

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, FEBRUARY 4TH, 1867, 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 Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kappes, Loomis, MacArthur and Staub—11.

Absent—Councilmen Allen, Fletcher, Kemker, McNabb, Schmidt, Seidensticker and Thompson—7.

The proceedings of the regular session held January 28th, 1867, were read and approved.

Mr Brown presented the following petition:

INDIANAPOLIS, Feb. 2, 1867.

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

GENTLEMEN:—Your petitioners respectfully ask for the passage of an ordinance granting the right of way for a railroad track from a point of intersection with the Lafayette Railroad track on Missouri street, Union or Terre Haute track on Louisiana street, near Missouri street, and making a curve across the Canal to the west side of the Canal, thence along the west side of the Canal along the bank or tow-path, leaving room for sidewalk, and south along Missouri street to out-lot one hundred and twenty-six in this city, said right of way to be granted to the "Indianapolis Furnace Company" and the

"Indianapolis Rolling Mill Company," for such transportation as they may need for manufacturing purposes.

Indianapolis Rolling Mill Co.,
 Indianapolis Furnace Co.,
 W. O. Rockwood,
 R. Root,

Patterson & Sample,
 Deloss Root & Co.,
 Sinker & Co.

Which was referred to the Committee on Streets and Alleys.

Mr. Brown presented the following communications :

INDIANAPOLIS, Jan. 15, 1867.

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

I will manufacture for your city one of Silsby's First Class Rotary Steam Fire Engines within ninety days from the date of the acceptance of this proposal by the Council of said City of Indianapolis, for the sum of six thousand dollars. Said Engine shall be made of the best materials, and in a thorough and workmanlike manner, and in our latest style, with all our recent improvements. It shall be delivered in Indianapolis free of cost for freight to the city, and guaranteed to work in a satisfactory manner.

In the settlement for said engine I will discount from the price the sum of two hundred dollars, on account of certain repairs made on Engine No. 3, owned by said city, in consequence of some defect in the boiler. The balance of \$5,800 may be paid by draft on the City Treasurer, of \$2,900 payable April 1st, 1867, and a draft on City Treasurer for \$2,900 due and payable April 1st, 1868, with interest.

ROBERT BICKFORD, Agent,
 For H. C. SILSBY, Seneca Falls, N. Y.

INDIANAPOLIS, Jan. 15, 1867.

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

I will furnish the City of Indianapolis with one thousand feet of the best quality of six ply 2½ inch rubber hose, with couplings put on and ready for use, and freight paid, for \$2.40 per foot, and a new style, two-wheeled, balanced hose reel, with iron wheels, matching the engine wheels, and set on springs and capable of carrying 1,000 feet of hose, for \$550, freight paid. The terms of payment being the same as for the engine, viz, one half April 1st, 1867, and one half April 1st, 1868.

ROBERT BICKFORD, Agent,
 For H. C. SILSBY, Seneca Falls, N. Y.

Which was ordered to be spread upon the minutes and laid upon the table for the present.

Mr. Coburn offered the following motion ;

That the sum of forty-five dollars be refunded to D. B. McDonough for taxes paid on lot owned by Jeff. C. Davis, in square twenty-three, by mistake, and that the City Auditor include this amount in his next ordinance allowing accounts.

Which was adopted.

Mr. Coburn offered the following motion :

That the petition of the Rev. Henry Day, asking the refunding of taxes be referred to the Committee on Finance and City Attorney.

Which was adopted.

Mr. Emerson presented the following petition :

INDIANAPOLIS, Feb. 4, 1867.

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

Your undersigned petitioner respectfully represents that he is the owner of 65 feet west end of lots 1 and 2, in square 11, and of the south half of lot 12, in square 13, taxed respectfully at \$2,000 and \$1,400, which is at least \$800 for one and \$300 for the other too high. On this your petitioner has paid the taxes under protest, and asks for a refunding of the taxes on the excess of valuation.

Your petitioner is also owner of lots Nos. 9 and 10, in square 10, which is taxed at \$3,400, which is far in excess of its real valuation. This being entirely unreasonable, I have so far refused to pay, and ask you to correct the appraisement, which is evidently a mistake.

HENRY W. VOIGT.

P. S. I refer you to the notice of the county appraisement on lots Nos. 9 and 10, in square 10, twenty-one hundred dollars, and on lots Nos. 1 and 2, in square 11, one thousand and fifty dollars, and on south half of lot 12, in square 13, at nine hundred and fifty dollars. Yours,

HENRY W. VOIGT.

Which was referred to the City Auditor, with instructions to compare the assessment of Mr. Voigt's property with that of the property adjoining, and report the facts to the Council.

Mr. Grosvenor presented the following account :

The City of Indianapolis,	To Hugo Marmont,	Dr.
To 30 feet of curbing at \$1.10 per foot	- - - - -	\$33 00
To 23 yards of paving at \$1.20 per yard,	- - - - -	30 00
		<hr/>
		\$63 00

And introduced the following motion on the subject :

That the bill of Hugh Marmont be referred to the Committee on Accounts and Claims, with instructions to introduce an ordinance for the payment of the same.

Which were referred to the Committee on Accounts and Claims.

Mr. Grosvenor presented the following communications :

AMOSKEAG MANUFACTURING COMPANY, }
 Manchester, N. H., Dec. 24, 1866. }

To J. A. Grosvenor, Esq., Indianapolis, Ind. :

DEAR SIR:—Your letter to Wm. Amory, Esq., our Treasurer, has been forwarded to me for reply from Boston, together with the slip from the news paper enclosed therein.

I have carefully noted the contents of your letter and the proceedings of the Council. The remark of your Chief Engineer, that one objection to our Engine was, "that it required fourteen minutes to get up steam," shows that he labors under some great mistake with reference to our engines.

No engine has ever been sent from our Works, which, in good working order, would not generate sufficient steam to start the engine, and get the water through the hose in seven minutes from the time of lighting the fire.

We can make them so as to guarantee getting up steam within four minutes after lighting the fire, if such rapidity is desirable.

With us, and with a large portion of our customers, five minutes is the usual requirement, and the most of our engines are built so as to make steam and start the engine within that time.

The prices for our engines remain the same as mentioned in my letter to you dated August 2d, 1866. These prices would deliver the engine in your city without any other charge to you.

In reference to the time of making steam, I would refer you to the report of a trial of one of our engines at the Charlestown Navy Yard, several copies of which I this day mail to your address. I also enclose in this letter a wood cut of our new pattern of engine, which is the one which was tried at the Charlestown Navy Yard. In point of raising steam it is the same as any other pattern of our engine.

As to the durability of our machines, no figures which I can give you would be equal to such information as you can readily obtain from any Fire Department where our engines are in use. We believe it to be the most durable engine built.

In the latter part of the pamphlet circular, which I also send you by this day's mail, you will find a list of our engines, numbering 215 in all. We can refer with confidence to any parties using these engines, as to questions of their efficiency, capacity and durability.

I should be very much pleased to send an engine to your city, and should like to place one of our engines in the same department with the Latta, having every confidence that its superiority would be shown to all interested.

As to the Seneca Falls engines, they are played out, so far as I know, everywhere at the East. Hoping to hear further from you on this subject,

I remain yours very truly,

E. A. STRAW.

AMOSKEAG MANUFACTURING COMPANY, }
Manchester, N. H., Jan. 26, 1867. }

To J. A. Grosvenor, Esq., Indianapolis, Ind. :

DEAR SIR:—In answer to yours of January 7th, we mailed, at once, another lot of pamphlet circulars.

Our prices for engines are, for 1st Class, forty-seven hundred and fifty dollars (\$4,750), for 2d Class, forty-five hundred dollars (\$4,500), for 3d Class, forty-two hundred and fifty dollars (\$4,250).

At these prices the engine would be delivered in complete working order, furnished with all the usual supplies, and warranted to be complete and satisfactory in every particular of materials, workmanship and performance.

Our terms have always been cash upon the delivery and acceptance of the engine, as our experience has been that no parties can dispose of City Bonds so readily as the city authorities who issue them.

You will find your inquiries in regard to the time of getting up steam, and throwing water well answered in the pamphlets which I have sent you. We can guarantee any machine that we ever built, if well handled, to make steam and throw water in from 6 to 6½ minutes from the time of lighting the fires. You will see that at the trial in the Navy Yard steam was made and water thrown from the end of the pipe in 3½ minutes. The boiler, in that case, was filled with water from the hydrant on the spot within 15 or 20 minutes after lighting the fire. Yours, very truly,

E. A. STRAW.

CHIEF ENGINEER'S OFFICE, }
Chicago, Jan. 26, 1867. }

To Charles Richmann, Esq., Chief Engineer, Indianapolis, Ind. :

DEAR SIR:—I had the pleasure of meeting J. A. Grosvenor, Esq., who informed me that you intended buying another engine; he also asked particulars; I recommended the Amoskeag Company as the best. I should be

pleased to show you one of the new engines of the Second Class just received by us; it far excels anything of the kind.

It weighs about 5,000 pounds ready for service, has double engines and pumps, throws water 250 feet, gets up steam in six minutes and throws water. I should be most happy to see you at any time it would be convenient for you to visit Chicago and see this Fire Department.

Yours very respectfully,

U. P. HARRIS, Fire Marshal.

CHICAGO, Jan. 26, 1867.

To Chas. Richmann, Esq., Chief Engineer.

I am in Chicago delivering two of our new styles of Second Class Fire Engines; they have double engines and double pumps, price delivered \$4,500, will get up steam and throw water in six minutes. The snow storm has detained one of these engines. I am waiting to deliver it. I would like to have you visit Chicago and see it work. It will throw two hundred and fifty feet horizontal.

Yours truly,

S. E. FURLONG,

Of the Amoskeag Manufacturing Co.

Which were received and ordered to be spread upon the minutes.

Mr. Grosvenor moved that Charles Richmann, the Chief Fire Engineer be authorized and directed to visit Chicago for the purpose of examining the new Amoskeag Steam Fire Engines lately purchased by said city, and to witness their throwing.

The question being on the adoption of the motion, Mr. MacArthur called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Colley Emerson, Grosvenor, Jameson, Kappes, Loomis and Staub—8.

Those who voted in the negative were Councilmen Coburn, Glazier and MacArther—3.

So the motion was adopted.

Dr. Jameson offered the following motion:

That a Select Committee, with J. A. Grosvenor as Chairman, be appointed by the Chair, and that said committee be instructed to make arrangements for the regular lighting and extinguishing of the metre lamps and the securing of the lamps, so that the gas cannot be turned on or off unless by parties holding keys. Also, ascertain and report the number of lamps now in use.

Which was adopted.

His Honor, the Mayor, appointed as members of said Committee Councilmen Coburn and MacArthur.

Mr. Grosvenor offered the following motion:

That the Committee on Public Buildings be instructed to report to this Council the probable cost of providing a building for the safe keeping of the City Prisoners.

Which was referred to the Board of Police.

Dr. Jameson presented the following communication :

INDIANAPOLIS, Jan. 16, 1867.

To Mr. R. Bickford:

DEAR SIR:—In answer to your inquiry as to our opinion of the Seneca Falls Steam Fire Engine, in comparison to other Engines, for the use of our city, we would say, after a careful consideration, and looking at the matter as if selecting any piece of machinery for our own use, we certainly should select the Seneca Falls. Truly, &c.

L. W. HASSELMAN,
A. E. VINTON,
JAMES SUITT.

Which was received and ordered to be spread upon the minutes.

Mr. Loomis offered the following motion :

That the City Engineer be, and is hereby, directed to purchase the necessary number of four feet iron burners as required by the City Lamp Lighter for the public lamps.

Which was adopted.

Mr. Loomis presented the following account :

The City of Indianapolis,	To Joshua Staples, Jr.,	Dr.
January 1st. For horse hire in July, August and Setember, 1866,		\$75 00
“ “ For hauling stakes, - - - - -		2 75
“ “ For fixing chain, - - - - -		2 00
“ “ For sundries, - - - - -		2 10
Total, - - - - -		\$81 85

Which was referred to the Committee on Accounts and Claims.

Mr. Loomis offered the following :

WHEREAS, One Thomas Ferriter claims to be charged with taxes on two dwellings: And whereas, he only owns one, being No. 3, corner of Bates and Noble street, therefore, be it

Moved, That the City Auditor be, and is hereby, directed to correct such assessment, and when so corrected the Treasurer is hereby instructed to collect only the tax properly due on his said property.

Which was referred to the City Auditor.

Mr. Loomis offered the following motion :

That Daniel Collins be granted further time on his contract to grade and gravel the alley between East and Liberty streets, in the 8th Ward. He requests 60 days further time, provided his sureties give their written consent to such extension.

Which motion was adopted.

Mr. Loomis offered the following resolution :

WHEREAS, A certain contract was awarded to D. Root & Co. for the erection of lamp posts on Virginia Avenue, between South and Bradshaw streets, in the City of Indianapolis: And whereas, the said D. Root & Co., were

compelled to wait until the Gas Company furnished the service pipes, (the same not yet having been supplied): And whereas, the said contract expired January 1st, last, now therefore be it

Resolved, That the said D. Root & Co. be granted ninety days further time for the completion of their contract, and that all action of this Council in reference to the said contract since January 15th last, be, and is, null and void, provided they put on the galvanized iron lamps, and with the consent of the sureties.

Which was laid upon the table until the report of the Board of Public Improvements on the bids for lamp posts be received.

Mr. Loomis presented the following petition :

INDIANAPOLIS, Feb. 4, 1867.

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

The undersigned would respectfully ask your honorable body to grant them license to engage in an Auction and Commission Business, under the firm name of Smock & Bro., in Room No. 88 East Washington street in the City of Indianapolis, for the space of six months,

S. J. SMOCK,
G. W. SMOCK.

Which, on motion, was granted to G. W. Smock.

Mr. MacArthur presented the following petition :

INDIANAPOLIS, Feb. 4, 1867.

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

GENTLEMEN:—The undersigned would respectfully ask of your honorable body to withhold from the contractor, who has the work of digging the ditch on Railroad street, the sum of \$300, as I claim to have been damaged to that extent by the overflow of water, resulting from the non-fulfillment of said contractor's agreement, viz., the ditch was to be completed on the first day of January, 1867. All of which is respectfully submitted.

FRED. WINKLE.

Which was referred to the Board of Public Improvements.

His Honor, the Mayor, presented the following communication :

INDIANAPOLIS, Jan. 31, 1867.

To Hon. John Caven :

DEAR SIR:—Permit me to present to the City Council of Indianapolis, through you, a copy of my Directories of Indianapolis, St. Louis, Chicago, Louisville, Milwaukee, Lafayette, and Mississippi Valley. Such works are not the most entertaining, although to business men they are of great benefit, and as they show the growth and progress of our cities will be useful as works of reference for our citizens. Respectfully,

RICHARD EDWARDS.

On motion by Mr. Coburn the Directories were received and ordered to be kept in the City Clerk's office for the use of the city, and the thanks of the Council tendered the liberal donor.

His Honor, the Mayor, also, presented the following resolution :

WHEREAS, It has been known that for the last two years, Mr. Richard Edwards has established a branch Publishing House in this city, for the purpose of issuing a first class City Directory, showing the population and growth of Indianapolis, and that such effort has been crowned with success :

Be it resolved, That the City Council of Indianapolis, feeling the want and knowing the value of such a work to their fellow citizens, and appreciating the enterprise of Mr. Edwards in issuing the Indianapolis Directory for the last two years in a manner creditable to the city and himself, and that we recommend our citizens to give their support to Edwards Directory, thus securing the annual publication of a standard work.

Which was adopted.

REPORTS OF BOARDS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Feb. 4, 1867. }

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 Messrs. Coulter & White the lowest bidders to erect lamp posts and fixtures on Virginia Avenue, between South and Bradshaw streets, for \$36.50 per post. We would recommend that the contract be awarded them.

HENRY COBURN, }
J. A. GROSVENOR, } Board.

Which was not concurred in,

Dr. Jameson then called up Mr. Loomis's resolution, as follows :

WHEREAS, A certain contract was awarded to D. Root & Co. for the erection of lamp posts on Virginia Avenue, between South and Bradshaw streets in the City of Indianapolis;

AND WHEREAS, The said D. Root & Co. were compelled to wait until the Gas Company furnished the service pipes (the same not yet having been supplied);

AND WHEREAS, The said contract expired January 1st, last, now therefore :

Be it resolved, That the said D. Root & Co. be granted ninety days further time for the completion of their contract, and that all action of this Council in reference to the said contract since January 15th, last, be and is null and void: *Provided*, They put on the Galvanized Iron Lamps, and with the consent of the sureties.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Loomis, MacArthur and Staub—10.

No Councilmen voting in the negative.

So the resolution passed.

REPORTS FROM COMMITTEES.

Mr. Coburn, from the Committee on Accounts and Claims, made the following report:

INDIANAPOLIS, Feb. 4, 1867.

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

GENTLEMEN:—The Committee on accounts and claims, to whom was referred the petition of Dr. Barnes, asking the payment of damages done to his buggy by being overturned by a pile of dirt left by the Street Commissioner on Vermont street at its intersection with Massachusetts Avenue, would respectfully report that we viewed the grounds in a day or so after the petition was handed into the Council, and we found that there were three or four piles of dirt that had been scraped out of the culvert in Vermont street. These piles of dirt ran across Vermont street in a line with Massachusetts Avenue, and were from ten to fifteen feet apart, giving room between the piles for vehicles to pass. In turning out of Alabama street into Vermont street, going north and east, it would require care to avoid the piles of dirt. We think the piles of dirt were of sufficient size to overturn a buggy driven fast over any one of them. As to the correctness and propriety of paying Dr. Barnes' claim, your Committee have not considered, leaving that to the legal advisors of the Council to investigate.

HENRY COBURN,
J. HENRY KAPPES. } *Committee.*

Which was concurred in, and the petition of Mr. Barnes laid upon the table.

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

INDIANANOLIS, Feb. 4, 1867.

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

The Committee on Streets and Alleys, to whom was referred the petition of Wm. Richter, report the following resolution, which they recommend be adopted.

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

Resolved, That William Richter be allowed the privilege of constructing a brick archway over the alley between lots Nos. 424 and 425 in Fletcher's and other sub-divisions of out-lot 97, for the purpose of joining two buildings together; said archway to be of equal width with the alley, fourteen (14) feet in height above the grade of the alley and forty feet in length.

On motion the report was received and the resolution adopted.

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

INDIANAPOLIS, Feb. 4, 1867.

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

GENTLEMEN:—Your Committee beg leave to introduce the report of the Superintendent of Hospital:

Total expenditures for the month	- - - - -	\$417 88
Aggregate number of days for which subsistence was furnished	- - - - -	590
Aggregate expense per capita per diem	- - - - -	70

We also beg leave to introduce an ordinance appropriating \$489.31 for the payment of sundry claims on account of City Hospital for the months of December and January.

J. HENRY KAPPES, }
W. H. LOOMIS. } *Committee.*

RECAPITULATION OF MONTHLY REPORT ENDING JANUARY 31, 1867.

Number of patients in the Hospital at last report.....	12
Number of patients received in the Hospital since last report.....	14
Number of patients born in Hospital since last report.....	2
Number of patients discharged from Hospital since last report.....	5
Number of patients died in the Hospital since last report.....	1
Number of patients remaining in the Hospital at present.....	22

RECAPITULATION OF WEEKLY REPORT ENDING FEBRUARY 2, 1867.

Number of patients in Hospital at last report.....	23
Number of patients received in Hospital since last report.....	3
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report.....	2
Number of patients died in Hospital since last report.....	1
Number of patients remaining in Hospital at present report.....	24

RECAPITULATION OF MONTHLY REPORT OF EXPENDITURES ENDING JANUARY 31, 1867.

Total expenditures for the month.....	\$417 88
Aggregate number of days for which subsistence, etc., was furnished....	590
Average expense per capita per diem.....	\$0 70

On motion the reports were accepted and approved.

Mr. Kappes introduced special appropriation ordinance No. 8—1867, entitled:

AN ORDINANCE appropriating moneys for the payment of sundry claims on account of the City Hospital for the month of January, 1867,

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

REPORTS FROM CITY OFFICERS.

The City Civil Engineer made the following report:

INDIANAPOLIS, Jan. 28, 1867..

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

The Civil engineer would respectfully report the following in answer to the questions as to the petition of Thomas Wren:

First. Whether the contract to improve Winston street was let and estimate granted to Thomas Wren before the adoption of the New Charter? They were. Contract was made and entered into on June 12, 1865.

Estimate granted on November 27, 1865. New Charter adopted December 20, 1865.

Second. Whether the alleys in lot 31 out-lot 50 and in lot 46 out-lot 45 were laid out and platted as public alleys before the granting of the estimate? They were. Alley in lot 31 out-lot 50 was recorded September 25, 1865.

Alley in lot 46 out-lot 45 was recorded July 25, 1860.

Respectfully submitted,

JOSHUA STAPLES, JR., *Civil Engineer.*

Which was accepted and approved and the account of Thomas Wren referred to the City Auditor with instructions to examine, and if found correct, to embrace in next ordinance allowing accounts.

The City Attorney made the following report :

INDIANAPOLIS, Jan. 12, 1867.

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

GENTLEMEN:—Having conferred with the Judiciary Committee in reference to the claim presented by Thomas Wren for improving Illinois street, I find the facts connected with the claim to be incorrectly stated in the petition. Upon the statement of the petition there can be no doubt that the petitioner has no valid claim against the city. The Judiciary Committee, in full possession of the facts, state them to be as follows :

Mr. Wren improved Illinois street and was allowed an estimate for the cost of the improvement. The Engineer assessed the sums mentioned in the petition against the real estate therein described, when in fact no improvement had been made in front of the lots described, as the space in front of them was occupied by a bridge of the city. Sometime since Mr. Wren petitioned Council for a precept, and this was justly refused, because the lots were not liable. It thus appears that Mr. Wren has done work which he has not been paid for, and which he cannot recover from property owners, and unless the claimant is paid by the city he will lose the amount claimed.

The question presented by the facts upon which the claim is based is a difficult one. In *Smith v. New Albany*, the Supreme Court decided that the City could not be charged where the property was insufficient in value to pay the assessment; and in *Johnson v. The City of Indianapolis*, decided that the City could not be compelled to pay for improvements made in front of private property. The legal rights of the claimant to compel the payment of the claim by the City is very doubtful. It is true, that the mistake which occasioned the loss was that of the officers of the City; but it is also true that the contractor must for himself ascertain the liability of property against which assessments are made, and its sufficiency to pay the assessment. These are facts into which he must inquire and determine for himself. Had the contractor objected to the estimate, and yet been compelled to receive it, the case would be very different. I doubt very much whether the City could by legal proceedings be compelled to pay the claim.

Should the Council think the claim an equitable one, and deem it proper to allow it, they unquestionably have the power to do so under the provision of the Charter which provides that the Council "may cause any part of the assessment to be paid out of the City Treasury."

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was received and the claim of Mr. Wren referred to the Committee on Accounts and Claims.

The City Auditor made the following report :

INDIANAPOLIS, Feb. 4, 1867.

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

The City Auditor respectfully reports to Council.

1st. Second and corrected estimate allowed Henry Meyers and transferred to Charles H. Kelly by the Common Council for grading and graveling North street and sidewalks, between Noble and Winston streets.

2d. The contract and Bond of Frederick Schulmeyer for lighting and extinguishing the street lamps for one year from date of contract and bond.

Respectfully,

JOHN G. WATERS, *City Auditor.*

Resolved, That the second and corrected estimate allowed Henry Meyers and transferred by the Common Council to Charles H. Kelly for grading and graveling north street and sidewalks between Noble and Winston 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 Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Kappes, Loomis, MacArthur and Staub—10.

No Councilman voting in the negative.

So the resolution passed.

On motion the Contract and Bond of Fred. Schulmeier for lighting and extinguishing the street lamps was referred back to the City Auditor for amendment, so as to retain ten per cent. of the contract price for the faithful performance of the conditions of the contract.

The City Assessor made the following report :

INDIANAPOLIS, Feb. 4, 1867.

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

GENTLEMEN:—We have taken up sixteen hundred lists and have distributed twice that number that are not yet taken up. One of our Deputies, O. H. Kendrick has been sick and unable to work but is now improving.

WM. HADLEY, *City Assessor.*

Which was received.

The City Clerk made the following report:

OFFICE OF CITY CLERK, }
 Indianapolis, Jan. 28, 1867. }

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

GENTLEMEN:—The City Clerk would respectfully report that the following affidavits have been filed in his office for the collection of street assessment by precepts, to-wit:

John Scheier vs. Riley Land, for-----	\$9 60
John Scheier vs. A. L. Justis, for-----	9 60
John Scheier vs. Shepler Fry, for-----	18 20
John Scheier vs. Emeline Wentz, for-----	18 20
John Scheier vs. T. B. Wightman, for-----	9 60
S. W. Patterson vs. Michael E. Rineby, for-----	9 70
S. W. Patterson vs. John Riley, for-----	9 70
S. W. Patterson vs. D. & R. P. Sayer, for-----	18 64
S. W. Patterson vs. W. A. Callinan, for-----	86 71
S. J. Smock vs. C. C. Campbell, for-----	182 42

And would recommend that you order precepts to issue.

Respectfully,

C. S. BUTTERFIELD, *City Clerk.*

Which was concurred in, and the City Clerk directed to issue the precepts.

Mr. MacArthur was granted leave of absence for remainder of the session.

ORDINANCES ON SECOND READING.

On motion by Mr. Kappes, special appropriation ordinance No. 8—1867, was taken up read the second time and ordered to be engrossed.

ORDINANCES ON THIRD READING.

Mr. Brown called up, on third reading, general ordinance No. 76, entitled:

AN ORDINANCE providing for the execution and delivery of bonds of the City of Indianapolis to the Junction Railroad Company,

Mr. Brown asked and obtained the unanimous consent of the Council to offer the following amendments:

That the ordinance be amended as follows:

Strike out the word "three" before the words "years from date of passage of this ordinance" in line 14 of section 2, and insert the word "four" in lieu thereof.

Strike out in line 16 of same section the word "one" and insert the word "two" in lieu thereof.

Strike out in line 18 of same section the words, "and principal offices."

Which were adopted by unanimous consent.

The ordinance was then read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Emerson, Glazier, Grosvenor, Jameson, Kappes and Loomis—8.

Those who voted in the negative were Councilmen Colley and Staub—2.

So the ordinance passed.

On motion by Dr. Jameson the Council adjourned.

JOHN CAVEN, *Mayor.*

ATTEST:

C. S. BUTTERFIELD, *City Clerk.*