PROCEEDINGS

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS,
MONDAY, SEPTEMBER 2D, 1867, 7½ O'CLOCK, P. M.

The Common Council met in regular session.

Present—His Honor, the Mayor, Daniel Macauley, in the chair, and the following members:

Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, Stanton and Woodburn—15.

Absent-Councilmen MacArthur, Schmidt and Seidensticker-3.

On motion by Mr. Geisel, Mr. Foster, Councilman elected from the Fifth Ward to fill vacancy caused by the removal of Mr. Grosvenor, was admitted to his seat.

Dr. Woodburn called up special ordinance No. 66-1867, entitled:

An Ordinance to provide for grading and grayeling Wabash street and sidewalks, between Illinois and Tennessee streets.

Which was read the third time and placed upon its passage.

The question being on the passage of the ordinance, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Davis called up special ordinance No. 65-1867, entitled:

An Ordinance to provide for grading and graveling Muskingum street, between Michigan and Vermont streets, including sidewalks.

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 Brown, Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Stanton called up general ordinance No. 78-entitled:

An Ordinance supplementary of an ordinance regulating the numbering of houses on the different streets of the city of Indianapolis.

Which was read the third time, and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Foster, Geisel, Henschen, Kappes, Loomis, Stanton and Woodburn—11.

Councilman Cottrell voting in the negative.

So the ordinance passed.

Dr. Woodburn called up special ordinance No. 69-1867, entitled:

An Ordinance to provide for grading, bowldering, and curbing the outer edges of the sidewalks, with fllat rock or Putnamville stone, where the same has not already been curbed—of Illinois street, between the south side of Market street and the north side of Ohio street and Indiana Avenue.

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 Brown, Burgess, Coburn, Colley Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Stanton and Woodburn—13.

Councilman Cottrell voting in the negative.

So the ordinance passed.

Mr. Loomis called up general ordinance No. 96-entitled:

An Ordinance increasing the salary of the Market Master.

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 Burgess, Coburn, Colley, Cottrell, Davis, Geisel, Goddard, Henschen, Loomis, Stanton and Woodburn—11.

Those who voted in the negative were Councilmen Brown, Foster and Kappes—3.

So the ordinance passed.

Mr. Loomis called up special ordinance No. 136-1866, entitled:

An Ordinance to provide for lighting with gas, South street, between Virginia Avenue and School street.

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 Brown, Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis and Woodburn—13.

No Councilman voting in the negative.

So the ordinance passed.

UNFINISHED BUSINESS.

Mr. Brown offered the following motion:

That the City Printer, and the Printer in German be directed to complete the printing and have bound in boards with paper cover, the city ordinances ordered to be printed by the Council some months since, and caused the same to be delivered to the City Clerk at the carliest day possible, and, also the council proceedings for the last year.

Which was referred to the Committee on Printing and Stationery.

Mr. Geisel offered the following resolution:

Resolved,—That the owners of the following described real estate, to-wit: Lots 4, 6, 8 and 9 in out-lot 82, be, and they are hereby required to fill and drain the same, as, in the opinion of this Council, there is a hole-or excavation thereon, in which water has or may become so stagnant and noxious as to be a nuisance, and injurious to the health and comfort of said city and of the citizens thereof; and that the Street Commissioner be, and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 23d, 1866, entitled "An Ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to drain or fill said excavation, as provided in said ordinance.

The ayes and noes being taken on the resolution, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley,

Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

Mr. Burgess moved that the vote ordering the filling up of "Lake McCarty" be reconsidered.

The ayes and noes being demanded, those who voted in the affirmtive were Councilmen Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Kappes, Loomis and Woodburn—12.

Those who voted in the negative were Councilmen Brown and Stanton—2.

So the vote was reconsidered.

Mr. Burgess moved that the resolution ordering the filling up of "Lake McCarty" be referred to a select committee of five members.

Which was adopted.

His Honor, the Mayor, appointed as such Committee, Messrs. Burgess, Cottrell, Coburn, Foster and Stanton.

Mr. Davis offered the following motion:

That the property owners on Railroad Avenue, through Square No. 98, be permitted to grade said street, provided said work be done within sixty days, and the Civil Engineer be, and is hereby directed to set the proper grade stakes.

Which was adopted.

Dr. Woodburn presented the following petition:

Indianapolis, Sept. 2, 1867.

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

We the undersigned would respectfully ask permission to connect the second floor of our store-room 26 and 28 West Washington street, (built upon the East ½ of Lot 7, square 5,) with the second floor of a building. We propose to erect upon the opposite side of the alley running by the rear of said Lot 7, on a part of Lot 12, square 55; by bridging the alley at a height of 18 feet from the ground, said bridge to be about 26 feet wide, enclosed and covered. Respectfully submitted.

JAMES H. HUME. WM. L. ADAMS.

Which was not granted.

Mr. Davis offered the following motion:

That the Civil Engineer be, and his hereby directed to set the proper grade stakes at the intersection of Indiana Avenue and Tennessee street, in forder that the Street Commissioner may repair the gutter at that point.

Which was adopted.

Mr. Brown offered the following motion:

That the Street Commissioner be directed to build a wooden culvert over the gutter, on the east side of Meridian street, at the intersection of Ray street.

Which was adopted.

Mr. Stanton presented the following petition:

Indianapolis, Aug. 31, 1867.

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

The undersigned committee appointed at a meeting of the colored citizens of Indianapolis, embracing all the different denominations of our people, respectfully represent: That while taxed for the support of public schools to the extent of not less than two-thirds of our proportion of said tax, we are deprived by law of any advantage from the common school fund, or any of the privileges of the school. We, therefore, petition that our schools may be placed in charge of the trustees of the public schools of the city, and that an appropriation be made by the Common Council sufficient to defray the expense of the tuition of our children to be paid to the treasurer of the strutees of the public schools, as needed for this purpose.

Our people propose to furnish two school houses in the eastern part of the city, and will further contribute our full share towards the education of our

children.

ENOS McINTOSH, S. A. ELBERT, G. W. ROBERTS, MOSES BROWLS,

Which was referred to the City Attorney.

Mr. Davis introduced Special ordinance No. 80-1867, entitled:

An Ordinance to provide for grading, and paving with brick the sidewalks on Indiana Avenue, between Illinois and Mississippi streets.

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

Mr. Loomis introduced special ordinance No. 81—1867, entitled:

An Ordinance to provide for graveling the sidewalks on each side of Huron street, between Cedar street and the Corporation line east.

Which was read the first time by its title.

Mr. Loomis presented the following account:

Indianapolis, Sept. 2, 1867.

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

To James K. Bigelow, M. D., county Physician, debtor, for medicines, surgical dressings, appliances &c., furnished to city prisoners, in the Marion County Jail, for the quarter ending September 4th, 1867, \$45.

JAMES K. BIGELOW, County Physician.

Which was referred to the Committee on Accounts and Claims.

Mr. Brown introduced general ordinance No. 104—entitled:

AN ORDINANCE prohibiting the standing of licensed public vehicles on the east side of Illinois street, between Washington and Pearl streets.

Which was read the first time by its title.

Mr. Goddard presented the following petition:

Indianapolis, Sept. 2, 1867.

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

The undersigned respectfully requests the privilege of filling up the alley adjoining his residence, with gravel thrown from an excavation, for a cellar on his premises; said alley being at least one foot below the level of the street and sidewalk, caused by improvements made thereon within the past four years. And your petitioner will ever pray, &c.

O. M. WILSON, Residence, 73 South Tennesee Street.

Which was granted.

Mr. Goddard, also, presented the following petition:

Indianapolis, Sept. 2, 1867.

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

Gentlemen:—The humble petition of Martin McGinty, shows that he got run over by the Madison & Indianapolis R. R, on the 1st day of February, 1865, and never received one cent, or neither troubled the Company, because it happened accidentally, at the corner of Madison Freight House. He has a weak family, six in number, and has no means of support, all the help he had was his little boy, that worked with McCary in his stave factory, got his arm badly hurt about two weeks ago. I hope the Gentlemen of the City Council will pity his distressed family, and grant him a situation as a flagman at some crossing, because he is not able to do any more hard work. By so doing you will confer a great favor on

MARTIN McGINTY, A Cripple.

Which was referred to the Superintendent of railway tracks.

Mr. Goddard offered the following motion:

That A. V. Lawrence be permitted to use $2\frac{1}{2}$ or 3 feet, on alley next his Grocery, No. 173 West Washington street, for storage of salt barrels.

Which was adopted.

Mr. Goddard, also, offered the following motion:

That Henry Berge be allowed to grade and gravel the sidewalk on his property, with gravel dug out of his cellar on north-east corner of South and Tennessee streets, according to the stakes set by the Civil Engineer.

Which was adopted.

Mr. Goddard, also, offered the following motion:

That the Street Commissioner be instructed to put a culvert on the east end of South street, intersecting Tennessee street.

Which was adopted.

Mr. Coburn introduced special ordinance No. 82—1867, entitled:

AN ORDINANCE to provide for fencing the Governor's Circle.

Which was read the first time by its title.

Mr. Coburn introduced special ordinance No. 83-1867, entitled:

AN ORDINANCE to provide for the grading and paving of the inner sidewalk of Circle street.

Which was read the first time by its title.

Mr. Coburn presented the following communication:

Indianapolis, Sept. 2, 1867.

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

Gentlemen:—I respectfully ask that you confirm Mr. W. W. Stephenson as my deputy.

ROBT. S. FOSTER, City Treasurer.

The ayes and noes being called, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Davis, Foster, Geisel, Goddard, Kappes, Loomis, Stanton and Woodburn—12.

Those who voted in the negative were Councilmen Cottrell and Henschen—2.

So the appointment was confirmed.

Mr. Stanton presented the following petition:

Indianapolis, Sept. 2, 1867.

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

Gentlemen:—Your petitioner respectfully shows to your honorable body that under the directions of the Street Commissioner, a ditch six feet wide and twenty inches or two feet deep has been cut along the edge of the sidewalk on the east side of his lot. Said lot being situated on southwest corner of Bright and New York streets, and he respectfully asks that you will order the Street Commissioner to cover the same, or take other needed action.

JOSIAH SMITH.

Which was referred to the Board of Public Improvements.

Mr. Foster presented the following petition:

Indianapolis, Sept. 2, 1867.

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

Gentlemen:—We petition your honorable body to grant us the privilege of moving our coal yard fence on Louisiana street, immediately west of the Canal out to the switch, running in front of said yard.

Respectfully,

PERINE & ALLAIRE.

Which was referred to the Committee on Streets and Alleys.

The City Commissioners presented the following report:

Indianapolis, Aug. 24, 1867.

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

The undersigned commissioners do respectfully report that in pursuance of notice given by the City Clerk, they met at the City Council Chamber on Saturday, August 24, 1867, at 9 o'clock A. M., for the purpose of inquiring into the matter of the extension of Winston and Cherry streets, but owing to the informality of the petition in one case, and the failure to obtain the papers in the other case. The commissioners adjourned without action.

All of which is most respectfully submitted.

JAMES N. RUSSELL,
SAMUEL SEIBERT,
JAMES C. YOHN,
WILLIAM BRADEN,
THOMAS SCHOOLEY.

Commis'ers.

Which was received.

Mr. Cottrell offered the following motion:

That the City Auditor be instructed to advertise in the city papers that any persons desirous of getting earth can take the same from the bed of Pogue's Run at any point between Meridian and Market street, provided, the earth shall be removed from said Run, only, under the instruction and according to the direction of the Civil Engineer.

Which was adopted.

Mr. Cottrell, also, offered the following motion:

That City Auditor be instructed to advertise for sealed proposal for the erection of a wooden bridge across Pogue's Run on New Jersey street, said bridge to be the full width of the street.

Which was adopted.

By unanimous consent, the rules were suspended for the purpose of hearing the reports of officers.

The Chief Fire Engineer made the following report:

Office of Chief Fire Engineer, Indianapolis, Sept. 2, 1867.

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

Gentlemen:—I have in pursuance of your order of August 19, 1867, contracted with H. C. Silsby through his agent, R. Bickford for one of his first class steam fire engine's, and also the repairing of the No. 3 engine, now owned by city, the contract is herewith submitted for your approval. Also in pursuance of your order of August 6, 1867, I have placed in Pogue's Run at the different bridges, sixteen boxes, at a cost of seventy-two dollars and fifty-four cents; or a cost of four dollars and fifty-three and one-fourth cents per. box.

Respectfully, GEO. W. BUCHANAN, Chief Fire Engineer.

Also, the following agreement:

Indianapolis, August 19, 1867.

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

I will manufacture for said city of Indianapolis, one of Silsby's First Class Rotary Steam Fire Engines, within about sixty days from date of acceptance of this proposal by said Council. I agree that said engine shall be built of the best materials and in the most workmanlike manner, with all our recent improvements, including copper tubes and flues, and brass jacket for boiler, and will warrant the same to work in a satisfactory manner. I will also put in through repair, steam engine No. 3, now owned by said city, at such time as the Chief Engineer of the Fire Department shall designate. In order that there shall be no misunderstanding as to what is meant by "thorough repair of the old engine," I would respectfully suggest, that, when the engine is sent on for repairs, the engineer of the machine be sent with it, to superintend and direct what repairs shall be made, and I hereby agree that whatever he declares on his judgment is necessary to be done, shall be done.

In full payment for the new engine, and for the repairs on the old engine, the city of Indianapolis shall pay to H. C. Silsby, the sum of six thousand dollars, in current funds, at the time of the delivery of the new engine, the

city paying freight.

R. BICKFORD,

Agt. for H. C. Silsby, Island Works, Seneca Falls, N. Y.

Indianapolis, August 19, 1867.

In accordance with a resolution of the Common Council of Indianapolis, passed this day, authorizing me to accept the above proposition, I do hereby accept the same on behalf of said city of Indianapolis.

GEORGE W. BUCHANAN, Chief Fire Engineer.

Which were received, and the contract approved.

The City Auditor made the following report:

INDIANAPOLIS, Sept. 2, 1867.

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

The City Auditor respectfully reports to the Common Council:

First and final estimate allowed Samuel Lefever, for grading and

bouldering McNabb street, between Illinois and Meridian streets.

Contract and Bond of the Indianapolis Gas Light and Coke Company for erecting lamp posts, lamps and fixtures on McNabb street, between Illiand Meridian streets.

First and final estimate allowed S. W. & R. H. Pattison, for grading and graveling Blake street and sidewalks, between the north side of New York street to the south side of North street.

First and final estimate allowed William Kowan for grading and bouldering the alley running north and south, through square fifty-five, between Washington and Market streets.

5. First and final estimate allowed Messrs. Feary and Dillon, for grading and paving with brick, the east side walk on Alabama street, between Mas-

sachusetts Avenue and North streets.

6. First and final estimate allowed Daniel Mahoney for grading and graveling the west sidewalk on Douglass street, between New York and Vermont streets.

7. First and final estimate allowed the Indianapolis Gas Light and Coke Company for erecting lamps, lamp posts and fixtures on McNabb street, be-

tween Illinois and Meridian streets.

First and final estimate allowed Richard Carr for grading and graveling McCarty street and sidewalks, between Illinois and Tennessee streets.

9. The Civil Engineer has certified to me that Elisha McNeely has completed the bridge across the Central Canal on St. Clair street, and that he is entitled to the sum appropriated by you, twenty-five dollars, which amount I have place in an ordinance for allowance.

Respectfully submitted,

JOHN G. WATERS, City Auditor,

Which was concurred in.

Also, the following resolution:

Resolved, That the foregoing first and final estimate allowed Richard Carr, for grading and graveling McCarty street and sidewalks, between Illinois and Tennessee 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 ayes and noes being taken under the charter, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, Stanton and Woodburn —14.

No Councilman voting in the negative. So the resolution was adopted.

Also, the following:

Resolved, That the foregoing first and final estimate allowed Daniel Mahony, for grading and graveling the west sidewalk on Douglass street, between New York and Vermont 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 names.

The ayes and noes being taken, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following:

Resolved, That the foregoing first and final estimate allowed the Indianapolis Gas Light and Coke Company for erecting lamp posts, lamps and fixtures on McNabb street, between Illinois and Meridian streets, 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 ayes and noes being taken, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn Cottrell, Davis, Foster,

Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following:

Resolved, That the foregoing first and final estimate allowed Messrs. Feary and Dillon for grading and paving with brick, the East sidewalk on Alabama street, between Massachusetts Avenue and North 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 ayes and noes being teker, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following:

Resolved, That the foregoing first and final estimate allowed S. W. & R. H. Patterson for grading and graveling Blake street and sidewalks, be, tween the north side of New York street, to the south side of North 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 ayes and noes being taken, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, Stantan and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following:

Resolved, That the foregoing first and final estimate allowed Wm. Kown for grading and bowldering the alley running north and south through square fifty-five, between Washington and Market 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 ayes and noes being taken, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Cottrell, Davis, Foster,

Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, Stanton and Woodburn-14.

No Councilman voting in the negative. So the resolution was adopted.

Also, the following:

Resolved, That the foregoing first and final estimate allowed Samuel Lefever for grading and bowldering McNabb street, between Illinois and Meridian streets, be, andthe 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 ayes and noes being taken, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

The City Auditor introduced special appropriation ordinance No. 54—1867, entitled:

An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis,

Which was read the first and second times, and considered as engrossed, and under a suspension of the rules, 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 Brown, Burgess, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the ordinance passed.

The Civil Engineer made the following report:

Indiananolis, Sept. 2, 1867.

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

Permit me to report the following work finished according to contract:
William Kowan, for grading and bowldering alley running north and south
through square fifty-five.

Length on east side	425 feet 425 "
Total length	
At fifty cents per lineal footAlso, S. W. & R. H. Patterson, for grading and graveling	
sidewalks, between New York and North streets.	•
Length on east side	1455 feet $3\frac{1}{2}$ inch. $3\frac{1}{2}$ inch.
Total length	2910 " 7 inch.
At 72 cents per lineal foot	west sidewalk on
Length of sidewalk	447 feet 5 inches
At 25 cents per lineal foot	
Also, John Feary and Thomas Dillon for grading and pay walk on Alabama street, between Massachusetts Avenue an	ving the east side-
Length of sidewalk	
At fifty five cents per lineal foot	\$442 97½
At fifty five cents per lineal footAlso, Richard Carr for grading and graveling McCarty str between Illinois and Tennessee streets.	
Also, Richard Carr for grading and graveling McCarty str	eet and sidewalks,
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Which was concurred in.

Mr. Brown moved that the sealed proposals be referred to the Board of Public Improvements, without reading.

On motion by Mr. Davis, the Council adjourned.

DANIEL MACAULEY, Mayor.

ATTEST:

D. M. RANSDELL, City Clerk.