

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, DECEMBER 11TH, 1865, 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 at first roll-call :

Councilmen Boaz, Brown, Coburn, Emerson, Glazier, Jameson, Kappes, Loomis, MacArthur, Seidensticker and Thompson—11.

Absent—Councilmen, Allen, Colley, Fletcher, Grosvenor, Lefever, Schmidt and Staub—7.

The proceedings of the regular session, held December 4th, 1865, and of the adjourned session, held Dec. 5, 1865, were read and approved.

By Mr. Coburn—Petition :

INDIANAPOLIS, Dec. 4, 1865

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

The undersigned, Mrs. E. J. Bacon, a resident of said city, herewith submits to your honorable body an account for damages done to her property on the north-east corner of Alabama street and North street, in said city, by the flooding of water upon said property. About the — day of —, 1865, the Street Commissioner of said city cut a ditch through the east crossing of North street, and drained the water from Alabama street, both north and south, into a low place on North street adjoining the property of your peti-

tioner, and so overflowed said street and the lot of your petitioner that her cellar was filled with water, and the walls thereof washed down, and every member of your petitioner's family was prostrated by sickness caused by the standing of said water in her cellar and upon her lot. Your petitioner claims damages only for the injury to her property in the account rendered, and if said amount is allowed, she is willing to accept the same in full of all injury resulting as aforesaid. Will your honorable body allow said account, or refer said claim to a committee, who may investigate said claim, and report upon the facts in the case. Respectfully,

MRS. E. J. BACON.

The City of Indianapolis, To Mrs. E. J. Bacon, Dr.
To damages caused by the flooding of water upon her lot and into
her cellar - - - - - \$150 00

Which, on motion, was referred to the Judiciary Committee.

By Dr. Thompson—Petition :

INDIANAPOLIS, December 11, 1865.

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

We, the undersigned, property owners on the alley running north and south through out-lot 170, respectfully ask your honorable body to pass an ordinance for grading and graveling said alley, between Pratt street and First street.

James B. Wilson, James S. Coyner,
Thomas Schooley, George Merritt,
Gerard Blue, And 7 others.

Which, on motion, was referred to the Board of Public Improvements, with instructions to prepare an ordinance.

By Mr. Emerson—Petition :

INDIANAPOLIS, December 11, 1865.

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

The undersigned would respectfully ask permission to erect a hay and stock scale on Alabama street south of Washington street, our business requiring the scales; and believing the public convenience would be consulted, we respectfully ask your favorable consideration of the above petition.

JOHN HEMI,
C. D. SHIMER,
E. A. WOOD.

Which, on motion, was referred to the Committee on Streets and Alleys.

By Dr. Thompson—Petition :

INDIANAPOLIS, December 9, 1865.

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

Your petitioner wishes to erect a story-and-a-half frame house on the 20 feet off of the south end of lot 6, in Square 70, in the City of Indianapolis.

CATHARINE IRONS,
By McKERNAN & PIERCE.

Which, on motion, was laid upon the table.

By Mr. Loomis—Petition :

INDIANAPOLIS, December 11, 1865.

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

The undersigned would respectfully represent to your honorable body that in August or September last they contracted to grade and gravel McCarty street and sidewalks, from the line of New Jersey street continued to Virginia Avenue, which work was to have been completed by the first day of December, 1865; but which, in consequence of the grade stakes having not been set, has not been done. They, therefore, respectfully pray your honorable body to order the setting of the stakes on said street, and that the time for completing said work be extended until the first day of July, 1866.

ANTHONY RICHTER,
FREDERICK RICHTER,
RICHARD CARR.

On motion, the prayer of the petitioners was granted, provided the written consent of the bondsmen be filed with the Civil Engineer.

By Dr. Jameson—Communication :

INDIANAPOLIS, December 11, 1865.

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

Messrs. Andrews, Dunn, and others, complain that the Engineer ordered the contractor for Pratt street to dig down the alley in rear of their property so that they are unable to get in or out of their stables; and that the dirt was taken from their own property, where it would be needed in grading Mississippi street, and taken two squares, to grade a street that was not in no way connected with their property.

Which, on motion, was referred to the Civil Engineer.

By His Honor, the Mayor—Petition :

INDIANAPOLIS, December 11, 1865.

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

I would respectfully petition your honorable body for the privilege of removing the trees now standing in front of my property, No. 190 Blackford street. These trees were originally intended to stand on what was then supposed would be the sidewalk; but when the street came to be opened up it was discovered that, instead of being on the sidewalk, they were in the middle of the street; consequently, they not only do not benefit any one, but are really an obstruction.

Respectfully yours,
MICHAEL MURPHY.

Which, on motion, was granted.

By His Honor, the Mayor—Communication :

OFFICE OF THE INDIANAPOLIS GAS LIGHT AND COKE COMPANY, }
INDIANAPOLIS, December 11, 1865. }

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

GENTLEMEN:—At a meeting of the Board of Directors of the Indianapolis Gas Light and Coke Company, held on Saturday, December 9th, 1865, the following communication to the City Council was adopted, to-wit:

To the Honorable Common Council of the City of Indianapolis:

On the subject of an appraisal of the property of this company, referred to in a communication just received from the City Council, the Board of Directors desire to state that the whole property of the company, real and personal, has been recently listed and valued, after consuming much time and care, by experienced and judicious officers of this company, at our request, that the fair worth of the property might be represented by its stock and surplus.

Our review of their estimate satisfies us that it is reasonable and reliable, and is below the worth of the property; and our officers were directed to show such valuation of the property of the company, both real and personal, at any time it should be desired by any of the stockholders of the company, or by the City Council, or any committee appointed on its behalf.

We cheerfully invite a full and careful examination by any committee appointed by the Council, of our estimate of all our property, real and personal, used and necessary in the manufacture of gas, the valuation of which, made as above stated, will be submitted by the officers of the company, and every information given by them; being convinced that any impartial, unprejudiced and competent persons will, on such investigation, be satisfied that the estimate established by the company does not equal, much less exceed, the fair value of its property.

It is ordered that a copy of the above proceedings be certified to the City Council at its next regular meeting.

I hereby certify the above to be a true copy, under my hand and the seal of the company.

Very respectfully,

L. VANLANINGHAM, *Sec'y.*

Which, on motion, was laid upon the table until Unfinished Business called.

By Mr. Glazier—Communication:

INDIANAPOLIS, December 11, 1865.

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

GENTLEMEN:—At a regular meeting of the Indianapolis Typographical Union, No. 1, held Nov. 25th, the following resolution was unanimously adopted:

“Resolved, That the thanks of Indianapolis Typographical Union, No. 1, be tendered to the Common Council of Indianapolis for the use of the Council Chamber on the evening of the 25th November.

GEO. P. TICKNOR, *President.*

JOS. RATTI, *Cor. Secretary.*

Which, on motion, was accepted, and ordered to be spread upon the minutes.

By Mr. Coburn—Petition:

INDIANAPOLIS, December 11, 1865.

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

GENTLEMEN:—I am just completing a large house on the corner of Georgia and Illinois streets, and in paving and curbing the sidewalks I have paved and curbed the corner belonging to the city. There is 15 feet of curb on Illinois street and the same number on Georgia street. There are 25 yards of paving, it being 15 feet square. I ask your honorable body to make me

an allowance for the same. The price paid is as low as the general amount let to contractors.

Yours, respectfully,

HUGO MARMONT.

City of Indianapolis,	To Hugo Marmont,	Dr.
For 30 feet of stone curbing, - - - - -	- - - - -	\$33 00
For 25 yards of paving, - - - - -	- - - - -	30 00
		<hr/> \$63 00

Which, on motion, was referred to the City Attorney.

Mr. Jameson moved—

That the Chief of Police be directed to assign one of the Day Policemen each day to the Marshal, for the purpose of enforcing the ordinances in reference to removing nuisances from the streets and alleys; said assignments to be made from the Wards in order of their numbers, and to be continued till otherwise ordered by this Council.

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

Those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Emerson, Glazier, Jameson, Kappes, MacArthur, Seidensticker and Thompson—10.

Councilmen Loomis voting in the negative.

So the motion was adopted.

Dr. Jameson moved—

That the Chief of Police is hereby directed to see that all the members of his force give a portion of their time to the enforcement of the ordinances in reference to streets, alleys, sidewalks, &c.

Which motion prevailed.

Dr. Jameson moved—

That the Engineer be requested to report to this Council the number of yards of filling required on North street, between Alabama and East streets, and at what places the necessary quantity of earth can be obtained for filling said street; also, a similar statement in reference to East street, north of St. Clair street.

Which motion prevailed.

By Mr. Brown:

WHEREAS, Certain sub-divisions of lands adjacent to the City of Indianapolis, have, from time to time, been laid off and platted by the owners thereof, and the plats duly recorded in the records of the Recorder's office of Marion county, as "additions" to the City of Indianapolis:

AND WHEREAS, Many of these "additions" have become quite populous, making it the interest of the inhabitants thereof to have such "additions" annexed to the City of Indianapolis: Therefore,

Be it resolved by the Common Council of the City of Indianapolis, That the boundaries of such city be extended so as to include all of the following named "additions" to the City of Indianapolis, and that such "additions" be, and the same are hereby, annexed to and made part of said City of Indianapolis:

FIRST—ADJOINING THE CITY ON THE NORTH.

Ovid Butler's Addition, in the south-east quarter of section 36, township 16, range 3 east, and the sub-division of lot 90 thereof, made by John Young.
Brooks' Addition, in the south-west quarter of section 35, township 16, range 3 east.

James P. Drake's Addition, in the south-east quarter of section 35, township 16, range 3 east, and the sub-divisions of portions of such addition made by the following named parties:

Barton's sub-division of the south-west quarter of square 12.

J. T. Donchey's sub-division of the north-east quarter of square 3.

Harrison and Rea's sub-division of the north-west quarter of square 15.

Hendricks' sub-division of the north-east quarter of square 13.

Ketchum and Smith's sub-division of square 5.

James H. McKernan and Winslow S. Pierce's sub-divisions of the north-east quarter of square 23; also, of lots 11 and 12 of square 18; also, of lot 11 of square 9; also, of the south-west quarter of square 3; also, of lots 2 and 3 of square 18.

Agedius Naltner's sub-division of the north-half of square 16.

Winslow S. Pierce's sub-division of the south-west quarter of square 13.

Arthur L. Wright's sub-division of lots 5 and 6 of square 7.

James P. Drake and Royal Mayhew's Addition, in the southwest quarter of section 35, township 16, range 3 east.

James Morrison's Addition, in the south-west quarter of section 36, township 16, range 3 east.

Arthur St. Clair's Addition, in the south-west quarter of section 36, township 16, range 3 east, and, also, the sub-divisions thereof made by the following named parties:

1. Francis M. Churchman and Joseph R. Haugh's sub-divisions of lot or block 3.

2. Allen May's sub-division of lot 8.

3. J. Coleman Pope's sub-division of the middle part of lot 1.

Nathaniel West's heir's Addition, in the south-east quarter of section 35, township 16, range 3 east, and the sub-divisions thereof, made by the following named parties:

1. John S. Spann and Frank Smith's sub-division of lot 43 and the north half of lot 44.

2. George W. Pitts' sub-division of lots 41 and 42.

Charles St. John West's Addition, in the south-east quarter of section 35, township 16, range 3 east.

SECOND—ADJOINING THE CITY ON THE EAST.

Allredge's Addition, in section 7, township 15, range 4 east.

Budd's Addition, in section 7, township 15, range 4 east.

James Blake's Addition, in section 7, township 15, range 4 east.

Crane and Wesson's Addition, in the south-west quarter of section 6, township 15, range 4 east.

Alexander H. Davidson's heir's Addition, in the west half of section 6, township 16, range 3 east.

Alexander H. Davidson's heirs' Addition, in the south end of the west half of the south-west quarter of section 6, township 15, range 4 east.

Dunlop's Addition in the south-east quarter of section 7, township 15, range 4 east.

Indianapolis and Cincinnati Railroad Company's Addition, in the south-east quarter of section 7, township 15, range 4 east.

Thomas McIntyre's Addition, in the north-west quarter of section 7, township 15, range 4 east.

Sharpe's Addition, in the north-west quarter of section 7, township range 4 east.

Williamson's Addition, in the north-west quarter of section 7, township 15, range 4 east.

THIRD—ADJOINING THE CITY ON THE SOUTH.

Peru and Indianapolis Railroad Company's Addition, in the north-east quarter of section 14, township 15, range 3 east.

James M. Ray's Addition, in the north-west quarter of section 18, township 15, range 4 east.

John H. Vajen's Addition, in the north-west quarter of section 13, township 15, range 3 east.

William Y. Wiley's Addition, in the north-east quarter of section 14, township 15, range 3 east.

Birkenmayer's Addition, in the north-east quarter of section 13, township 15, range 3 east.

Cincinnati, Cambridge and Chicago Straight Line Railroad Company's Addition, in the north-east quarter of section 14, township 15, range 3 east.

James P. Drake and — Buell's Addition, in the north-east quarter of section 14, township 15, range 3 east.

John S. Dunlop and Henry Tutewiler's Addition, in the north-west quarter of section 13, township 15, range 3 east.

Foot's Addition, in the north-west quarter of section 13, township 15, range 3 east.

Morris' Addition, in the north-west quarter of section 13, township 15, range 3 east.

FOURTH—ADJOINING THE CITY ON THE WEST.

Indianapolis and Cincinnati Railroad Company's Addition, in the north-east quarter of section 3, township 15, range 3 east, (east of White river.)

Patterson, Fletcher and Ray's Addition, in section 3, township 15, range 3 east, (east of White river.)

All of said Additions, and the sub-divisions thereof, being the same as are known by the designations given on the plats thereof, duly recorded in the Record of Plats of Marion county.

Resolved, further, That it is hereby made the duty of the City Clerk to prepare a copy of this resolution, and duly certify the same as correct, and furnish the same to the Civil Engineer, who shall, at once, cause copies of all the plats of the Additions, (and their several sub-divisions,) before mentioned to be made from the records of the County Recorder's office, and append such copies of plats to the copy of this resolution aforesaid, and file the same with the Recorder of Marion county, to be by him recorded in the records of his office; and for this purpose the Civil Engineer is authorized to employ a competent draughtsman.

Which, on motion of Mr. Brown, was made the special order of business for Monday night, the 18th inst., and the City Clerk directed to give notice of the pendency of said resolutions.

Mr. Emerson introduced special ordinance No. 87, entitled:

AN ORDINANCE to provide for the grading and graveling of Blake street and sidewalks, between the National Road and the north side of Vermont street,

Which was read the first and second times.

Mr. Emerson introduced special ordinance No. 88, entitled:

AN ORDINANCE to provide for the grading of New York street, from West to Blake streets, and the north sidewalk from the east side of the first alley west of Bright street, to Blake street; also, the alley upon the south side of said street, from Blake street to the north-west corner of Military grounds,

Which was read the first and second times.

Dr. Jameson introduced the following ordinance:

AN ORDINANCE appropriating five hundred dollars to the Chief Fire Engineer, for the use of the Fire Department of the City of Indianapolis.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the sum of five hundred dollars be allowed to Charles Richmann, Chief Fire Engineer, to be expended by him for forage, and other articles needed for the use of the Fire Department.

SEC. 2. The City Clerk is hereby directed and authorized to issue an order in favor of Charles Richmann to the full amount above named.

SEC. 3. This ordinance shall take effect and be in force from and after its passage.

Ordnained and established this — day of December, 1865.

Which was read the first and second times.

By Mr. Coburn, from the Board of Public Improvements:

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, December 11, 1865. }

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 in relation to the motion to have the Street Commissioner repair East Washington street, between Noble and Corporation line east, we believe that it will take at the least calculation, to make a single track in the center of the street, four hundred loads of gravel or cinders, costing about one dollar a load.

Cady street, a newly graveled street, we should think will take from fifty to seventy-five loads of gravel or cinders to repair it. We recommend that this street be repaired.

The culvert at the junction of the Michigan and National Roads is caving in, and will have to be repaired.

HENRY COBURN, }
W. CLINTON THOMPSON, } *Board.*

Mr. Boaz moved that so much of the report as relates to repairing of Washington street, between Noble street and Corporation line east, be referred to the Civil Engineer, and he instructed to re-advertise for proposals to grade and gravel same as provided by ordinance heretofore passed.

The question being on the adoption of the motion, the ayes and noes were demanded.

Those who voted in the affirmative were Councilmen Boaz, Brown, Coburn, Emerson, Glazier, Kappes, Loomis, MacArthur and Thompson—9.

Those who voted in the negative were Councilmen Jameson and Seidensticker—2.

So the motion was adopted.

On motion, so much of the report as relates to Cady street, and the culvert at the junction of the Michigan and National Roads was concurred in.

By Mr. Coburn, from the Board of Public Improvements :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, December 11, 1865. }

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

GENTLEMEN:—In accordance with a resolution I herewith submit a report of the ordinances for street improvements which have been laid over until first meeting in February, or are laid on table awaiting final passage, having been read first and second times.

STREETS.

- 1st. To grade and gravel Spring street, between Market and Ohio; laid over until first meeting in February.
- 2d. To grade and gravel St. Joseph street, between Pennsylvania and Meridian; laid over until first meeting in February.
- 3d. To grade and gravel Merrill street, between Pennsylvania and East; laid on table.
- 4th. To grade and gravel Michigan street, between Meridian and Illinois; laid on table.
- 5th. To grade and gravel Duncan street, through out-lots 19 and 22; laid on table.
- 6th. To grade and gravel McCarty street, between Illinois and Canal; laid on table.
- 7th. To grade and gravel Henry street, between Mississippi and Canal; laid on table.
- 8th. To grade and gravel Spring street, between Vermont and Massachusetts Avenue; laid on table until first meeting in February.
- 9th. To grade and gravel Walnut street, between Alabama and Liberty; laid on table until first meeting in February.

ALLEYS.

- 1st. To grade and gravel the alley running east and west through out-lot 175, between Delaware and Alabama streets; laid over until first of February.
- 2d. To grade and gravel the alley running east and west, south of South street, between Noble and School streets; laid on table.
- 3d. To grade and gravel the alley running east and west through square 71; laid on table until first meeting in February.
- 4th. To grade and boulder the alley running east and west through square 57; laid on table until first meeting in February.
- 5th. To grade and boulder the alley running between out-lot 140 and 141, and between Washington street and first alley south of Washington street; laid on table.

SIDEWALKS.

- 1st. To gravel the sidewalks on Fletcher Avenue, between Noble and Cedar streets; to be called up and passed this evening.
- 2d. To pave and curb the south sidewalk of Washington street, between Tennessee and Mississippi streets.

3d. To pave and curb the east sidewalk on Meridian street, between Washington and Union Railroad.

The ordinances passed, and on which no bids have been received, I am unable to report, as the Civil Engineer has not reported the same, as requested to do so.

Respectfully submitted.

HENRY COBURN, *President of the Board.*

Which, on motion of Mr. Brown, was received, and the Civil Engineer directed to report plans and estimates of the probable cost of said improvements.

By Mr. Coburn, from the Board of Public Improvements :

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, December 11, 1865. }

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

GENTLEMEN:—The Board of Public Improvements would respectfully report to your honorable body that the appropriation heretofore made to the Street Commissioner has been expended, and we herewith submit an ordinance for further appropriation.

H. COBURN,
W. CLINTON THOMPSON, } *Board.*

AN ORDINANCE appropriating money for the repairing and cleaning of streets and gutters and the rebuilding and repairing of bridges, and construction of foot bridges and culverts.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the sum of four thousand dollars (\$4,000.00) be appropriated for the use of the Street Commissioner, to be expended by said officer, under the direction of the Board of Public Improvements, in the repairing and cleaning of streets and gutters, and repairing bridges and culverts, and to be accounted for by him in the same manner as other moneys heretofore appropriated.

SEC. 2. This ordinance to be in force from and after its passage.

On motion, the report was received, and the ordinance read the first and second times.

From the Civil Engineer—Report and Resolutions :

INDIANAPOLIS, December 11, 1865.

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

The Civil Engineer would respectfully report that William Cowan has completed his contract for grading and graveling Pratt street and sidewalks, between Meridian and Illinois street. Also,

That Andrew Stewart has completed his contract for grading and graveling James street and sidewalks, between Indiana Avenue and St. Clair street. Also,

That Hiram Seibert has completed his contract for grading and graveling the sidewalks on the north side of Louisiana street, between New Jersey and East street. Also,

That Cornelius Collins has completed his contract for grading and graveling the sidewalk on the west side of East street, between Washington and Louisiana streets. Also,

That Messrs. Coulter & White have completed their contract for furnishing and erecting lamp posts, lamps, and fixtures, on the north half of Circle street, between East and West Market streets.

First and final estimates in favor of the contracting parties are herewith submitted for your approval.

The contract and bond of Messrs. Coulter & White, for furnishing and erecting lamp posts, lamps, and fixtures, on South street, is also submitted for your approval.

In accordance with instructions the gravel being deposited on Meek street has been thoroughly examined, and I find that the quality of the same is inferior and not in compliance with the provisions of the contract.

Bids for street improvements are herewith submitted.

JAMES WOOD, *Civil Engineer.*

Resolved, That the first and final estimate allowed William Cowan, for grading and graveling Pratt street and sidewalks, between Meridian and Illinois 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 Boaz, Brown, Coburn, Emerson, Glazier, Jameson, Kappes, Loomis, MacArthur, Seidensticker and Thompson—11. Noes, none.

So the resolution passed.

Resolved, That the first and final estimate allowed Andrew Stewart for grading and graveling James street and sidewalks, between Alabama and St. Clair 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 Boaz, Brown, Coburn, Emerson, Glazier, Jameson, Kappes, Loomis, MacArthur, Seidensticker and Thompson—11. Noes, none.

So the resolution passed.

Resolved, That the first and final estimate allowed Hiram Seibert for grading and graveling the north sidewalks on Louisiana street, between New Jersey and East streets, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are 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 Boaz, Brown, Coburn, Emerson, Glazier, Jameson, Kappes, Loomis, MacArthur, Seidensticker and Thompson—11. Noes, none.

So the resolution passed.

Resolved, That the first and final estimate allowed Cornelius Collins for grading and graveling the west sidewalk on East street, between Washington and Louisiana 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 Boaz, Brown, Coburn, Emerson, Glazier, Jameson, Kappes, Loomis, MacArthur, Seidensticker and Thompson—11. Noes, none.

So the resolution passed.

Resolved, That the first and final estimate allowed Messrs. Coulter & White for furnishing and erecting lamp posts, lamps, and fixtures, on the north half of Circle street, between East and West 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 Boaz, Brown, Coburn, Emerson, Glazier, Jameson, Kappes, Loomis, MacArthur, Seidensticker and Thompson—11. Noes, none.

So the resolution passed.

On motion, the contract and bond reported by the Civil Engineer, were accepted and approved.

On motion, so much of the report as relates to Meek street, was referred to the Committee on Streets and Alleys.

The Civil Engineer reported sundry sealed proposals for street improvements.

Which, on motion, was referred to the Board of Public Improvements.

From His Honor, the Mayor—Report:

INDIANAPOLIS, December 11, 1865.

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

GENTLEMEN:—The amount of fines collected by me for the month of November, 1865, was one thousand and eleven dollars and eighty-seven cents, which amount I have paid to the Treasurer, as shown by the duplicate receipt hereto attached.

Respectfully submitted.

J. CAVEN, Mayor.

Which, on motion, was accepted and approved.

Mr. Loomis called up special ordinance, No. 83, entitled:

AN ORDINANCE to provide for the graveling of the sidewalks on Fletcher Avenue, between Noble and Cedar 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 Boaz, Brown, Coburn, Emerson, Glazier, Jameson, Kappes, Loomis, MacArthur, Seidensticker and Thompson—11. Noes, none.

So the ordinance passed.

Dr. Jameson offered the following amendments to the Gas Ordinance now pending :

SEC. — At the expiration of five years after the passage of this ordinance, and at any time thereafter, while it shall remain in force, the city shall have the right to purchase the works of said Indianapolis Gas Light and Coke Company by paying therefor the value of all lots, buildings, machinery, gasometers, mains, service pipes, meters, and all other materials belonging to said company and indispensable to the manufacturing and sale of gas for lighting purposes—said value of the same to be determined by a just and fair appraisement, to be made in manner hereinafter provided, and without any reference whatever to the value of any right or privilege belonging to said company, and to the entire exclusion thereof.

SEC. — The appraisement contemplated by the next preceding section shall be made by two competent persons, and the same shall be duly sworn to. One of said persons shall be chosen by the Common Council, one by said Indianapolis Gas Light and Coke Company, and in case of their disagreement they may select a third one, any two of whom shall make said appraisement. After said appraisement shall have been made the City of Indianapolis may, at the option of the Common Council thereof, purchase the property of said company so appraised, to be held by said city, or immediately transferred, in whole or in part, to any other party or company desiring to engage in the manufacture of gas and coke for the purposes contemplated by this ordinance: *Provided*, Said other party, or company, shall be bound by said transfer to furnish gas to the city and other consumers thereof for the then unexpired time for which this ordinance shall then have to remain in force, at a rate not exceeding three dollars per thousand cubic feet; and furthermore at a rate less by five per cent. than the average cost of gas shall have been, as furnished by the Indianapolis Gas Light and Coke Company during the year next preceding the time of making the appraisement as aforesaid.

SEC. — The gas sold by said company, except in case of emergency or of accident, shall be free from all non-inflammable poisonous qualities, and, in all other respects, of the highest standard of purity; and the same shall be supplied promptly, and in sufficient quantity, by said company to all paying consumers thereof, and to all persons applying therefor, on or adjacent to any street or alley along which the mains of said company shall have been extended. And said company shall make no charge for any meter, nor for the setting of the same, nor for the rent of the same; nor shall any charge be made by said company for service-pipe laid in any street, gutter, or sidewalk, nor for laying said pipe, nor for properly repairing all streets, gutters and sidewalks thereafter. And furthermore, said company shall not charge more for making any connection between their pipes and those of any person applying for gas than the actual cost of doing the same. All gas sold shall be accurately measured by said company at their own expense, and without any charge, either direct or indirect, to any consumer thereof.

SEC. — None of the rights and privileges belonging to said Indianapolis Gas Light and Coke Company shall be exclusive, or in any way prevent or hinder said City of Indianapolis, at any time in future, from granting similar rights and privileges to any other party or company desiring to manufacture gas for lighting purposes.

SEC. — Said Indianapolis Gas Light and Coke Company shall, at all times, charge equal and uniform rates to all consumers, except the city, supplied with gas by said company, and shall in good faith, and without evasion, collect the same for the uses of said company.

SEC. — If said Indianapolis Gas Light and Coke Company shall, in the opinion and judgment of the Common Council, fail to comply with any or all of the provisions of the foregoing ordinance, or shall violate any of said provisions, then, and in such case, they shall forfeit all the rights and privileges belonging to said company, and the Common Council may, at any time thereafter, repeal the same.

His Honor, the Mayor, offered the following amendments to the Gas Ordinance now pending :

To amend the first section by striking out the word "twenty" before "years," and insert five.

To amend first clause of section 1 by striking out all between "contingencies" and "*Provided*," and insert the following: Ten per cent. on the value of the capital stock of \$——, and the one-half of all profits realized over ten and under sixteen per cent., the other half to be paid over to the city annually; and all profits realized over sixteen per cent. shall be paid to the city semi-annually: *Provided*, That whenever said company shall agree to furnish gas at the price of \$3.00 per thousand feet all the profits shall be retained by said company. For the purpose of fixing the capital stock the works of said company shall be appraised once every five years by six appraisers, three appointed by the Council and three by said Gas Company; and the six, in case of disagreement, shall appoint a seventh, and the amount of such appraisement shall be taken and held to be the amount of capital stock entitled to dividends for the ensuing five years, with the exception of the additions from time to time as provided for in the fifth clause. And the President of said company shall, at the first meetings of this Council in January and July of each year, under oath, render an account of the receipts and expenses, and also of the profits for the preceding six months, and pay the profits accruing to the city to the City Treasurer.

Amend section five by adding thereto: And said joint committee shall in all cases determine what amounts of expenditures shall be entitled to be regarded as an increase of the capital stock, and shall, from time to time, as such expenditures occur, make out a certificate to that effect, and thereupon such amounts shall be added to the capital stock.

Pending the consideration of which, on motion, the Council adjourned, ordering the same to be printed.

Present at roll-call on adjournment: Councilmen Boaz, Brown, Coburn, Emerson, Glazier, Jameson, Kappes, Loomis, MacArthur, Seidensticker and Thompson—11.

JOHN CAVEN, *Mayor*.

ATTEST:

C. S. BUTTERFIELD, *City Clerk*.