

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.;

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, NOVEMBER 12TH, 1866, 7 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, Staub and Thompson—12.

Absent—Councilmen Colley, Fletcher, Kemker, McNabb, Schmidt and Seidensticker—6.

The proceedings of the adjourned sessions held November 1st and 3d, 1866, and of the regular session held November 5th, 1866, were read and approved.

On motion by Mr. Brown,

The Board of Public Improvements were instructed to direct the Street Commissioner to notify the parties interested in the railroad switches crossing Pennsylvania street, north of the Union tracks, to have them planked where they cross the sidewalks.

On motion by Mr. Emerson,

Andrew J. Miller, Esq., was permitted to grade and gravel the sidewalk in front of his property, lot No. 23, in Wiley and Martin's sub-division of out-lot No. 184, and the Civil Engineer is hereby directed to set the proper grade stakes.

On motion by Mr. Glazier,

William Stolte was allowed to grade and pave his sidewalk in front of his store room on the corner of Delaware and McCarty streets, and the Engineer was requested to set the grade stakes for the same.

On motion by Mr. Glazier,

The Street Commissioner was directed to give notice to the Peru Railroad Company to plank the sidewalk where their track crosses at East street, as the same is in a bad condition, being lately relaid.

On motion by Dr. Jameson,

Dr. S. A. Butterfield was permitted to improve the sidewalk in front of his residence on East street, between Walnut and St. Clair streets, and that the Engineer be directed to set the necessary grade stakes therefor.

On motion by Dr. Jameson,

In case of the occurrence of the expected meteoric shower during the present month, the Chief Fire Engineer was directed to have the fire bells rung on the main tower and at the several engine houses of his department.

Dr. Jameson introduced special ordinance No. 128—1866, entitled:

AN ORDINANCE to provide for grading and graveling the alley running north and south through out-lot forty, between Walnut and St. Clair streets, and between New Jersey and East streets,

Which was read the first time by its title and passed to a second reading.

Dr. Jameson introduced special ordinance No. 129, entitled:

AN ORDINANCE appropriating money for the purpose of purchasing rubber coats for the use of the firemen,

Which was read the first time by its title, and passed to a second reading.

On motion by Mr. Kappes,

The City Engineer was directed to report as to the feasibility of establishing, at convenient places, points from which the width of streets and alleys, of squares and out-lots, and of the sub-divisions can be easily and correctly ascertained; and also, to submit plans and estimates at his earliest possible convenience.

Mr. Loomis presented the following petition:

INDIANANOLIS, Nov. 12 1866.

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

We, the property owners between Waters and Greer streets, pray the Council to have a wooden culvert put in the alley to let the water run off. We do not think it is right to run the water from McCarty street into the alley and

leave it there till it dries away, which will take about one month after a rain, making almost continual standing water there.

Fred. Hillman,	Fred. Smith,
Wilh. Schooe,	John Wands,
Wm. Hillman,	Wm. H. Belcher.
Charles Hillman,	

Which was referred to the Board of Public Improvements.

Mr. Loomis presented the following petition :

INDIANAPOLIS, Nov. 12, 1866.

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

GENTLEMEN:—We, the undersigned, your petitioners, resident property holders on the east side of East street, respectfully petition your honorable body to pass an ordinance to regrade and gravel the east sidewalk on East street, between Louisiana and South streets, and as in duty bound we will ever pray.

Jesse Jones,	William Bunse,
Samuel Love,	John Schneider.

Which was referred to the Board of Public Improvements.

Mr. Loomis presented the following petition :

INDIANAPOLIS, Nov. 12, 1866.

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

GENTLEMEN:—The undersigned, property owners on Fletcher Avenue, believing that great injustice was done them in the measurement of the grading of said Avenue, respectfully petition your honorable body to have the same re-measured by the present Engineer.

William Spotts,	John H. Batty,
C. D. Wilcox,	W. T. Jones,
F. Rubush,	And 9 others.

Which was granted.

Mr. Loomis introduced special ordinance No. 130—1866, entitled :

AN ORDINANCE to provide for building a sewer to extend from Virginia Avenue west to the center of the fourth alley running north and south in out-lot 100, and between lots 27 and 28, on the north, and lots 10 and 11 on the south side,

Which was read the first time by its title, and passed to a second reading.

His Honor, the Mayor, presented the following communication :

INDIANAPOLIS, Nov. 12, 1866.

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

As the undersigned intend to erect upon the north-east corner of Circle and East Market streets, in said city, next west of their new Journal Building, now nearly completed, a large, elegant and substantial building of brick and stone, five stories high, and to be finished externally in the style of the building above named, and as

The proposed building is to be fire proof, the rooms to have high ceilings, and to be light and airy and well ventilated. There will be fire-proof vaults in the second and third stories. The entrances and stair cases are to be broad and convenient. There will be suitable out buildings and other accommodations. The building will be finished and possession can be given on or before the first day of August, 1867.

If a satisfactory arrangement can be made, they propose to erect a strong and substantial tower, in connection with said building, and from twenty to twenty-five feet above the five stories of the main building, suitable for a look-out and a fire alarm bell.

They further propose to finish the second story of said building suitable for the offices of the City Treasurer, Clerk, Auditor and Engineer; and the third story for a Common Council Chamber and Mayor's Office, and to let to the City of Indianapolis said look-out, and the second and third stories of said proposed building, for the term of ten years, at an annual rent of two thousand dollars.

They make this offer, at the present time, with the view, if the same be accepted, of arranging and finishing the rooms, &c., for the convenient use of the City Offices above named.

DOUGLASS & CONNER.

Which was laid over until the report from Committee on Public Buildings should be received.

The sealed proposals were opened, read and referred to the Board of Public Improvements.

REPORTS FROM BOARDS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Nov. 7, 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 report of the Board made October 24th, recommending five hundred loads of gravel placed on Virginia Avenue, together with the amendments for two hundred and fifty on Bluff Road, three hundred on New Jersey street, and three hundred on Illinois street, making thirteen hundred and fifty yards, costing about one dollar a yard, making a cost of thirteen hundred and fifty dollars, would respectfully refer the same back to the Council for final action.

H. COBURN, }
JNO. B. MACARTHUR. } Board.

On motion by Dr. Jameson, the City Auditor was directed to advertise for sealed proposals for the placing of the gravel on Virginia Avenue, New Jersey street, Illinois street and the Bluff Road.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Nov. 7, 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 John Schier the lowest bidder to grade and gravel Vermont street, between Peru Railroad and Winston street, at \$1.07 cents per foot front, each side of the street. We would recommend that the contract be awarded him.

HENRY COBURN, }
JNO. B. MACARTHUR, } *Board.*

Which was concurred in, and the contracts awarded.

REPORTS FROM COMMITTEES.

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

INDIANAPOLIS, Nov. 12, 1866.

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

The Committee on Streets and Alleys, to whom was referred the remonstrance of W. Cook and others, report that in their opinion the running of the water down Louisiana street from the Engine House and Machine Shops of the Cincinnati Railroad is a nuisance, but it is one of those evils against which the citizen has the remedy in his own hands by complaint in the Courts. It is suggested, however, that the City Attorney be requested to give his opinion as to the power of the Council in such matters.

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

Which was concurred in, and the City Attorney directed to give his opinion as to power of Council in such cases.

Mr. Emerson, from the Committee on Public Buildings, made the following report :

INDIANAPOLIS, Nov. 12, 1866.

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

GENTLEMEN:—Your Committee, to whom was referred the matter in relation to the cost of fitting up the Second Presbyterian Church for a Council Chamber and City Offices, beg leave to report that they have adopted such a plan as in their opinion would accommodate all the officers of the city, and the cost of making said alterations, as estimated by the Committee, will amount to \$1,292.80.

Your Committee have also made an estimate upon the expense of erecting a tower to the height of one hundred and fifty feet to be as follows, twenty-one hundred dollars.

All of which is respectfully submitted,

R. B. EMERSON, }
J. STAUB, } *Committee.*

Mr. Loomis moved that there be added to the Committee on Public Buildings two additional members of the Council, as a select com-

mittee for the consideration of all matters and things in connection with the proposition for a City Hall and City Offices and Watch Tower for Fire Department.

Which was adopted.

His Honor, the Mayor, appointed as such additional members of the Committee on Public Buildings Councilmen Jameson and Loomis.

Mr. Kappes, from the Committee on Benevolence and City Hospital, made the following report :

INDIANAPOLIS, NOV. 12, 1866.

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

GENTLEMEN:—Your Committee beg leave to preset to you the Monthly Report in regard to the City Hospital. We have examined the several vouchers and find them correct.

It appears from the report of the Superintendent, that the average expense per capita per diem, is 86 cents; and the whole expense for the month of October, \$140.20.

We also submit an ordinance appropriating money for the payment of sundry claims on account of City Hospital for the month of October, 1866.

Respectfully,

J. H. KAPPES,
W. CLINTON THOMPSON. } *Committee.*

Which was received.

Also, special ordinance No. 131, entitled :

AN ORDINANCE appropriating money for the payment of sundry claims on account of City Hospital for the month of October, 1866,

Which was read the first time by its title, and passed to a second reading.

Also, the following recapitulation, of weekly report of Superintendent of City Hospital :

Number of patients in the Hospital at last report.....	12
Number of patients received in the Hospital since last report.....	3
Number of patients discharged from Hospital since last report.....	3
Number of patients died in the Hospital since last report.....	0
Number of patients remaining in the Hospital at present.....	12

Which was received.

Also, the following recapitulation of monthly report of expenditures by Superintendent of City Hospital :

Total expenditures for month.....	\$401 46
Aggregate number of days for which subsistence, etc., was furnished.....	462
Average expense der capita per diem.....	\$0 86

Which was received.

REPORTS FROM CITY OFFICERS.

His Honor, the Mayor, made the following report :

INDIANAPOLIS, Nov. 12, 1866.

To the Common Council of the City of Indianapolis :

GENTLEMEN:—The amount of fines collected by me during the month of October, was \$772.00, which amount I have paid to the City Treasurer, as shown by Auditor's quietus herewith filed.

Respectfully submitted,

J. CAVEN, *Mayor.*

Which was accepted and approved.

The City Attorney made the following report :

INDIANAPOLIS, Nov. 12, 1866.

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

GENTLEMEN:—Before giving an opinion upon the claim of August Richter, Esq., it is necessary for me to be put more fully in possession of the facts, and for that purpose I respectfully request that Mr. Richter answer the following questions :

1st. On what property was the culvert constructed ?

2d. Who gave permission to construct it ?

3d. For what purpose was it constructed ?

4th. Under whose supervision was the culvert constructed, that is, what individual directed its construction and superintended the workmen employed in constructing it ?

5th. How was it constructed ?

6th. Who paid for the culvert ?

7th. What was the necessity for its construction ?

8th. What was the occasion of the damage claimed ?

9th. Was the culvert sufficient for ordinary purposes ? if not, why not ?

10th. Was there any defect in the construction of the culvert ? if so, what was the defect ?

11th. What agreement, if any, had Mr. Richter relative to the construction of the culvert ?

12th. If there was any agreement with whom was it made ?

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was referred to the Street Commissioner with instructions to answer the interrogatories propounded by the City Attorney.

Also, the following report :

INDIANAPOLIS, Nov. 12, 1866.

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

GENTLEMEN:—I have prepared and delivered to the Street Commissioner notice to Canal Company to construct a bridge across Canal at intersection of Blackford street, and have tendered my services to the counsel for the State in case v. Canal Company, as directed by your honorable body.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was received.

Also, the following report :

INDIANAPOLIS, Nov. 12, 1866.

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

GENTLEMEN:—I have examined the question propounded by the resolution inquiring whether the Civil Engineer is entitled to charge property holders for setting grade stakes for the improvement of streets and alleys, and submit the following opinion :

Section 24 of the Charter provides that the Engineer shall "perform all other duties appertaining to his office or directed by the Common Council:" and the 29th sub-division of section 34 provides that "the Common Council shall in their by-laws provide for the compensation of all city officers." Taking these two provisions together—and in this manner they must be taken—it is clear that the only compensation to which the Engineer is entitled for the performance of a duty directed by Council, or properly appertaining to the duties of his office, is the compensation fixed by the Charter and ordinances of the city. There can be no other legal compensation, and I find no provision allowing the Engineer any other compensation than his general salary.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was concurred in.

Also, the following report :

INDIANAPOLIS, Nov. 11, 1866.

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

GENTLEMEN:—As there are no specific questions asked me relative to the communication of John S. Spann and the report of the Committee on Public Buildings, I may not in the following opinion answer as fully as you require. I apprehend the question to be this :

Can the City legally purchase the real estate mentioned in the report for the purpose designated, and issue bonds as proposed in payment ?

The power to purchase and hold real estate for the purpose of public buildings is expressly conferred by the 46th sub-division of the 34th section of the Charter, and the implication from the language of the 57th section is that the Council may lawfully incur a debt in execution of any of the powers expressly granted. This power to purchase public buildings is expressly granted, and for that purpose a debt may be legally incurred. A debt of the character proposed is not a loan, but stands on the same basis as ordinary expenses incurred in the administration of the municipal government, as salaries of officers, expenses of fire department.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was concurred in.

The Civil Engineer made the following report :

INDIANAPOLIS, Nov. 12, 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 contracts :

John M. Kennedy, for grading and graveling Michigan street and south sidewalk, between Meridian and Pennsylvania streets.

North side.....	420 feet.	
At 48 cents per lineal foot.....	48	
		\$201 60
South side.....	420 feet.	
At 96 cents per lineal foot.....	96	
		403 20
Total.....		\$604 80

Also, Joseph S. Chwartzter, for grading the first alley south of North street, running east and west between the alley running north and south through square (8) and Mississippi street.

North side..... 195 feet.
 South side..... 195 "

Total number of feet..... 390 "

At 20 cents per lineal foot each side..... 20

Total \$78 00

Respectfully submitted,

JOSHUA STAPLES, JR., *Civil Engineer.*

Which was approved and the City Auditor directed to prepare estimates.

Also, the following report :

INDIANAPOLIS, NOV. 12, 1866.

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

GENTLEMEN:—The Civil Engineer would respectfully submit the following :

The question as to the grading of North street having been referred to me, would report as follows: First, the meaning of the word grade is to reduce the line of a road or street to a level, or such an inclination as will prepare it for being used.

In making up my report on the amount of work done on North street, between Blackford and Minerva streets. I made it conform strictly to the contract, allowing for both cuts and fills. As there is no ordinance on the subject fixing any particular way in which an estimate shall be made, I therefore made it according to the contract. If the contractor was to be paid for whichever was the greatest, it should have been *particularly* specified; otherwise, contractors can collect the amount due them. What has been the custom heretofore, I do not know, only by hearsay. If it has been the custom to allow whichever was the greatest, cuts or fills, as custom does not make laws in this State, I think the contractor will have to be paid for both cuts and fills. My opinion is, that as the contract did not state whichever was the greatest, cuts or fills should be paid for by cubic yard, then both should be paid for as it is done generally.

If the contractor took the work with the understanding that he was to be paid for only cuts or fills, whichever was the greatest, then he ought not to be paid for only one, cuts or fills.

Respectfully submitted,

JOSHUA STAPLES, JR., *Civil Engineer.*

Which was laid upon the table.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }
 Indianapolis, Nov. 12, 1866. }

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

GENTLEMEN:—The City Clerk respectfully reports that the following affidavit has been filed in his office for the collection of street assessment by precept, viz :

Hermann Timmermann against Thomas O'Neal, for - - - - - \$38 70

And respectfully request that you order precept to issue.

Respectfully,

C. S. BUTTERFIELD, *City Clerk.*

Which was concurred in and the precept ordered.

The City Auditor made the following report :

INDIANAPOLIS, Nov. 12, 1866.

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

GENTLEMEN:—The City Auditor respectfully reports the following :

1st. First and final estimate allowed Cogill, Smock & Cogill, for grading and graveling Meridian street, exclusive of sidewalks, between North and St. Clair streets, and curbing the outer edges of the sidewalks with White Oak plank, and paving the gutters with boulder stone, and also graveling the space between the bowlders with good river or creek gravel.

2d. First and final estimate allowed Thomas H. Williams, for grading and graveling the south sidewalk on Huron street, between Virginia Avenue and Noble street.

3d. First and final estimate allowed R. P. Dunning, for grading and bowldering the first alley west of Delaware st., running north and south through square 77, between Maryland street and the first alley running east and west south of Maryland street.

4th. First and partial estimate allowed J. H. Robinson, for grading and graveling Mississippi street and sidewalks, between Garden and Merrill streets.

5th. Contract and bond of R. P. Dunning, for grading and bowldering Cumberland street, between Delaware street and the first alley east of Delaware street, running north and south through square 63.

6th. Contract and bond of D. Root & Co., for the erection of lamp posts, lamps and fixtures on Virginia Avenue, between South and Bradshaw sts.

7th. Contract and bond of D. Root & Co, for the erection of lamps, posts and fixtures on Tennessee street, between Michigan street and the Corporation line north.

8th. First and final estimate allowed Messrs. Carr & Richter for graveling Elm street and sidewalks, between Noble street and the Corporation line east.

9th. John Treter has not come forward to sign his contract and bond for building the bridge over Pogue's Run at its crossing with Liberty street. The man he proposes to give as security I know nothing about. The Council will please set the time when the work shall be completed, and whether I shall require additional security or not from him.

Respectfully,

JOHN G. WATERS, *City Auditor.*

Resolved, That the first and final estimate allowed Cogill, Smock & Cogill for grading and graveling Meridian street, exclusive of sidewalks, between North and St Clair streets, curbing the outer edges of the sidewalks with white oak plank, paving the gutters with boulder stone, and also graveling the space between the bowlders with good river or creek gravel, 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, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Staub and Thompson—12.

No Councilman voting in the negative.

So the resolution passed.

Resolved, That the first and final estimate allowed Thomas H. Williams, for grading and graveling the south sidewalk on Huron street, between Virginia Avenue and Noble 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, Staub and Thompson—12.

No Councilman voting in the negative.

So the resolution passed.

Resolved, That the first and final estimate allowed R. K. Dunning for grading and bowldering the first alley west of Delaware street running north and south through square 77 between Maryland street and the first alley running east and west south of Maryland 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, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Staub and Thompson—12.

No Councilman voting in the negative.

So the resolution passed.

Resolved, That the first and partial estimate allowed J. H. Robinson, for grading and graveling Mississippi street and sidewalks between Garden and Merrell 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, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Staub and Thompson—12.

No Councilman voting in the negative.

So the resolution passed.

Resolved, That the first and final estimate allowed Carr and Richter, for grading Elm street and sidewalks between Noble street and the Corporation line east, 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 Grosvenor, Jameson, Kappes, Loomis, MacArthur, Staub and Thompson—12.

No Councilman voting in the negative.

So the resolution passed.

On motion the Contracts and Bonds reported by the City Auditor were accepted and approved.

On motion so much of the report as relates to the Contract and Bond of John Treter, was laid upon the table.

The City Auditor reported special ordinance No. 123, entitled :
AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis,

Which was read the first time by its title, and passed to a second reading.

ORDINANCES ON SECOND READING.

On motion by Dr. Jameson special ordinance No. 128—1866, was taken up and read the second time, and ordered to be engrossed.

On motion by Mr. Loomis special ordinance No. 130—1866, was taken up and read the second time, and ordered to be engrossed.

On motion by Dr. Jameson all ordinances providing for the construction of sewers were referred to the Board of Public Improvements.

On motion by Dr. Jameson special ordinance No. 129, was taken up and read the second time and ordered to be engrossed.

On motion by Mr. Kappes special ordinance No. 131, was taken up and read the second time.

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, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Staub and Thompson—12.

No Councilman voting in the negative.

So the rules were suspended and special ordinance No. 131, appropriating money to pay expenses of City Hospital for month of October, 1866, 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, Staub and Thompson—12.

No Councilman voting in the negative.

So the ordinance passed.

Dr. Jameson moved that the rules be suspended and special ordinance No. 117—1866, and No. 122—1866, be taken up and read the third time and placed upon their passage.

The ayes and noes being taken under the rules, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur, Staub and Thompson—12.

No Councilman voting in the negative.

So the rules were suspended.

Special ordinance No. 117—1866, entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures on Market street, between Illinois and Tennessee streets,

Was then 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, Staub and Thompson—12.

No Councilman voting in the negative.

So the ordinance passed.

Special ordinance No. 122—1866, entitled :

AN ORDINANCE to provide for the erection of lamp-posts and fixtures on Market street, between Alabama and New Jersey streets,

Was then 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, Staub and Thompson—12.

No. Councilman voting in the negative.

So the ordinance passed.

On motion by Dr. Jameson special ordinance No. 132, was taken up and read the second time, and ordered to be engrossed.

UNFINISHED BUSINESS.

Mr. Grosvenor presented the following petition :

INDIANAPOLIS, Nov. 12, 1866.

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

I, Thos. Wren, contractor, have the honor to petition your honorable body that you take from my hands the mean, bloody job of grading and graveling on Tennessee street and sidewalk, with which contract you are fooling me, and that I be paid for the work I have already done.

I further petition your honorable body that I be allowed pay for loss and damages made by the overflowing of Pogue's Run, whereby I sustained a loss of twenty-seven hundred and fifty-five dollars by the washing away of gravel and dirt.

THOMAS WREN.

Which was referred to the Committee on Streets and Alleys.

Mr. Coburn called up special ordinance No. 112—1866, entitled :
AN ORDINANCE to provide for the grading of the first alley east of Delaware street, running north and south through out-lot 175, and between Pratt and St. Joseph streets.

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, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur and Staub—11.

No Councilman voting in the negative.

So the ordinance passed.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Nov. 7, 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 motion referred to us to build a culvert on the west side of East street, at the crossing of Massachusetts Avenue and North street, find that a culvert is badly needed on each side of the street. We would recommend that the two culverts be built by the Street Commissioner.

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

Which was concurred in.

On motion by Mr. Brown, the Council adjourned.

JOHN CAVEN, *Mayor.*

ATTEST :

C. S. BUTTERFIELD, *City Clerk.*