

PROCEEDINGS
OF THE
COMMON COUNCIL.

—
CALLED SESSION.
—

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, JULY 19TH, 1866, 7½ O'CLOCK, P. M. }

The Common Council met pursuant to the following call :

MAYOR'S OFFICE,
Indianapolis, July 17th, 1866. }

To the Members of the Common Council of the City of Indianapolis :

GENTLEMEN:—The undersigned, Mayor of the City of Indianapolis, hereby calls a special meeting of the Council to be held at the Council Chamber, on the 19th day of July, 1866, at 7½ o'clock, P. M., to consider and act upon matters of business as may come before you. You are each respectfully notified and requested to attend.

[SEAL.]

Witness, my signature and the seal of the said City, this
17th day of July, 1866.

JOHN CAVEN, *Mayor*.

We, the undersigned, members of the said Council, hereby acknowledge service of the above notice this 18th day of July, 1866.

AUSTIN H. BROWN,
STEPHEN McNABB,
HENRY COBURN,
J. A. GROSVENOR,
JOSEPH STAUR,
J. H. KAPPES,

CHARLES GLAZIER,
WM. H. LOOMIS,
P. H. JAMESON,
ADOLPH SEIDENSTICKER,
C. F. SCHMIDT,
WILLIAM ALLEN.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members at first roll-call :

Councilmen Allen, Brown, Coburn, Fletcher, Glazier, Grosvenor, Kappes, Loomis, McNabb, Seidensticker, and Staub—11.

Absent—Councilmen Colley, Emerson, Jameson, Kemker, MacArthur, Schmidt and Thompson—7.

The proceedings of the regular session held July 9th, 1866, were read and approved.

By Mr. Grosvenor—Petition :

INDIANAPOLIS, July 19, 1866.

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

GENTLEMEN:—The undersigned, resident citizens of the south-west part of the city, do respectfully petition your honorable body for to adopt some principle whereby the crossing can be kept clear from the cars on Kentucky Avenue, on the Terre Haute and Richmond Railroad; as it now is, people have to wait from fifteen minutes to one hour to get across the aforesaid Railroad, which is to the detriment of persons hauling gravel and doing business.

Respectfully,

W. W. Smith,
Thomas Horry,
Frank Eppert,

James Antrim,
George Moser,
And 73 others.

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

By Mr. Brown—Petition :

INDIANAPOLIS, July 13, 1866.

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

GENTLEMEN:—We, the undersigned, hereby petition your honorable body to grant us the privilege of constructing a large cistern in the alley running east and west on the north side of lot 4, out-lot 14, for the purpose of protecting more perfectly our factory from the ravages of fire, to which danger it is peculiarly liable on account of the nature of our business.

E. C. ATKINS & CO.,
Sheffield Saw Works.

On motion, the prayer of the petitioner was granted.

By Mr. Fletcher—Petition :

INDIANAPOLIS, July 16, 1866.

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

GENTLEMEN:—The undersigned respectfully petitions your honorable body to pass an ordinance to grade the alley running east and west through square 8, it being the second alley north of Michigan street, between the alley running north and south through said square, and Mississippi street.

CHARLES JOHN.

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

By Mr. Glazier—Petitions :

INDIANAPOLIS, July 13, 1866.

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

The undersigned, property holders along the line of South East street, between Bicking street and the south Corporation line, respectfully represent, that, as they are informed, the grade of said street has been established in

such a manner as to collect the water north and south on said street at the intersection of Buchanan street, where the same cannot be drained, but has to evaporate. We respectfully ask for an investigation and a change of the established grade, so as to spare us this affliction.

B. Voldermark,
Wm. Kortepeter,
Daniel Keller,

Geo. Kronenberger,
Herman Schute,
And 10 others.

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

By Mr. McNabb—Petition:

INDIANAPOLIS, July 17, 1866.

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

We hereby give an explanation to our petition to close the alley between lots Nos. 10 and 11, in out-lots Nos. 105 and 106, in Merrill's sub-division to the City of Indianapolis.

1st. We paid 150 dollars for these lots, being corner lots, said to be more valuable than the lots adjoining on the same plot.

2d. It cost us 120 dollars to fill up the alley, it being two feet below grade of Delaware street.

3d. The property holders between this alley and McCarty street filled the alley running north and south two feet with earth, and turned the water from the hill into our lots, by which it cost us 200 dollars to raise our lots to keep the water from running into our cellars.

4th. When these lots were first laid off this alley was to be from the Madison Avenue to the hill 22 feet wide. But the Madison Company and other property holders east changed the alleys to suit their own interest, thus changing the original contract. By this it will be seen that this alley never was public property, it being changed from its lawful course.

5th. The alley itself will prove that there was fraud practiced by wealthy men by putting the alleys where they pleased to make their lots more valuable, and left the alley 22 feet wide and only 150 feet long, putting an enormous expense on us to the amount of 470 dollars, and is of no use to the public in general nor to us in particular.

By this true statement the honorable Council can discover that it will be only giving justice to allow us to close this alley.

MICHAEL MORRISON,
FRANCIS DONNELLY.

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

By Dr. Thompson—Petition:

INDIANAPOLIS, July 19, 1866.

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

We, the undersigned, pray the privilege from your honorable body, of grading and graveling our sidewalk, at the corner of Vermont and California streets, under the supervision of the City Engineer.

CHANDLER & TAYLOR.

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

By Mr. Grosvenor—Petition:

INDIANAPOLIS, July 15, 1866.

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

Your petitioner respectfully asks your honorable body to pass an ordinance to grade and gravel the sidewalk on the south side of Kentucky Avenue, between the west side of Tennessee street and the south side of Georgia street, and your petitioner will ever pray, &c.

WILLIAM GULLIVER.

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

By Dr. Jameson—Communication:

INDIANAPOLIS, July 19, 1866.

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

GENTLEMEN:—I have this day returned to the City Auditor the assessment for the year 1866, amounting in the aggregate to twenty-four millions, two hundred and thirty-one thousand, seven hundred and fifty-two dollars.

WM. HADLEY, *City Assessor*.

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

And in relation to the same, Dr. Jameson offered the following resolution:

Resolved, That the City Auditor be directed to give notice that this Council will meet with the City Auditor and City Assessor, on Monday evening, August 6, 1866, at 7½ o'clock, as a Board of Equalization, and hear complaints in regard to the assessment of 1866, and equalize the same as justice and right may require.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, McNabb, Seidensticker, Staub, and Thompson—13. Noes, none.

So the resolution passed.

Mr. Loomis moved—

That the Street Commissioner be directed to cause the gutters to be cleaned on East street, south of McCarty street.

Which motion was adopted.

Dr. Jameson moved—

That the City Auditor be directed to make full and complete settlement with the Treasurer, Chief Fire Engineer, and Clerk, and report the same to the Common Council within one month.

Which motion was adopted.

Mr. McNabb moved—

That the City Auditor re-advertise for the grading and graveling of Mississippi street, between Garden and Merrill street.

Which motion was adopted.

Mr. Glazier moved—

That the City Auditor and Market Master prepare a statement of what is required to be done at the West Market House to make it in a condition to hold market in, and advertise for proposals to do the same; the proposals to be received on next Monday night week.

Which motion was adopted.

By Mr. Grosvenor:

Resolved, That Thomas Schooley and Samuel M. Siebert, be, and they are hereby, appointed by the Common Council of the City of Indianapolis as members of the Board of Commissioners to view property and assess the damages and benefits that may be awarded and assessed in opening any new street or alley in said City of Indianapolis, or in changing the course of any stream of water within the limits of said city; such Commissioners so appointed to fill the vacancies in said Board caused by the failure of John B. Stumph, and Thomas Chandler to qualify, they having been elected June 4, 1866.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, McNabb, Seidensticker, Staub, and Thompson—13. Noes, none.

So the resolution passed.

Dr. Jameson introduced the following ordinance, to-wit:

AN ORDINANCE to refund taxes erroneously assessed.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis*, That the following named persons be allowed the amounts set opposite their respective names, from any money in the City Treasury not otherwise appropriated, to wit:

Frederick Balweg, over assessment,	- - - - -	\$18 15
C. W. Vanhowten, double assessment	- - - - -	48 00
McKernan & Pierce, double assessment	- - - - -	18 00
John Finn, poll tax erroneously assessed, he being over age,	- - - - -	55
M. N. Tarr, erroneously assessed,	- - - - -	25 80
		<hr/>
		\$110 50

SEC. 2. The City Auditor is hereby authorized and required to issue orders to the above parties, and for the amount specifically set forth in section 1 of this ordinance.

Ordained and established this 19th day of July, 1866.

JOHN CAVEN, Mayor.

Attest:

C. S. BUTTERFIELD, City Clerk.

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

Dr. Jameson then moved that the rules be suspended and the ordinance read the third time and placed upon its passage.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, McNabb, Seidensticker, Staub and Thompson—13. Noes, none.

So the rules were suspended and the ordinance read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, McNab, Seidensticker, Staub, and Thompson—13. Noes, none.

So the ordinance passed.

Mr. Fletcher introduced special ordinance No. 74—1866, entitled:
AN ORDINANCE to provide for grading the first alley south of North street running east and West between the alley running north and south through Square 8, and Mississippi street.

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

Mr. Brown introduced special ordinance No. 75—1866, entitled:
AN ORDINANCE providing for the construction of a sewer and drains, with catch-basins at the corners of intersecting streets and at intersecting alleys, on Illinois street, between the south side of Market street and the south side of Maryland street.

Which was read the first time by its title, and laid over.

Mr. Brown introduced special ordinance No. 76—1866, entitled:
AN ORDINANCE providing for the construction of a sewer and drains, with catch-basins at the corners of intersecting streets and at intersecting alleys, on Illinois street, between the south side of Maryland street and the south side of Louisiana street.

Which was read the first time by its title, and laid over.

Mr. Brown introduced special ordinance No. 77—1866, entitled:
AN ORDINANCE providing for the construction of a sewer and drains, with catch-basins at the corners of intersecting streets and at intersecting alleys, on Illinois street, between the south side of Louisiana street and Pogue's run, and for extending the same down the channel of Pogue's run for the

distance of one hundred and fifty (150) feet; and for the bouldering of the gutters on both sides of Illinois street, between Louisiana street and Pogue's run.

Which was read the first time by its title, and laid over.

Mr. Loomis introduced special ordinance No. 78—1866, entitled:

AN ORDINANCE to provide for grading and graveling the sidewalks on Virginia Avenue, between Cedar and Elk streets.

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

Mr. Coburn from the Board of Public Improvements submitted the following report from Messrs. Cunningham and Brown, Civil Engineers, to whom the matter was referred, in connection with the Board of Public Improvements, to-wit:

INDIANAPOLIS, July 19, 1866.

To the Board of Public Improvements:

GENTLEMEN:—In accordance with your instructions, we have made a survey of out-lot 101, for the purpose of ascertaining the location of Stevens street.

We extended our measurements from South street to McCarty, and from New Jersey to Virginia avenue. Merrill street, east of Alabama, is not marked by any permanent improvement. The north line of the street, as we ran it, is about fourteen inches farther south at New Jersey than the present line, and eighteen inches farther south at East street, but agrees with the street, as at present located, at Delaware and the avenue. The south side of the street is eighteen inches further south at East street, and two feet and nine inches at the avenue—Merrill street, between East and the avenue, being less than forty feet wide.

Though Merrill street has been placed further south at East street, there is still a surplus of ground between Merrill and McCarty, and a small deficiency between Merrill and South. It would have been better to have placed it still further south, had it not interfered too much with the improvements. We also ran the south-west line of Virginia avenue from East street to Bradshaws treet. This agrees very closely with the present line, except in out-lot No. 102.

Having established the intersection of Virginia avenue and Merrill street, we measured the distance from Merrill to Stevens, and found it six feet and five inches less than the recorded plat required. We also found that Merrill and McCarty streets were both at right angles with East street, while Stevens street ran north of east, making an angle of twenty-four minutes with Merrill and McCarty streets.

We ran the east line of East street from the avenue to Dougherty street, making no change at either end. This line coincided with the present street at Merrill, but ran twenty inches east at McCarty, but still leaves a sufficient quantity of ground between this point and the avenue.

The distance from East street to the avenue, measured on the south side of Merrill, as we have located it, agrees with the measurement given on the original plat, and also on the recorded subdivision. This survey places Mr. Jasper's house six feet and five inches in Stevens street, and J. B. Kelly's house five feet in the alley. It will also change the lines of the lots so as to interfere more or less with the buildings.

We have not yet made all the surveys you ordered, but as the city had in contemplation the construction of a sewer through and alley in out-lot 101, it was necessary to ascertain the location of the alley as soon as possible. For this reason we have made this partial report.

Which is respectfully submitted.

J. W. BROWN,
JAS. B. CUNNINGHAM.

Which, on motion, was laid upon the table for the present.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, July 11, 1866. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that the petition of property holders on Meridian street, between St. Clair and Corporation line, to widen the sidewalks to twelve feet be granted, and that the Civil Engineer be instructed to change the width of the same. By this change the trees on the street will be saved.

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

On motion the report was concurred in, and the Board of Public Improvements and City Attorney directed to report an ordinance fixing the width of the sidewalks as petitioned for.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, July 19, 1866. }

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

GENTLEMEN:—The Board of Public Improvements, would respectfully report to your honorable body that they herewith submit the report of the Street Commissioner, showing the expenses of the past month. Work to the amount of \$3,172.45 cents has been done. Vouchers for the same have been filed with the City Clerk, showing a balance in the hands of the Commissioner of \$1,813.96 cents.

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

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

1. I laid 3 foot bridges on Indiana Avenue and Tennessee street.
2. Filled the gutters on New York street, between Illinois and Tennessee streets.

3. Filled the holes on Illinois street, between Market and Ohio streets, with 380 yards of gravel.
4. Opened the gutters on Illinois street, between Ohio street and the Corporation line north.
5. Made the crossing on Meridian street with intersection of New York street.
6. Cleaned 2 culverts on Washington street with intersection of Meridian street, and repaired the same.
7. Built a culvert on Illinois street and Bluff Road.
8. Opened the gutters on Market street between Delaware and Pennsylvania streets, on north side.
9. Built a culvert at the alley running north and south in square 57.
10. Cleaned the gutters on Pennsylvania street between Washington and New York streets.
11. Opened the gutters on Michigan street, between Delaware and Illinois streets.
12. Put 3 foot bridges on Washington and Meridian streets.
13. Cleaned Meridian street, between Washington and Louisiana streets.
14. Opened the gutters on Meridian street, between Ohio and Michigan streets.
15. Opened the gutters on Delaware street, between Market and Michigan streets.
16. Opened the gutters on New York street, between Noble and East sts.
17. Built a culvert on Washington street with intersection of Benton st.
18. Built a culvert on Illinois and Georgia streets, and took off 125 yards of bowldering and re-layed the same.
19. Filled 2 mud holes on the corner of Spring and New York streets with gravel.
20. Repaired the bridge on Indiana Avenue across the Canal.
21. Opened the gutters on Spring street, between Ohio and Vermont sts.
22. Cleaned the gutters on Illinois street, between Washington and Louisiana streets.
23. Opened the gutters on Noble street, between Market street and Massachusetts Avenue.
24. Built a culvert on Noble and Ohio streets.
25. Repaired the culvert on Ohio and Illinois streets.
26. Put 2 foot bridges on Meridian and St. Joseph streets.
27. Laid 6 foot bridges on Illinois and Pratt streets.
28. Made the crossing on alley running north and south on McCarty st., between Delaware and Alabama streets.
29. Laid 5 foot bridges on Illinois and Walnut streets.
30. Laid 2 foot bridges on Illinois and Michigan streets.
31. Opened the gutters on Michigan Road, between Indiana Avenue and St. Clair street.
32. Laid 2 foot bridges on Meridian and Michigan streets.
33. Laid 1 foot bridge on Meridian and Pratt streets.
34. Laid 1 foot bridge on Illinois and St. Clair streets.
35. Laid 1 foot bridge on Meridian and New York streets.
36. Laid 1 foot bridge on Illinois and Ohio streets.
37. Laid 1 foot bridge on Vermont and Meridian streets.
38. Opened the gutters on Meridian street, between Pogue's Run and Merrill streets.
39. Opened the gutters on South street, between Mississippi and Pennsylvania streets.
40. Opened the gutters on Tennessee street, between Louisiana and Garden streets.
41. Repaired the culvert on South and Alabama streets.
42. Made 2 crossings on Noble and Meek streets with cinders and gravel.
43. Made 2 crossings on the alley running east and west, in squares 88 and 89, with gravel and cinders.
44. Put 2 foot bridges on Noble and Meek streets.

- 45. Filled 2 big mud holes on McCarty street, between Alabama and New Jersey streets, with earth, and hauled 133 yards of gravel at the same place.
- 46. Filled a mud hole on Washington and Noble streets with cinders.
- 47. Leveled the City Park, between Noble and Liberty streets.

AUGUST RICHTER, *Street Commissioner.*

On motion the report of the Board of Public Improvements, was received, and the reports of the Street Commissioner accepted and approved.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, July 11, 1866. }

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

GENTLEMEN:—The Board of Public Improvements would respectfully report to your honorable body that a culvert will have to be built on North street at Bright street; also a culvert on St. Clair street at East. At both of these points street improvements are going on, rendering it necessary that the culverts be built at once. We would ask to be instructed to have them built by the Street Commissioner. We would further recommend that three small culverts be made on Elm street, which has just been graded.

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

On motion, the report was concurred in, and the Street Commissioner directed to do the work.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, July 11, 1866. }

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

GENTLEMEN:—The Board of Public Improvements would respectfully report to your honorable body that they would recommend that August Richter be allowed to secure the sewer now upon his lot in a good and substantial manner, under the direction of the Board of Public Improvement, the city agreeing to pay the amount of expenses incurred.

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

On motion the report was concurred in and Mr. Richter authorized to secure the sewer as recommended by the Board, provided the same be permitted to remain upon the lot permanently.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, July 11, 1866. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that the petition of property owners on Madison avenue, against the flow of water from

the stone yard of Ittenbach & Schmidt, requires no action from the Council, as existing ordinances will relieve the street from any nuisance that is made by private individuals.

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

Which, on motion, was concurred in.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, July 11, 1866. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the bids were referred, would respectfully report to your honorable body that they find the following persons the best bidders, and would recommend that contracts be awarded them:

Cogill, Smock & Cogill, to grade, gravel, curb and boulder the street, sidewalks and gutters of Meridian street, between North and St. Clair for \$2.29 per lineal foot front, each side of the street.

James Splain, to grade and gravel New York street, between Blackford and Blake streets, for 97 cents per lineal foot, each side of the street.

John Schier, to grade and gravel the alley running east and west, between Washington and Market, and Noble and Liberty streets, for 29 cents per lineal foot each side.

Thomas O'Neale, to regrade the east sidewalk of Meridian street, between Catherine and Merrill streets, for 15½ cents per lineal foot.

Frank Hanrohan, to whom was awarded the contract for digging the new channel for Virginia river, having failed to fill his bond, we would recommend that it be awarded to Daniel Mahoney at the same price, 30 cents per cubic yard.

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

On motion the report was concurred in, and the contracts awarded as recommended.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, July 11, 1866. }

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

GENTLEMEN:—The Board of Public Improvements would respectfully report to your honorable body that the bridge over Pogue's Run on Liberty street is about ready to fall down. A new bridge will have to be built. The Street Commissioner has made an estimate, and reports that a stone foundation and superstructure, the full width of the street, will cost \$850.

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

On motion the report was received and the City Auditor directed to advertise for sealed proposals to build the bridge

By Mr. Coburn, from Committee on Accounts and Claims :

INDIANAPOLIS, July 16, 1866.

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

The City of Indianapolis,				To Wm. Hadley, Dr.
July 11, 1866—S. P. Strong, for services as Ass't Assessor 45 days,				
at \$2.50	-	-	-	\$112 50
" " " Asa M. Strong, for services as Assistant Assessor 50				
days at \$2.50	-	-	-	125 00
" " " H. P. Randall	-	-	-	225 00
Total,	-	-	-	\$462 50

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

By Mr. Seidensticker, from Judiciary Committee :

INDIANAPOLIS, July 19, 1866.

To the Judiciary Committee :

GENTLEMEN:—Some months ago I was called upon by the City Assessor for an opinion as to whether the stock of National Banks was subject to taxation. With much hesitation I gave an opinion, advising that the stock be listed. I then regarded the question as a very doubtful one, but, acting upon an opinion of the Superior Court of Cincinnati, I advised that the stock be listed. Since the decision of the Superior Court, the Supreme Court of the United States has made a decision which I am inclined to think decides the question against the city, although the matter is yet in doubt. An injunction has been asked for, and from the opinion delivered by Judge Blair in another case, it is certain the decision upon the injunction will be adverse to the city. I desire to know whether I shall take the case to the Supreme Court and test the question, or whether I shall instruct the officers of the city to act upon Judge Blair's decision. I would be obliged if you would favor me with an early answer.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

On motion the Communication from the City Attorney was received, and he directed to carry the case up to the Supreme Court.

By Mr. Loomis, from the Board of Police :

INDIANAPOLIS, July 16, 1866.

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

GENTLEMEN:—Your Committee, to whom was referred the matter of building a City Prison, or Station House, ask to submit the accompanying plan and specifications.

Propositions have been received for the purchase of lots upon which to build the proposed prison, as follows, to-wit :

From Mr. Jas. H. McKernan, a lot on Maryland street, between Delaware and Alabama streets, 40 by 80 feet, for \$1,800.

From Mr. Wm. Morrison, 35 by 80 feet on Maryland street, between Meridian and Pennsylvania street, corner of alley in the rear of Sullivan's stable, for \$4,500.

From Mr. Hereth, 40 by 80 feet on Maryland street, in the rear of Henry Allen's stable, corner of alley, for \$4,500.

In these propositions your committee understand these parties to agree to receive in payment city orders and bonds at par.

Your Committee recommend that a site be purchased, and that the selection be made by your committee, subject to the approval of the Council.

Since writing the foregoing, your committee have received a proposition from Wm. Wilkinson to sell 60 by 98 feet on Pearl street, now occupied as Sullivan's Livery Stable and Wm. S. Cameron's Printing Office, both buildings brick, either of which could be soon converted into a suitable Prison or Station House, and answer the purposes intended to such time as the city choose to erect a more suitable building.

Your committee cannot but urge upon the attention of the Common Council the great importance of immediately providing such a Station House as is here contemplated. It is more particularly desirable in cases of first offenders and juveniles.

Respectfully submitted,

P. H. JAMESON, }
J. STAUB, } *Committee.*
W. H. LOOMIS, }

INDIANAPOLIS, July 16, 1866.

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

The undersigned proposes to sell to the City of Indianapolis, ninety-five feet off of the east end of lot number ten (10,) in square number sixty-five (65,) in said city, for the sum of fifteen thousand dollars, subject to a lease on part of same held by Mr. Cameron, which expires August 1st, 1867, and to a lease on other part of same to John B. Sullivan, which expires on the 1st of April, 1868; which leases I will assign to the city, and will take bonds of the city for the \$15,000, payable at ten years, with interest payable thereon semi-annually, at the rate of seven per cent. per annum, the city exempting said bonds from city taxation during said period of ten years, and the payment of said bonds to be secured by mortgage on said premises.

WM. WILKISON.

Accompanying the report and propositions were plans and specifications drawn by J. HODGSON, Architect, for a Station House or City Prison, with an estimated cost for the construction of the same, amounting to 13,303 dollars.

Which, on motion, were laid upon the table for the present.

By Mr. Glazier, from Committee on Markets:

INDIANAPOLIS, July 16, 1866.

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

GENTLEMEN:—The Committee on Markets, to whom was referred the proposals for furnishing a scale on East Market Square, have examined the same, and find that Davis, Lawrence and Company are the lowest bidders, their bid being one hundred and fifty dollars; we would therefore recommend that they be awarded the contract.

Respectfully,

CHAS. GLAZIER, }
J. A. GROSVENOR, } *Committee.*

Which, on motion, was concurred in, and the contract awarded.

By Dr. Jameson, from Committee on Printing and Stationery:

INDIANAPOLIS, July 9, 1866.

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

The Committee on Printing and Stationery beg leave to report bills for printing and stationery for quarter ending June 30, 1866, with vouchers, and ordinance appropriating monies for the payment of the same.

Your Committee would respectfully ask to be empowered to have prepared for immediate printing, in the English and German languages, such general ordinances as have been prepared since the late printing of the revised ordinances, and to have the same properly indexed and bound.

Your Committee would also respectfully call the attention of your honorable body to the accompanying statement of James G. Douglass, City Printer. All of which is submitted.

P. H. JAMESON, }
CHAS. GLAZIER, } *Committee.*

On motion the report was concurred in and the Committee authorized to have the ordinances printed and bound.

Also the following ordinance, to-wit :

AN ORDINANCE appropriating money for the payment of the City Printer.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the sum of one thousand one hundred and seventy-one dollars and twenty-five cents (\$1,171.25) be, and is hereby, appropriated for the payment of the City Printer for printing and stationery for quarter ending June 30th, 1866, and that the City Auditor be directed to draw warrants equal to the amount hereby appropriated, as follows: in favor of Douglass & Conner nine hundred and ninety-nine dollars and fifteen cents (999-15); also, in favor of E. J. Metzger for one hundred and seventy-two dollars and ten cents (\$172.10.)

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

Ordained and established this 19th day of July, 1866.

JOHN CAVEN, *Mayor.*

Attest:

C. S. BUTTERFIELD, *City Clerk.*

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

Dr. Jameson then moved that the rules be suspended and the ordinance read the third time and placed upon its passage.

The question being, on the suspension of the rules, those who voted in the affirmative were Councilmen Brown, Coburn, Fletcher, Glazier, Grosvenor, Jameson Kappes, Loomis, McNabb, Seidensticker, Staub and Thompson—12. Noes, none.

So the rules were suspended and the ordinance read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, McNabb, Seidensticker, Staub and Thompson—13. Noes, none.

So the ordinance passed.

Dr. Jamcson also presented the following communication from the City Printer on the subject, to-wit:

INDIANAPOLIS, July 9, 1866.

To DR. P. H. JAMESON,

Chairman of Committee on Printing for the City of Indianapolis:

DEAR SIR:—Owing to the change of matter, and necessarily the change of type, to be made in printing the Council Proceedings in pamphlet form, I am unable to do the work at the price first agreed upon, which was \$1.50 per page, when three-fourths of the matter was set in small pica type and contained no figure work. In view of the above statements, permit me to submit to you as Chairman of Committee on Printing, and through you to the honorable City Council, the following proposition for printing the proceedings from first of July forward. For one hundred and fifty (150) copies, including Composition, Press-Work, Paper, Folding and Stitching:

For Small Pica type per page,	-	-	-	-	-	-	\$1 30
For Bourgeoise type per page,	-	-	-	-	-	-	1 56
For Nonpareil type per page	-	-	-	-	-	-	2 71
For figure work, that is, work containing three columns of figures, or words and figures, a price and a half.							
Rule and figure work, that is, work containing four or more columns of figures, or words and figures, double price.							
All blank pages to be charged at price named for Small Pica type,							\$1.30.

The amount charged heretofore, viz., \$1.50 per page, does not pay the price paid to our workmen for the composition as now printed.

JAMES G. DOUGLASS, *City Printer.*

The prices above named are the Regular Bill for all Book or Pamphlet work taken by this Office.

EDWIN L. HASTINGS,
Foreman Journal Office.

Which, on motion, was laid upon the table for the present.

Mr. Loomis presented the following report for Mr. MacArthur, from the Select Committee, to wit:

INDIANAPOLIS, July 19, 1866.

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

GENTLEMEN:—The Special Committee, to whom was referred Messrs. Hanway & Cowan's estimate for grading and graveling Blake street, between National Road and New York street, respectfully submit the following report:

That having measured the work done on said street, and examined the record of property held by all of the parties along the line of said street, I would respectfully offer the following resolution:

Respectfully, JOHN B. MACARTHUR, *Chair. Committee.*

On motion the report was received, and the following resolution read and placed upon its passage, to-wit:

Resolved, That the following corrected first and final estimate allowed Messrs. Hanway & Cowan, for grading and graveling Blake street and sidewalks, between the National Road and the north side of New York street, be and the same is hereby adopted as the estimate of this Council, and the property owners herein named are required to pay the sums set opposite their respective names; and that an estimate bearing the same title, approved by this Council June 25, 1866, be and the same is hereby declared null and void.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, McNabb, Seidensticker, Staub and Thompson—12. Noes, none.

So the resolution passed.

First and final estimate allowed Messrs. Hanway & Cowan for grading and graveling Blake street and sidewalks, between the National Road and the north side of New York street. Made at \$1.19 cents per lineal foot.

OWNERS' NAMES AND DESCRIPTION.	Lot.	Out-Lot.	Feet and Inches.	Assessment.
Steam Mill lot.....	10	145.3	\$172 84
C. E. & S. H. Geisendorff.....	8 and 9	148	254.4	302 65
S. & B. Coffin.....	5, 6, and 7	148	361.5	430 08
Thomas Rowland, Ray et al. sub.....	47 and 48	148	66.2	78 73
Melinda Griswold, ".....	46	148	120.4	143 19
James M. Ray, ".....	49, 50, 51, 52 and 53	148	165.5	196 84
Frederick Schrader ".....	54	148	45.1	53 64
John Rowland.....	1 and 2	149	70.0	83 30
Archibald Winings.....	3	149	35.0	41 65
Coffin & Morton.....	4	149	35.0	41 65
John Carlisle.....	5 and 6	149	70.0	83 30
Frank M. Wright, part of.....	148	148	156.4	186 03
C. E. & S. H. Geisendorff, part of.....	148	148	564.4	671 55
S. & B. Coffin.....	148	148	278.10	331 81
Totals.....			2367.6	\$2,817 26

I hereby certify the above estimate correct.

JAMES WOOD, *Civil Engineer.*

From the City Auditor—Report :

INDIANAPOLIS, July 16, 1866.

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

GENTLEMEN:—The City Auditor would respectfully report to your honorable body that there is a pond of stagnant water on lot 220 on Huron street, south side, between Cedar and Pine streets, owned by one Patrick Mischell.

Respectfully,

JOHN G. WATERS, *City Auditor.*

Which, on motion, was referred to the Councilmen from the Eighth Ward.

From City Auditor—Report :

INDIANAPOLIS, July 16, 1866.

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

GENTLEMEN:—The City Auditor reports the following ordinance allowing accounts for the month ending on the 16th day of July, 1866, and respectfully recommend the passage of the same.

JOHN G. WATERS, *City Auditor.*

Also, the following entitled ordinance, to-wit:

AN ORDINANCE, appropriating money for the payment of sundry claims against the City of Indianapolis,

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

By the City Clerk—Report:

OFFICE OF CITY CLERK, }
Indianapolis, July 19, 1866. }

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

GENTLEMEN:—I herewith submit a series of resolutions passed by the City Council of the City of Cincinnati, at a regular meeting held on the 6th day of July, 1866.

Respectfully,

C. S. BUTTERFIELD, *City Clerk*.

RESOLUTIONS OF THANKS.

At a regular meeting of the City Council of the City of Cincinnati, held on the 6th day of July, 1866, the following resolutions were unanimously passed:

Resolved, That the thanks of the City Council of Cincinnati be and are hereby tendered to W. D. Griswold, General Superintendent, and A. H. Lewis, Assistant Superintendent, of the O. and M. R. R.; T. B. Blackstone, President, and Robert Hale, General Superintendent of the Chicago, Alton and St. Louis R. R.; R. W. Rice, General Superintendent, H. C. Wentworth, Passenger Agent, and Calvin Knowlton, Superintendent of the Michigan Central R. R.; B. F. Masten, Superintendent of L. N. A. and C. R. R.; W. F. Reynolds, President Lafayette and Indianapolis R. R.; H. C. Lord, President, F. B. Lord, General Ticket Agent, and W. W. Smith, Secretary of the Indianapolis and Cincinnati R. R.; and George W. Pullman and A. B. Pullman, proprietors of "Pullmans' Sleeping Cars;" by whose favor said Council, together with the officials of said city, enjoyed a recent excursion to St. Louis and Chicago, for their courteous attention and generous liberality during the trip, rendering it one of great pleasure and satisfaction to the participants; and that they most heartily recommend these roads and their polite and gentlemanly officers to the patronage of the traveling public. Also,

Resolved, That our thanks be tendered to the municipal authorities of the cities of St. Louis, Chicago and Indianapolis, for the very cordial and hospitable manner in which the parties to said excursion were received and entertained during their stay in the different cities.

Resolved, That the City Clerk be directed to transmit copies of said resolutions to the different roads and cities mentioned in them.

Attest:

J. F. BLACKBURN, *City Clerk*.

On motion, the resolutions were received and ordered to be spread upon the minutes.

Mr. Seidensticker called up special ordinance No. 73—1866, entitled:

AN ORDINANCE to provide for the grading and graveling of the alley running north and south between Maryland and Cumberland streets, west of lot 9, in square 63,

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, Coburn, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, McNabb, Seidensticker, Staub and Thompson—12. Noes, none.

So the ordinance passed.

UNFINISHED BUSINESS.

Mr. Grosvenor introduced the following entitled ordinance, to-wit :
AN ORDINANCE providing for increasing the width of sidewalks on North Meridian street,

Which was read the first time, and, on motion, referred to the Committee on Revision of Ordinances with instructions to report at next regular meeting.

By Mr. Loomis :

Resolved, That this Council has learned with regret the intelligence of the decease of James Wood, Civil Engineer of the City.

Resolved, That this Council will attend the funeral of the deceased as a body and escort his remains to their last resting place.

Resolved, That a committee be appointed to report appropriate resolutions expressive of the feelings of the Council as to the deceased, and that such Committee report at the next meeting of this Council.

Resolved, That the Council meet in this Hall prior to the holding of such services, and proceed to the late residence of the deceased in a body.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, McNabb, Seidensticker, Staub and Thompson—12. Noes, none.

So the resolution passed.

His Honor, the Mayor, appointed as such committee Councilmen Loomis, Thompson and Seidensticker.

On motion of Mr. Loomis, the Council adjourned.

Present at roll-call on adjournment: Councilmen Brown, Coburn, Fletcher, Glazier, Grosvenor, Jameson, Kappes, Loomis, McNabb, Seidensticker, Staub and Thompson—12.

JOHN CAVEN, *Mayor*.

ATTEST :

C. S. BUTTERFIELD, *City Clerk*.