

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS, }
MONDAY, SEPTEMBER 3D, 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, Kemker, MacArthur, McNabb, Seidensticker, Staub and Thompson—14.

Absent—Councilmen Colley, Fletcher, Loomis and Schmidt—4.

The proceedings of the regular session held August 27th, 1866, were read and approved.

Mr. Allen presented the following remonstrance :

INDIANAPOLIS, Sept. 3, 1866.

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

We, the undersigned, property holders on Elm street, do remonstrate against graveling said street and sidewalks from Noble street to the Corporation line, as times are dull and money scarce, they would not be able to pay for said graveling.

Milton Thompson,	John Lonergan,
Chr. Koehring,	G. S. Reich,
Thomas Muntz,	And 17 others.

Which was referred to the Board of Public Improvements.

On motion by Mr. Allen,

Henry Presse was permitted to grade and gravel, at his own expense, the sidewalk in front of his property on the corner of Virginia Avenue and Grove street, under the direction of the Civil Engineer.

On motion of Mr. Brown,

Charles Kemker was allowed the privilege of placing a wooden curb at the outer edge of the sidewalk in front of his property on Meridian street, at the corner of McCarty street, and to pave said sidewalk with brick; provided the same be done at his own expense and to the satisfaction of the City Civil Engineer.

On motion by Mr. Coburn,

The Committee on Markets was instructed to prepare an ordinance fixing the price of weighing on the grain scales on East Market Square, and regulating the duties of the Wood Measurer.

On motion by Mr. Emerson,

The Civil Engineer was requested to notify the contractor on New York street between West and Blackford streets, to fill the mud hole on Vermont street west of Bright street with the surplus earth taken from New York street.

Mr. Emmerson presented the following communication :

INDIANAPOLIS, Sept. 3, 1866.

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

The undersigned, owners of real estate fronting on Washington street, between Missouri street and the alley next west of West street, respectfully represent that in December, 1864, or thereabouts (when the law was in force under which the city was liable to contractors for improvements at the crossings of streets and alleys) a contract for the bowldering of Washington street, between Missouri street and the next alley west of West street was let by your honorable body to John Stumph, the work to be done at 97 cents per square yard; that extensions of the time for the performance of the work, beyond the time fixed in the contract for its completion, were granted to said contractor from time to time, until in April, 1866, (no work having then been performed by said contractor,) when he was relieved by your honorable body from performing said contract, and the contract was set aside and annulled; that all this was done without the consent of the owners of the adjacent property, and without any consultation with them; that afterwards, in June, 1866, or thereabouts, a new contract for said improvement was let to Hubbard & Whitsit at the rate of one dollar and twenty-three cents (\$1.23) per square yard, and the work having been done by said Hubbard & Whitsit (as they allege), a final estimate has, as the undersigned are informed, been allowed to them for the said work.

The undersigned represent that the annulment of said contract with said Stumph has greatly injured them in making them responsible (if the action of your honorable body was valid) for the cost of the bowldering of the crossing of Missouri street and the next alley west of it, and in compelling them to pay 26 cents per square yard more for bowldering than they would have had to pay under the contract with said Stumph.

The undersigned think that under the circumstances your honorable body ought at least to be willing to relieve them from any of the cost of the crossings of said streets and alleys, by making them a charge upon the city; and they are willing to settle with the new contractors (waiving all legal questions), if the city will do this. Wherefore the undersigned pray that your honorable body will assume, on behalf of the city, the cost of said street and alley crossings.

William Braden,
Spann & Smith,
Agt's for Fuqua's heirs,
F. L. Werbe,

John Carlisle,
E. Kuhlman,
William Coughlin,
Henry Cox.

Which was referred to the Board of Public Improvements and City Attorney.

Mr. Kemker introduced special ordinance No. 86—1866, entitled :

AN ORDINANCE to provide for grading and bowldering 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,

Which was read the first time by its title.

On motion by Mr. Brown, the ordinance was read the second time and ordered to be engrossed.

Mr. Seidensticker presented the following petition :

INDIANAPOLIS, Sept. 3, 1866.

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

GENTLEMEN:—It being in contemplation on the part of the Union Railway Company, in connection with the Peru and Bellefontaine Railway Companies, to substitute a double track for the single track now used, from a point in the present track of the Union Railway Company, between East and Liberty streets to the intersection of the tracks of the Peru and Bellefontaine Railway Companies near Market street, in conformity with the plat herewith filed, with a view to avoiding the possible conflict of trains moving on or out of time, especially when the arriving time of the trains on one road are near the leaving time of the trains on the other, frequently causing detention and loss of connections—a danger now sought to be obviated by a double track, and also to make completely available to other roads without danger of collisions or delays. The track and transfer facilities afforded by the Bellefontaine Railway Company, by which a large portion of the transfer-switching, formerly done on the Union track, is now done on the plats east of the city and remote from danger to the public.

Your petitioners respectfully ask permission to substitute a double track as aforesaid, in conformity with the plat herewith filed, for the reasons and benefits stated, and as in duty bound your petitioners will ever pray, &c.

THE BELLEFONTAINE RAILWAY CO.,

By E. KING, Secretary.

E. J. PECK, President,

Per W. N. JACKSON, Secretary.

DAVID MACY, Pres't I. & P. and C. R. W. Co.

On motion by Mr. Seidensticker, Monday, the 24th day of September, 1866, was fixed as the day for the consideration of said petition, and the City Clerk directed to give the notice of the pendency of the same, as, by law, in such cases made and provided.

Mr. Seidensticker presented the following remonstrance :

INDIANAPOLIS, Sept. 3, 1866.

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

The undersigned, property holders along the south line of Market street, between New Jersey and Noble streets, respectfully remonstrate against the pavement recently laid there being received, and the estimate therefor being granted to the contractors. Said pavement is already now rough, uneven and full of holes, and we respectfully pray that said contractors be required to lay the same properly before the estimate is allowed to them.

Valentine Schaaf,
Charles Knetemeier,
W. K. Little,

John J. Gates,
J. M. W. Langsdale,
And 11 others.

On motion by Mr. Seidensticker, the remonstrance and the first

and final estimate, as reported by the City Civil Engineer, for said pavement, were referred to the Board of Public Improvements.

On motion by Mr. Seidensticker,

The Civil Engineer was instructed to set the proper grade stakes for Robert Schmidt, so as to enable him to straighten the bed of Pogue's Run near lot No. 1, Square 80, in accordance to the authority heretofore granted to said Schmidt by the Common Council.

Dr. Thompson presented an anonymous communication from a lady in relation to unlicensed dogs running at large.

Which was referred to the Board of Police.

His Honor, the Mayor, John Caven presented the following communication :

INDIANAPOLIS, Sept. 1, 1866.

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

The undersigned hereby proposes to purchase sixty thousand dollars of City Warrants, or Bonds, at the rate of ninety (90) cents to the dollar—said Warrants or Bonds to become due in eighteen months from the first of October next ensuing, and to draw ten per cent. per annum interest, payable quarterly.

WM. R. NOFSLINGER.

Which was laid upon the table for the present.

REPORTS FROM BOARDS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, August 29, 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 by the improvement on New York street a culvert will have to be built under said street at its intersection with Bright street.

Also, a culvert under Meridian street at the intersection with Pratt street, between Meridian and Illinois streets, which was graded and graveled last fall, will have to be either dug down some 18 inches or two feet, or a wooden box put in to carry the water from Meridian street to Illinois street.

Your Board are of the opinion that a covered wooden box, 10 by 10 inches in the clear, would be sufficient to carry off all the water, and would be as cheap as anything that could be done at the present time.

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

On motion by Mr. Emerson, the report was concurred in, and the Street Commissioner directed to perform the work.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Aug. 29, 1866. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that the ordinance passed for the drainage of Lake McCarty has been complied with, and the lake is now drained and being filled up by Nicholas McCarty, the owner of the ground. Mr. McCarty, however, gives the Board to understand that the ditch now running through his ground cannot be permanent, and that the city will, after this year, have to make some arrangement for the drainage of that part of the city in the vicinity of the south end of Delaware street.

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

Which was accepted and approved.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Aug. 29, 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 they find the following the lowest bidders, and would recommend that the contracts be awarded them.

1st. James & John Huffer, to grade and gravel New York street, between the west side of Blackford and the west side of West streets, for 68½ cents per lineal foot each side.

2d. James & John Huffer, to grade and gravel Blackford street, between New York and the south side of Market streets, for 96 cents per lineal foot each side.

The bid to bowlder 16 feet of Market street, between Alabama and Delaware streets, we would recommend be rejected, and the ordinance repealed. As this is to be the permanent place for the East Wood and Hay Market, nothing less than the full width of the street ought to be bowldered. We therefore submit the following ordinance for the improvement of the street the full width, and repealing the ordinance to improve sixteen feet of the same.

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

On motion by Mr. Coburn, so much of the report as refers to bids was concurred in, and the contracts awarded.

On motion by Mr. Coburn, so much of the report as refers to the improvement of Market street, between Delaware and Alabama streets, was concurred in.

Mr. Coburn then introduced special ordinance No. 87—1866, entitled :

AN ORDINANCE to provide for the bowldering of Market street, between Delaware and Alabama streets, and to repeal special ordinance No. 84—1866, providing for the bowldering of sixteen feet of the north side of Market street, between the points above named,

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

REPORTS FROM COMMITTEES.

Mr. Seidensticker, from the Judiciary Committee, made the following report :

INDIANAPOLIS, Sept. 3, 1866.

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

The undersigned, to whom was referred the petition of Mary R. Gilmore, praying for the rescision of a precept issued against her upon an estimate for the improvement of Stevens street, respectfully report, that to determine the matters referred to us, we require information as to several facts, and therefore recommend the passage of the following resolution.

AD. SEIDENSTICKER,
B. K. ELLIOTT, *City Attorney.*

Which was accepted and approved.

Mr. Seidensticker then offered the following resolution :

Resolved, That the Civil Engineer is hereby directed to report to the Council :

1. Whether in the grading and graveling of Stevens street seven feet of the private property of Mary R. Gilmore were taken and graded as part of said street?
2. Whether the fences of said Mary R. Gilmore were removed for the purposes of said work?
3. If so, what deduction ought to be made from the assessment against her to indemnify her for all actual damage?

Which was adopted.

Mr. Brown, from the Committee on Streets and Alleys, made the following report :

INDIANAPOLIS, Sept. 3, 1866.

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

The Committee on Streets and Alleys, to whom was referred the petitions of Michael Morrison and Francis Donnelly relative to vacating an alley in out-lots 105 and 106, report that the petitioners have not complied with the law as to giving notice of the pendency of their petition, &c., and ask to be discharged from the further consideration of the subject.

AUSTIN H. BROWN,
Chairman Committee on Streets and Alleys.

Which was accepted, and the Committee discharged from further consideration of the subject.

Mr. Brown, from Committee on Streets and Alleys, made the following report :

INDIANAPOLIS, Sept. 3, 1866.

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

The Committee on Streets and Alleys, to whom was referred the petition of W. W. Smith and others, relative to obstructions of Kentucky Avenue by Railroad trains passing, report that the existing ordinances furnish sufficient remedies for the evils complained of, and that further action on the part of the Council is unnecessary.

AUSTIN H. BROWN,
Chairman Committee on Streets and Alleys.

Which was accepted and approved.

Mr. Brown, from Committee on Streets and Alleys, made the following report :

INDIANAPOLIS, Sept. 3, 1866.

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

The Committee on Streets and Alleys, to whom was referred the petition of B. Voldermark and others, relative to the grade of South East street, between Bicking street and the Corporation line south, beg leave to report the following motion, which they recommend be adopted.

AUSTIN H. BROWN,
Chairman Committee on Streets and Alleys.

On motion by Mr. Brown,

The report was accepted and approved and the petition of B. Voldermark and others, referred to the City Civil Engineer with instructions to report whether there is an established grade of East street, between Bicking street and the Corporation line south, and, if so, whether any change of grade is necessary; or, if there be no established grade that he make a profile of such street and submit the same to the Board of Public Improvements.

Mr. Emerson, from Select Committee, made the following report :

INDIANAPOLIS, Sept. 3, 1866.

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

The Special Committee, to whom was referred the communication of Andrew Wallace, Esq., would respectfully report that they have examined the building of Mr. Wallace, and find that the hall is large and well ventilated, but are in doubt as to whether suitable offices can be had in said building for all the city officials. The Committee would therefore respectfully report the same back to the Council for immediate action.

R. B. EMERSON, }
P. H. JAMESON, } *Committee.*

Which was accepted and approved.

On motion by Dr. Jameson Mr. Wallace was granted permission to address the Council on the subject.

Mr. Wallace then stated the advantages of his building for a Council Chamber and City Offices.

On motion by Dr. Jameson the matter was postponed for one week, and the Councilmen and City Officers directed to examine the building in the mean time.

Councilmen Grosvenor asked and obtained leave of absence.

REPORTS FROM CITY OFFICERS.

The City Auditor made the following report :

INDIANAPOLIS, Sept. 3, 1866.

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

The City Auditor respectfully reports to the Honorable Mayor and Common Council :

1. First and final estimate allowed Joseph Kruger, for paving the east sidewalk

on Delaware street, between Washington street and the first alley north of Market street, which is presented for your approval.

1. First and final estimate in favor of Thomas O'Neal, for graveling the intervening spaces of the east sidewalk of Meridian street, between Catherine and Merrill streets, is also presented for your approval.

2. First and final estimate in favor of J. H. Robinson, for grading and graveling California street and sidewalks, between New York street and the south side of Vermont street, is also presented for your approval.

4. I would respectfully report to your honorable body that the contract made with Frederick Schulmeyer, for lighting and extinguishing the city lamps, expires this day. You will please instruct me in the matter.

5. I would also state to your honorable body that in the ordinance passed by your honors to raise a revenue for general and specific purposes, the tax on polls was omitted entirely, and I find that in leaving them out it will make the duplicates appear very bad, as a great many persons pay on poll tax only, and nothing more. I have prepared an ordinance to tax polls, and now submit the same to your honorable body, to do what you deem best in the premises.

JOHN G. WATERS, *City Auditor.*

Resolved, That the first and final estimate allowed Joseph Kruger, for paving the east sidewalk on Delaware street, between Washington street and the first alley north of Market street, be and the same is hereby adopted as the estimate of this Council, and that 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, Jameson, Kappes, Kemker, MacArthur, McNabb, Seidensticker, Staub and Thompson—13. Noes, none.

So the resolution was adopted.

Resolved, That the first and final estimate allowed Thomas O'Neal, for graveling the intervening spaces of the east sidewalk of Meridian street, between Catharine and Merrill streets, be and the same is hereby adopted as the estimate of this Council, and that 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, Jameson, Kappes, Kemker, MacArthur, McNabb, Seidensticker, Staub and Thompson—13. Noes, none.

So the resolution passed.

Resolved, That the first and final estimate allowed J. H. Robinson for grading and graveling California street and sidewalks, between New York street and the south side of Vermont street, be and the same is hereby adopted as the estimate of this Council, and that 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, Jameson, Kappes, Kemker, MacArthur, McNabb, Seidensticker, Staub and Thompson—13. Noes, none.

So the resolution passed.

On motion by Mr. Brown so much of the City Auditor's Report as relates to the contract for lighting and extinguishing the street lamps, was referred to the Committee on Gas.

On motion by Mr. Brown the following ordinance reported by the City Auditor, was read the first time by its title :

AN ORDINANCE to raise revenue for general purposes for the City of Indianapolis, for the year one thousand eight hundred and sixty-six.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That there shall be and is hereby levied, and there shall be assessed and collected for general purposes, on each poll thereon, the sum of fifty cents.

SEC. 2. This ordinance shall take effect and be in force from and after its passage.

Ordained and established this 3d day of September, 1866.

JOHN CAVEN, *Mayor.*

Attest:

C. S. BUTTERFIELD, *City Clerk.*

On motion by Dr. Jameson, the ordinance was read the second time and considered as engrossed.

Dr. Jameson moved that the rules be suspended and the ordinance read the third time 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, Emerson, Glazier, Jameson, Kappes, Kemker, MacArthur, McNabb, Seidensticker, Staub and Thompson—13.

No Councilman voting in the the negative.

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, Brown, Coburn, Emerson, Glazier, Jameson, Kappes, Kemker, MacArthur, McNabb, Seidensticker, Staub and Thompson—13.

No Councilman voting in the negative.

So the ordinance passed.

The City Attorney made the following report :

INDIANAPOLIS, Sept. 3, 1866.

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

GENTLEMEN:—I have examined the ordinance entitled "An ordinance appropriating money, and providing for the payment of outstanding indebtedness of the city of Indianapolis, and the interest accrued thereon," and am of the opinion that the Common Council can legally enact such an ordinance.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was accepted and approved.

The City Clerk made the following report :

OFFICE OF CITY CLERK,
Indianapolis, Aug. 27, 1866. }

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

GENTLEMEN:—The City Clerk would respectfully report that, pursuant to instructions from your honorable body, and in accordance with the provisions of the City Charter, he notified the Commissioners of the City of Indianapolis for the opening and laying out of streets and alleys, &c., to meet at the office of the City Clerk on Thursday, the 23d day of August, 1866, at 9 o'clock, A. M.; that said Commissioners were then and there required to make an appraisal of the real estate proposed to be appropriated by the opening of New Jersey street ninety (90) feet in width, running north and south through out-lots numbered 103 and 104, between Merrill and McCarty streets; and that he also gave twenty-one days' notice, as required by law, to each of the owners, or agents thereof, of the lots or land upon or through which said street is proposed to be opened; and that said Commissioners did at the time and place indicated in such notice, meet and proceed to an examination of the real estate proposed to be appropriated as aforesaid, and also examined witnesses in relation to the same, and that on the 1st day of September, 1866, said Commissioners filed in the office of the City Clerk the following report of their proceedings in the premises.

C. S. BUTTERFIELD, *City Clerk.*

REPORT OF CITY COMMISSIONERS IN CASE OF OPENING NEW JERSEY STREET.

INDIANAPOLIS, Aug. 24, 1866.

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

The Commissioners of Streets and Alleys respectfully submit the following report in the matter of the opening of New Jersey street, as petitioned for to the Common Council by H. Clearwater and others :

That, pursuant to the notice issued and served, they met at the office of the City Clerk in the City of Indianapolis, on Thursday the 23d day of August, 1866, at 9 o'clock, A. M., and proceeded to hear and examine witnesses in the matter aforesaid. The Commissioners, having heard the evidence, and having duly examined the real estate through which it is proposed to open said street, and such real estate as would, in their opinion, be benefited by the opening of said street, and being fully advised in the premises, find :

That, if said New Jersey street be opened as petitioned for, it would extend from Merrill street to McCarty street, ninety (90) feet in width, the center thereof being on a right line with the center of said New Jersey street, at the point where it intersects Merrill street. The value of land to be appropriated for said street is eleven thousand eight hundred and twenty-five dollars (\$11,825.)

That the part of the expense which should be borne by the City of Indianapolis is three thousand seven hundred and nineteen dollars (\$3,719.)

We find the damages sustained to be upon the real estate, and in the amounts set opposite the respective names following, to-wit :

Betty Davis and F. A. W. Davis—Commencing at the north-east corner of out-lot 104, thence south 150 feet, thence west 45 feet, thence north 150 feet, thence east to the place of beginning.....	\$2,250 00
Betty Davis and F. A. W. Davis—Improvements on real estate.....	3,000 00
J. M., S. M. and E. Ketcham—Commencing on the east line of out-lot 104, 150 feet south of the north-east corner of said out-lot, thence south 112 feet and 6 inches, thence west 38 feet, thence north 112 feet and 6 inches, thence east 38 feet to the place of beginning.....	250 00
Jane M. Ketcham—Commencing on the east line of out-lot 104, 262 feet and 6 inches south of the north-east corner of said out-lot, thence south 150 feet, thence west 38 feet, thence north 150 feet, thence east 38 feet to the place of beginning.....	300 00
John L. Ketcham, Jr.—Commencing at a point on the south line of lot 15 of Merrill's subdivision of out-lot 104, 38 feet west of the south-east corner of said lot 15, thence west 7 feet, thence north 262 feet and 6 inches, thence east 7 feet, thence south 262 feet and 6 inches to the place of beginning.....	125 00
E. T. Sinker—Commencing at the north-east corner of lot 17 of Merrill's subdivision of out-lot 104, thence south 127 feet and 6 inches, thence west 45 feet, thence north 127 feet and six inches, thence east 45 feet to the place of beginning.....	500 00

E. T. Sinker—Commencing at the north-east corner of lot 14 of Merrill's subdivision of out-lot 104, thence south 112 feet and 6 inches, thence west 45 feet, thence north 112 feet and six inches, thence east 45 feet, to the place of beginning.....	500 00
E. T. Sinker and Daniel Yandes—Commencing at the north-east cor. of lot 13 of Merrill's subdivision of out-lot 101, thence south 137 feet and 6 inches, thence west 36 feet, thence north 137 feet and 6 inches, thence east 36 feet to the place of beginning....	600 00
W. Arthur—Commencing at a point 36 feet west of the south-east corner of lot 13 of Merrill's subdivision of out-lot 104, thence west 9 feet, thence north 137 feet and 6 inches, thence east 9 feet, thence south 137 feet and 6 inches to the place of beginning.....	150 00
Andrew Curtis—Commencing at the north-west corner of out-lot 103, thence south 125 feet, thence east 45 feet, thence north 125 feet, thence west 45 feet to the place of beginning.....	1,650 00
Alanson G. Stevens—Commencing at a point on the west line of out-lot 103, 125 feet south of the north-west corner of said out-lot, thence south 715 feet, thence east 45 feet, thence north 715 feet, thence west 45 feet, to the place of beginning.....	2,500 00
Total damages.....	\$11,825 00

And we assess the damages in favor of the persons last named in the amounts set opposite their respective names.

That the persons below named are benefitted upon the real estate described in the sums set opposite their respective names :

E. T. Sinker—All of lot 14 of Merrill's subdivision of out-lot 104, except 45 feet by 112 feet off the east end (taken for New Jersey street), and all of lot 17 of Merrill's subdivision of out-lot 104, except 45 feet by 127 feet and six inches off the east end (taken for New Jersey street), and that part of said lot heretofore sold to J. N. Unversaw	\$1,000 00
Andrew Curtis—Commencing at a point on Merrill street 45 feet east of the north-west corner of out-lot 103, thence south 125 feet, thence east 35 feet, thence north 125 feet, thence west 35 feet to the place of beginning.....	200 00
Alanson G. Stevens—All of lot 103 except that portion taken for New Jersey street, viz: 45 by 715 feet off of part of the west side of out-lot 103, and that part of said out-lot heretofore sold to Andrew Curtis.....	4,983 00
John L. Ketcham—Lot 16 of Merrill's sub-division of out-lot 104, and all of lot 15 of Merrill's subdivision of out-lot 104, except 50 by 412 feet off the east side thereof, of said lot 15	1,500 00
Thos. Landers—Commencing 73 feet west of the south-east cor. of lot 13 of Merrill's subdivision of out-lot 104, thence west 32 feet, thence north 137 feet and 6 inches, thence east 32 feet, thence south 137 feet and six inches to the place of beginning	23 00
Adolph Seidensticker—Commencing 105 feet west of the south-east corner of lot 13 of Merrill's subdivision of out-lot 104, thence west 30 feet, thence north 137 feet and 6 inches, thence east 30 feet, thence south 137 feet and 6 inches to the place of beginning	20 00
W. Elmer—Commencing 135 feet west of the south-east corner of lot 13 of Merrill's subdivision of out-lot 104, thence west 40 feet, thence north 137 feet and 6 inches, thence east 40 feet, thence south 137 feet and 6 inches to the place of beginning....	18 00
Elizabeth Naltner—Commencing 175 feet west of the south-east corner of lot 13 of Merrill's subdivision of out-lot 104, thence west 40 feet, thence north 137 feet and 6 inches, thence east 40 feet, thence south 137 feet and six inches to the place of beginning.....	15 00
Charles B. Robinson—Commencing 50 feet east of the south-west corner of lot 13 of Merrill's sub-division of out-lot 104, thence east 30 feet, thence north 137 feet and 6 inches, thence west 30 feet, thence south 137 feet and 6 inches to the place of beginning.....	12 00
William H. Robinson—Commencing at the south-west corner of lot 13 of Merrill's subdivision of out-lot 104, thence east 50 feet, thence north 137 feet and 6 inches, thence west 50 feet, thence south 137 feet and 6 inches to the place of beginning....	10 00
George H. Bicking's heirs—Lots 68, 69, 70, 71 and 72 of Bicking's heirs' subdivision of out-lot 107.....	50 00
J. Henry Kappes—Lots 37, 38, 39, 40 and 41, of Bicking's heirs' subdivision of out-lot 107.....	150 00
George H. Bicking's Heirs—Lots 32, 33, 35 and 36, of Bicking's heirs' subdivision of out-lot 107	100 00
J. Henry Kappes—Lot 34 of Bicking's heirs' sub-division of out-lot 107.....	25 00
The City of Indianapolis.....	3,719 00
Total benefits.....	\$11,825 00

And we assess the said sums against the persons aforesaid, and upon the real estate aforesaid.

All of which is respectfully submitted.

SAMUEL M. SEIBERT,	} Commis'ers.
JAMES N. KUSSELL,	
THOMAS SCHOOLEY,	
JAMES C. YOHN,	

Mr. Seidensticker moved that the report of the City Commissioners in the case of opening New Jersey street, between Merrill and McCarty streets, be accepted and approved.

The ayes and noes being taken under the Charter, no Councilman voting in the affirmative.

Those who voted in the negative were Councilmen Allen, Brown, Coburn, Emerson, Glazier, Jameson, Kappes, Kemker, MacArthur, McNabb, Seidensticker, Staub and Thompson—13.

So the report was not approved.

The City Civil Engineer made the following report:

INDIANAPOLIS, Sept. 3, 1866.

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

The Civil Engineer would respectfully report the following amount of work finished according to contract:

Messrs. S. J. & R. H. Patterson for grading and graveling North street and sidewalks, between Blackford and Minerva streets.

Grading 4,829.74 cubic yards at 35 cents per yard	-----	\$1,690 40 90-100
Graveling 1,832.40 cubic yards at 99 cents per yard	-----	1,814 07 60-100

Total	-----	\$3,504 48 50-100
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The time given by contract for the above work to be finished was the 1st day of August, 1866.

Also, J. & J. Huffer, for grading the sidewalk on the west side of East street, between Louisiana street and Virginia Avenue.

Total number of feet	-----	376 4
At 28 cents per lineal foot	-----	28

Total	-----	\$105 37
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Also, That the appointment of J. P. Harper as Assistant Engineer, to date from August 12, 1866, as he commenced work on that date.

Also, have examined the work on Walnut street, and think it only necessary to have the gutters cleaned out to prevent water from standing in the street; but while teams are allowed to run in the gutters, instead of the center of the street, it is useless to try and keep them clean, or keep the water from standing in the street.

Respectfully submitted,

JOSHUA STAPLES, JR., *Civil Engineer.*

On motion by Mr. Brown, so much of the report as relates to completion of contracts for street improvements was approved, and the City Auditor directed to prepare and report estimates for the same.

On motion by Mr. Grosvenor, so much of the report as relates to the date of the appointment of the Assistant City Civil Engineer was concurred in, and the appointment ordered to date from 12th of August, 1866.

On motion so much of the report as relates to the grade of Walnut Street was concurred in.

The City Attorney made the following report :

INDIANAPOLIS, Sept. 3, 1866.

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

GENTLEMEN :—The undersigned have examined the matter relative to issuing a precept for Thomas Wren against Samuel Dunlop for improvement of Madison Avenue, and so far as can be ascertained from the record Dunlop should pay the assessment, and a precept should be issued against him.

Respectfully,

JOSHUA STAPLES, JR., *Civil Engineer.*
B. K. ELLIOTT, *City Attorney.*

Which was accepted and approved, and the City Civil Engineer directed to report a corrected estimate.

The City Sexton made the following report :

Report of the Sexton for the month ending August 31, 1866:

NO. OF INTERMENTS.

Under 1 year old.....	15
1 to 5 years.....	18
5 to 10 years.....	2
10 to 20 years.....	3
20 to 30 years.....	7
30 to 40 years.....	11
40 to 50 years.....	6
50 to 60 years.....	1
60 to 70 years.....	2
70 to 80 years.....	2
Total.....	67
From the country.....	2

G. W. ALLRED, *Sexton.*

Which was accepted and approved.

ORDINANCES ON THIRD READING.

Mr. Coburn called up special ordinance No. 87—1866, entitled :

AN ORDINANCE to provide for the bouldering of Market street, between Delaware and Alabama streets, and to repeal special ordinance No. 84—1866, providing for the bouldering of sixteen feet of the north side of Market street, between the points above named,

And moved that the rules be suspended and the ordinance read the third time 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, Emerson, Glazier, Jameson, Kappes, Kemker, MacArthur, McNabb, Seidensticker, Staub and Thompson—13.

No Councilman voting in the negative.

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

The question being shall the ordinance pass? those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Emerson, Glazier, Jameson, Kappes, Kemker, MacArthur, McNabb, Seidensticker, Staub and Thompson—13.

No Councilman voting in the negative.

So the ordinance passed.

On motion by Dr. Jameson general ordinance No. 71, was taken up for amendment.

Dr. Jameson moved to amend the ordinance by adding the following proviso to section 1st:

Provided, That no new warrant, as herein contemplated, shall be issued bearing date prior to the first day of October, 1866.

Which was adopted.

On motion by Mr. Seidensticker sections 6 and 7 were stricken out of the ordinance, and the remaining sections re-numbered.

On motion by Dr. Jameson, the blank in section 6 was filled with fifteen thousand dollars, (\$15,000.00.)

Mr. Seidensticker moved to amend by striking out all of section 7, and inserting in lieu thereof the following:

Sec. 7. Should orders so exchanged, or cash received for warrants, amount to \$65,000, or more, by the 1st day of November, 1866, then so much of an ordinance passed August 15th, 1866, fixing the rate of taxation for the year 1866, as levies a special tax of seventy-five cents on each \$100, is, upon said funding, repealed.

Which amendment was adopted.

On motion by Dr. Jameson the ordinance was then considered as engrossed.

General ordinance No. 71 was then read the third time, as follows, to-wit.

AN ORDINANCE appropriating money and providing for the payment of outstanding indebtedness of the City of Indianapolis, and the interest accrued thereon.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the holders of any warrants on the City Treasury which are now due, or shall be hereafter issued to become due prior to the first day of November, 1866, may, at any time prior to such date, present them to the City Treasurer for redemption, and the Treasurer shall issue a certificate directed to the City Auditor, showing the amount of the warrants he has so received, with their numbers and the amount of interest due thereon. And said Auditor shall thereupon issue to the holder of such certificate a new warrant for the amount of the principal and accrued interest named in such certificate, reciting thereon the number of the Treasurer's certificate on which it was issued,

and to become due in eighteen months from the date of its issue, and payable in cash, to which shall be attached three interest coupons, the first due in six, the second in twelve, and the third in eighteen months, and estimating interest at the rate of ten per centum per annum on the amount of such new warrant, and also payable in cash; and the first and second due of said coupons shall be receivable at any time for taxes of 1866 and 1867, and the last due shall be receivable at any time for taxes of 1867, and the said warrants shall be receivable at any time for taxes of 1867: *Provided*, That no new warrant, as herein contemplated, shall be issued bearing date prior to the first day of October, 1866.

SEC. 2. The City Auditor shall have printed the necessary blank forms for such warrants with coupons attached, and shall date the same and all coupons of the date of issue of the Treasurer's certificate, and said warrants shall have printed thereon "On account of redemption of existing debt." The Auditor shall commence numbering such warrants at No. 1, and so continue in numerical order, and shall register them in a separate book, and showing in distinct and separate columns the number, date of issue, to whom issued, the amount of original principal and interest separate, and the aggregate of both, and the amount of each coupon, and when due, and leaving each alternate cross line blank for future memoranda, or else leaving spaces between the columns for such purpose. The Auditor may issue one or more warrants upon one certificate in sums to suit the holder, and shall indorse upon such Treasurer's certificate the number and amount of each warrant issued thereon, and shall file away and carefully preserve such certificate, and shall also recite in, or indorse upon, each warrant issued by him the number of the Treasurer's certificate for which the same was issued. He shall also write on the present registry of orders, opposite the number of each order redeemed by the Treasurer, the word "exchanged," and the date of such exchange.

SEC. 3. The Treasurer shall report to the Council at its first meeting in each month the amount of the principal of the warrants so redeemed by him during the preceding month, and the amount of interest accrued thereon up to the day of redemption, and the aggregate of both, and the Council shall make the necessary appropriation to the Treasurer for the amount of such interest; and the Auditor shall also report the amount of principal and interest certified to him by the Treasurer, and also the amounts of the new warrants issued by him, and the amount of interest coupons issued by him, and the aggregate of both. Said warrants and coupons shall be signed by the Mayor and countersigned by the Auditor.

SEC. 4. The Treasurer shall keep such warrants so redeemed separate from those otherwise redeemed, and in addition to the usual cancellation shall indorse thereon the word "exchanged," with the date of such redemption and the amount of interest estimated thereon.

SEC. 5. Any person may pay to the Treasurer in cash any amount, and the Treasurer shall deliver to such person a certificate as above provided for, except that it shall be thereon recited that the same was paid for in cash; and upon presentation to the Auditor of such certificate he shall issue a warrant for the amount similar to, and to be governed by, the same terms and conditions, and receive the same rate of interest as those exchanged for warrants, and shall make a similar registry thereof, except such differences in the forms of such warrants and registry as may be appropriate to show that the same were sold for cash; and said officers shall embrace in their monthly report a statement showing the amount so sold for cash separate from those exchanged for warrants.

SEC. 6. There is hereby appropriated the sum of fifteen thousand dollars, or so much thereof as may be required, to pay the interest coupons above mentioned when they become due, and the Treasurer is directed to pay the same in cash.

SEC. 7. Should orders so exchanged, or cash received for warrants, amount to \$65,000, or more, by the first day of November, 1866, then so much of an ordinance passed August 15, 1866, fixing the rate of taxation for the year

1866, as levies a special tax of twenty-five cents on each one hundred dollars is, upon said funding, repealed.

SEC. 8. This ordinance shall take effect and be in force from and after its passage.

Ordained and established this 3d day of September, 1866.

JOHN CAVEN, Mayor.

Attest:

C. S. BUTTERFIELD, City Clerk.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Allen, Coburn, Glazier, Jameson, Kappes, MacArthur, Seidensticker, Staub and Thompson—9.

Those who voted in the negative were Councilmen Brown, Emerson, Kemker and McNabb—4.

UNFINISHED BUSINESS.

On motion by Mr. Allen,

The Indiana Central Railway Company was permitted to construct a culvert across the sidewalk at the south-east corner of Washington and Noble streets, under the direction of the City Civil Engineer.

On motion by Mr. Brown the Council adjourned.

JOHN CAVEN, Mayor.

ATTEST:

C. S. BUTTERFIELD, City Clerk.