate against permission being granted to lay down another railroad track by the Union, Bellefontaine or Peru Railroad Companies as asked for in the petition now pending before your honorable body, for the reason that it would materially interfere with the passage into Noble street,

greatly impairing the use of that street and Washington street, making a crossing where the approach of the cars can be seen but a few yards in either direction, and that, too, at the junction of two of the most populous and important streets in the city. A more dangerous crossing than would be made, if the prayer of the Company's petition should be granted, could scarcely be devised, or one more prejudicial to the public; and for these, and other reasons, we make this urgent remonstrance.

H. Bates, Sr.,	M. J. Vance,
E. H. Bates,	S. M. Seibert,
Samuel C. Vance,	And 51 others.

Recapitulation of signers immediately on the route of the proposed double track.

A. Springstien,	Mrs. Brothers,
H. Bates, Sr.,	C. Heckman.
A. Galvin,	

Being the owners of all the property on both sides of the double track from Market to Washington streets. Also,

Wm. H. English	H. Hattendorf,
W. C. Means,	Frank Smith,
J. P. Cruse,	Spiegel & Thoms,
W. R. Clinton,	Mr. Bonhoffer.

Being the owners of all the property on the north side of the proposed route from Washington to Liberty streets, except a few feet, the owner of which has not been seen. Also,

Eugene Renard,	Chas. Richmann,
Adam Keeling,	George McQuat,
Chris. Yager,	Fowler & Buchanan,
Wm. Richmann,	Spiegel & Thoms,

And others, being the owners of nearly all between Liberty and East sts., and also very nearly all the owners of property near the proposed double track.

Which was referred with the petition of the Railroad Company to Select Committee consisting of Councilmen from the 8th and 9th Wards.

Dr. Thompson presented the following remonstrance :

INDIANAPOLIS, Sept. 24, 1866.

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

The Citizens' Street Railway Company of Indianapolis respectfully represent that by virtue of a law of the State of Indiana, and an ordinance of the City of Indianapolis, the right was granted to, and is fully invested in, said Company to use the streets of said city for the purpose of laying down and operating a single or double track Street Railway.

As a part of the contract, it was plainly and positively promised on the part of the city as follows, viz. :

"Sec. 15 The right to operate said railway shall extend to the full time of thirty years from the passage hereof, and the said city of Indianapolis shall not, during all the time to which the privileges hereby granted to said Company shall extend, grant to, or confer upon any person or corporation, any privileges which will impair or destroy the rights and privileges herein granted to the said Company."

The only reservation to this grant was in favor of certain rights *before that time* granted to other corporations, and certain provisos in the event said Company failed to lay down a certain quantity of track in a certain number of years, none of which are applicable to the case herein stated.

Said Company further represent that they have completed a line of Street Railway on Washington street from White River Bridge to Noble street, and that it is their purpose and intention, at an early day—certainly within the time allowed them in their charter—to extend that line of road up Noble street to the neighborhood of Massachusetts Avenue, and east on Washington street to the Corporation line or beyond.

Said Company further represent that the laying down of another railroad track across Washington and Noble streets (at the intersection of said streets), west of the present track of the Bellefontaine Railroad, for the use of engines and cars propelled by steam, (a petition for which is now pending before the Council,) would not only impair the rights and privileges of the Street Railway Company, on both streets, but would, virtually, destroy them in several material respects.

The proposed crossing is on a curve at a point where the approach of the steam cars can be seen but a few yards in either direction, in consequence, mainly, of buildings on the south side of Washington street and east side of Noble street; and whilst it would be difficult, but possible, for street cars to be run into Noble street across a single steam-car track, it would not do to run, on a sharp curve, over four such tracks, in a distance of a few rods, (as would be the case with a double track,) and that, too, at a point, on the most traveled street in the city, where the approach of the steam cars can only be seen half the width of the street! To attempt it would be to trifle with the lives and safety of the people. Another track at that point would also materially increase the trouble and danger of extending the Street Railway further east on Washington street. The street cars have already been twice run over and destroyed, the lives of passengers endangered, and a conductor crippled for life, at a far more favorable crossing than the one proposed. The danger would increase each year as the city becomes more populous, and would, inevitably, injure the value of all real estate in the neighborhood of, and east of the proposed crossing. A double track would do away with the necessity that now exists for the steam cars running slow and with caution to prevent a collision between the Company's own trains, but would increase the danger to all other persons and interests. That the views herein presented are entertained by those who ought to know, and have some right to speak, is shown by the fact that an overwhelming majority of the citizens owning property on, and near the line of the proposed double track, are opposed to another steam railroad track being put down, as asked for in said petition. If another track is to be permitted at all, we respectfully submit that it should, at least, be at some point where the approach of the locomotive and cars can be seen a reasonable distance in each direction. As proposed, we earnestly maintain that it would be injurious to public and private interests, and a clear violation of the rights and privileges fairly and fully invested in this Company, and, therefore, we respectfully but earnestly *remonstrate* and *protest* against the prayer of said petition being granted. And as in duty bound your remonstrants will ever pray, &c.

THE CITIZENS' STREET R. W. CO. OF INDIANAPOLIS.

Which was referred to the Councilmen from the 8th and 9th Wards, and the City Attorney.

Dr. Thompson presented the following remonstrance :

INDIANAPOLIS, Sept. 24, 1866.

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

SIRS:—We, the undersigned subscribers and property holders, do most respectfully beg leave to offer our protest against the graveling of that portion of Michigan street, lying between Meridian and Illinois streets, at the present time.

Jonathan Frankem,
John F. Wallick,

Adolph Rosenthal,
R. B. Duncan.

Which was laid upon the table for the present.

Dr. Thompson offered the following motion :

That the Board of Public Improvements be instructed to cause a ditch to be dug from the lower end of Union street so as to drain the water into Bluff Road, which now forms a pond in the streets.

Which was referred to the Board of Public Improvements.

Dr. Thompson presented an account from Crossland, Maguire & Co., for \$70.00, for matches furnished the city for lamplighter,

Which was referred to the Committee on Accounts and Claims.

His Honor, the Mayor, offered the following motion :

That the Civil Engineer is hereby instructed to examine the culvert under the Canal at the crossing of Pogue's Run, and ascertain what enlargement thereof is necessary to permit the passage of the water without obstruction, and notify the agent of the Canal Company to cause such enlargement without delay, and report to this Council the result of such examination and the answer of such agent.

Which was referred to the Councilmen from the 5th, 6th, 7th, 8th and 9th Wards.

His Honor, the Mayor, presented the following ordinance, entitled :

AN ORDINANCE prescribing that eight hours shall constitute a days labor by day laborers employed by the City of Indianapolis,

Which was read the first time by its title.

Sealed proposals for lighting and extinguishing the street lamps, were opened and read and referred to the Committee on Gas.

REPORTS FROM BOARDS.

Mr. Coburn, from the Board of Public Improvements, made the following report :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Sept. 24, 1866. }

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

GENTLEMEN:—The Board of Public Improvements would respectfully report to your honorable body that the freshet in Pogue's Run the past week washed away bridges at the following points: Winston, Market, Liberty and South streets; also, foot bridges on East and South streets. The Winston Street Bridge has been torn to pieces, and the timber found to be good, and will be put into a bridge again. The Market Street Bridge was rotten and worthless; a new bridge will have to be built. The bridge on Liberty street was rotten and worthless; an entire new bridge will have to be built here. The foot bridge on East street can be replaced, as it is only washed and fallen down into the creek. Virginia Avenue Bridge has given way at the upper end, and will have to be repaired with several new stringers. The wagon and foot bridge on South street have been recovered, and as the timber is good can be replaced in a few days.

We would recommend that the Street Commissioner be instructed to replace the bridges on South and East streets. We herewith submit a report of the Street Commissioner showing his estimate of damages done.

H. COBURN,
J. A. GROSVENOR,
JNO. B. MACARTHUR. } Board.

INDIANAPOLIS, Sept. 24, 1866.

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

By overflow, on September the 18th, 1866, the following damage was done to bridges, culverts and streets in the City of Indianapolis :

For fixing the bridge across Pogue's Run on South street.....	\$512 00
For building a new bridge across Pogue's Run on Market street.....	288 00
For fixing the bridge across Pogue's Run on Winston street.....	425 00
For fixing the bridge across Pogue's Run on Illinois street.....	55 00
For fixing the bridge across Pogue's Run on Virginia Avenue and Alabama street, putting in the necessary stringers, and for a new floor on the same.....	1,358 24
For replacing the foot bridge across Pogue's Run on East street, and a new floor, and a band on same.....	95 00
For building a new bridge across Pogue's Run on Liberty street with stone abutments.....	1,100 00
For repairing the different streets and the wooden culverts.....	800 00
For repairing culvert on Elm street.....	750 00
Total	\$5,383 24

Respectfully submitted,

AUGUST RICHTER, *Street Commissioner.*

Which was referred to the Select Committee on Pogue's Run.

Mr. Coburn, from the Board of Public Improvements, made the following report :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Sept. 24, 1866. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the bids were referred, would respectfully report to your honorable body that they find the following persons the lowest bidder, and would recommend that contracts be awarded them :

1st. Thomas H. Williams, to grade and gravel the south sidewalk of Huron street, for 17 cents per lineal foot front, each side.

2d. Thomas Shire, to grade and gravel sidewalk of Virginia Avenue, between Cedar and Elk streets, for 24 cents per lineal foot, each side.

3d. Richter & Carr, to grade and gravel Elm street and sidewalks, between Noble street and Corporation line east, for 60 cents per lineal foot, each side.

4th. Whitsit & Hubbard, to grade and bowlder Market street, between Delaware and Alabama streets, for \$2.44 per lineal foot, each side.

HENRY COBURN,
J. A. GROSVENOR,
JNO. B. MACARTHUR, } Board

Which was accepted and approved and the contracts awarded

Dr. Jameson, from the Board of Police, made the following report :

INDIANAPOLIS, Sept. 24, 1866.

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

GENTLEMEN:—The Board of Police beg leave to report the following named sites offered for city jail and prices of each :

1. 30 by 135 feet on Tennessee street, between Washington and Maryland streets-----	\$4,500 00
2. 40 by 135 feet on Tennessee street, between Washington and Maryland streets-----	4,500 00
3. 40 by 135 feet on Tennessee street, between Washington and Maryland streets-----	5,000 00
4. 45 by 100 feet on Pennsylvania, street, between Maryland and Georgia streets-----	5,625 00
5. 26 by 120 feet on Pennsylvania street, between Market and Ohio streets-----	10,500 00
6. 32 by 195 feet on Maryland street, between Meridian and Pennsylvania streets-----	5,300 00
7. 40 by 120 feet on Maryland street, between Alabama and Delaware streets-----	4,000 00
8. 34 by 80 feet on Maryland street, between Meridian and Pennsylvania streets-----	4,000 00
9. 34 by 100 feet on Market street, between Pennsylvania and Delaware streets-----	10,000 00
10. 32 by 93 feet on Alabama street, between Washington and Market streets-----	7,200 00

After due consideration the Board have decided in favor of the purchase of site No. 8, on the north side of Maryland street, between Meridian and Pennsylvania streets. This site is less than a square from the Council Chamber, and in all respects eligible for the purpose desired, and the price is very low as compared with the other property offered.

Very respectfully,

P. H. JAMESON, }
 W. H. LOOMIS, } Board.
 J. STAUB, }

Resolved, That the report be accepted, and that the Board of Police be, and is hereby, authorized and directed to purchase for the City of Indianapolis the following described real estate. to-wit: The south-west part of lot number nine (9), in Square number sixty-five (65), in the City of Indianapolis, Indiana, beginning at the south-west corner of said lot and running thence north eighty feet, thence east thirty-three feet and nine inches, thence south eighty feet, thence west thirty-three feet and nine inches to the place of beginning. Said property to be used by said city as a site for a Jail, which shall be built according to plans and estimates as heretofore reported by the Board of Police, and as may be hereafter directed or modified by the Common Council.

Resolved, That the City Treasurer be directed, upon the delivery of a good and sufficient deed to said lot, to execute on behalf of the City of Indianapolis three several notes of thirteen hundred and thirty-three dollars and thirty-three cents, each payable to the order of John C. Hereth, the owner of said property, one, two and three years after date, with six per cent. interest. And that the City Attorney be directed to examine the title of said property, and to assist in making all necessary papers to effect the purchase thereof.

Which was adopted.

REPORTS FROM CITY OFFICERS.

The Civil Engineer made the following report :

INDIANAPOLIS, Sept. 24, 1866.

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

The Civil Engineer would respectfully report the following for your approval :

Corrected estimate of Thomas Wren for grading and graveling Railroad street and west sidewalk, between the Madison Road and Ray street.

Respectfully submitted,

JOSHUA STAPLES, JR., *Civil Engineer.*

Resolved. That the corrected estimate allowed Thomas Wren for grading and graveling Railroad street and west sidewalk, between the Madison Road and Ray street, be, and the same is hereby, adopted as the estimate of this Council, and the property 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, Brown Coburn, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Seidensticker and Thompson—13.

No Councilman voting in the negative.

So the resolution passed.

The City Treasurer made the following report :

OFFICE OF CITY TREASURER,
Indianapolis, Sept. 24, 1866. }

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

The City Treasurer would respectfully submit the following report of Receipts and Disbursements for the month ending September 10th, 1866 :

R E C E I P T S .

Delinquent taxes collected.....	\$2,913 67
From J. K. English, former City Treasurer, part of balance due the city	4,129 76
From C. S. Butterfield, City Clerk, on licenses collected in former year	1,147 95
From Mayor Caven, fines for July.....	757 70
Licenses collected.....	373 75
Market rents.....	242 15
Printing on precepts.....	16 05
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Total receipts.....	\$9,581 03
Balance from last report.....	3,983 37
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Total receipts and balance.....	<u>\$13,564 40</u>

DISBURSEMENTS.

Salary	\$2,251 00
Street repairs.....	1,822 00
Police.....	1,113 25
Fire Department.....	770 00
War fund.....	690 00
Specific.....	478 95
Tax refunded.....	345 00
Percentage.....	315 47
Lighting and extinguishing street lamps.....	298 80
Interest paid on orders.....	146 53
Books and stationary.....	130 20
Pest House.....	128 55
Government tax on gas.....	97 76
Assisting City Clerk.....	42 50
Hospital.....	25 85
Nuisances.....	20 00
Markets.....	20 00
Costs.....	14 50
Assisting Civil Engineer.....	10 00
Elections.....	8 00
Total disbursements	\$8,728 26
Balance to next report.....	4,836 04
Total.....	<u>\$13,564 40</u>

Respectfully,

WM. H. CRAFT, *City Treasurer.*

Which was accepted and approved.

The City Treasurer made the following report:

OFFICE OF CITY TREASURER, }
 Indianapolis, Sept. 24, 1866. }

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

The City Treasurer herewith submits the first Quarterly Report of the Receipts and Disbursements from May 10th, 1866 to August 10th, 1866, inclusive:

RECEIPTS.

Delinquent tax collected.....	\$5,848 01
Fines.....	1,817 16
Licenses.....	969 00
Market rents.....	714 00
Part payment on hand engine.....	234 00
Pumping and water rent.....	52 50
Printing on precepts.....	22 00
Total.....	<u>\$9,656 67</u>
Balance from last report.....	4,990 40
Total Receipts.....	<u>\$14,647 07</u>

DISBURSEMENTS.

War fund.....	\$1,490 00
Lighting and extinguishing lamps.....	874 80
Rent.....	250 00
Assisting Civil Engineer.....	225 00
Government tax on gas.....	320 28
Hospital furniture.....	107 42
Salary.....	660 29
Police.....	716 30
Jail expenses.....	74 45
Specific.....	154 91
Fire Department.....	870 00
Interest on bonds.....	795 00
Tax refunded.....	346 25
Street repairs.....	50 00
Cisterns.....	40 00
Percentage.....	297 47
Interest on orders.....	138 67
Gas fixtures.....	159 65
Interest on loan.....	3,000 00
Printing.....	60 00
 Total.....	 \$10,663 70
Balance to next report.....	3,983 37
 Total Disbursements.....	 \$14,647 07

Respectfully,

WM. M. CRAFT, *City Treasurer.*

Which was accepted and approved.

The City Clerk made the following report :

INDIANAPOLIS, Sept. 24, 1866.

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

GENTLEMEN:—The City Clerk would respectfully report that an affidavit has been filed in his office for the collection of street assessment by precept as follows, to-wit

Charles H. Kelly against John B. Stumph, for - - - - \$329 70

And respectfully request that you order precept to issue.

C. S. BUTTERFIELD, *City Clerk.*

Which was accepted and approved, and the precept ordered to issue.

The City Attorney made the following report :

INDIANAPOLIS, Sept. 24, 1866.

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

GENTLEMEN:—I have examined the questions presented by the communication of the Marshal, and submit the following opinion :

I think there can be no doubt of the power of the Marshal to relieve or appoint deputies, with consent of Council.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was approved.

ORDINANCES ON THIRD READING.

On motion by Mr. Glazier, special ordinance No. 97, entitled :

AN ORDINANCE granting permission to the Indianapolis and Cincinnati Railroad Company to construct a track in Louisiana street, and across Alabama street,

Was read the third time, and on motion by Dr. Jameson, was laid upon the table.

On motion by Mr. Brown, special ordinance No. 86, entitled :

AN ORDINANCE to provide for grading and bouldering the first alley west of Delaware street, running north and south through St. Palais sub-division of part of square 77, and between Maryland street and the first alley running east and west, south of Maryland street,

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, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Seidensticker and Thompson—13.

No Councilman voting in the negative.

So the ordinance passed.

On motion by Dr. Thompson special ordinance No. 94—1866, entitled :

AN ORDINANCE to provide for the grading and graveling of Michigan street, between Meridian and Illinois street,

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, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Seidensticker and Thompson—13.

No Councilman voting in the negative.

So the ordinance passed.

On motion by Mr. Jameson, special ordinance No. 95, entitled :

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

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, Emerson,

Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Seidensticker and Thompson—13.

No Councilman voting in the negative.

So the ordinance passed.

On motion by Dr. Jameson, special ordinance No. 91, entitled :

AN ORDINANCE appropriating money to pay a part of the loan due S. A. Fletcher & Co., by the City of Indianapolis,

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, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Seidensticker and Thompson—13.

No Councilman voting in the negative.

So the ordinance passed.

On motion by Dr. Jameson, special ordinance No. 93, entitled :

AN ORDINANCE fixing the salary of the Assistant City Civil Engineer, of the City of Indianapolis,

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, Emerson, Glazier, Grosvenor, Jameson, Kappes, MacArthur, McNabb, Seidensticker and Thompson—12.

Councilmen Loomis voting in the negative.

So the ordinance passed.

On motion by Dr. Jameson, special ordinance No. 92, entitled :

AN ORDINANCE appropriating money to refund taxes erroneously assessed,

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, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Seidensticker and Thompson—13.

No Councilman voting in the negative.

So the ordinance passed.

On motion by Dr. Thompson, special ordinance No. 89—1866, entitled:

AN ORDINANCE to provide for lighting with gas Tennessee street, between Michigan street and the Corporation line north,

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, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Seidensticker and Thompson—13.

No Councilman voting in the negative.

So the ordinance passed.

On motion by Mr. Kappes, special ordinance No. 96—1866, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis for articles furnished and labor at City Hospital,

Was taken up, 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, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, McNabb, Seidensticker and Thompson—13.

No Councilman voting in the negative.

So the ordinance passed.

UNFINISHED BUSINESS.

Mr. Seidensticker presented the following petition :

INDIANAPOLIS, Sept. 24, 1866.

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

GENTLEMEN:—We, the undersigned property holders on Maryland street, between Alabama and Delaware streets, respectfully petition your honorable body to direct the Indianapolis Gas Light and Coke Company to extend their mains along said street, between the limits aforesaid, obligating ourselves to take the number of burners herewith signed.

GERMAN AND ENGLISH SCHOOL,
By A. SEIDENSTICKER, President,
C. VONNEGUT, Secretary.

Which was granted, on condition that the petitioners file the proper bond as required by law.

Mr. McNabb presented the following petition :

INDIANAPOLIS, Sept. 23, 1866.

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

GENTLEMEN:—The undersigned, contractor for hauling of dead animals, would represent to your honorable body that some persons in this city have taken out of my hands all the profitable part of my contract. When a cow or fat hog dies the parties to whom they belong in every case sell them to some person who takes them away. I would respectfully ask your honorable body to pass an ordinance protecting me in what justly belongs to me, as the price you are paying does not justify me in continuing to remove the same. The quality I am compelled to take away would give any nine men out of ten the Asiatic choera, if they would take the contract and perform its duties as I have performed the same. I hope you will take some action and relieve me from an imposition that may be practiced upon me by some persons in this community, and as in duty bound your petitioner will ever pray. Yours truly,

C. SCHMIDT.

Which was referred to the Committee on Revision of Ordinances.

On motion by Dr. Thompson,

Messrs. Peaslee & Treadwell were granted the privilege of taking the Photographs of the Mayor, Common Council, and City Officers, the same to be exhibited by them at the State Fair, afterwards said pictures to become the property of the city.

On motion by Mr. McNabb, the Council adjourned.

JOHN CAVEN, *Mayor.*

ATTEST :

C. S. BUTTERFIELD, *City Clerk.*