

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, OCTOBER 1ST, 1866, 7 O'CLOCK, P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members :

Councilmen Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—15.

Absent—Councilmen Allen, Fletcher and Kappes—3.

The proceedings of the regular session held September 24th, 1866, were read and approved.

On motion by Mr. Colley,

The owner of lot 2, in out-lot 2, was permitted to pave with brick the sidewalk in front of said property according to the established grade, provided the same be done under the direction of the City Civil Engineer.

Mr. Emerson presented the following petition :

INDIANAPOLIS, Oct. 1, 1866.

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

GENTLEMEN :—Your petitioner would respectfully ask of your honorable body the privilege of grading, curbing and paving the sidewalk in front of his pro...

perty on the corner of Tennessee and New York streets at his own expense; and your petitioner further asks that the Civil Engineer be directed to set the proper grade stakes, and as in duty bound your petitioner will ever pray.

ELIHU CULVFR.

Which was granted.

Mr. Emerson offered the following motion:

That the Street Commissioner be directed to re-cover the sewer on West Market street, near the Canal, as said sewer has become very dangerous.

Which was referred to the Board of Public Improvements.

On motion by Dr. Jameson,

Messrs. Brown, Goth & Co. were permitted to pave with brick the sidewalk in front of lot No. 24, in Ovid Butler's addition to the town of Indianapolis, situated on the corner of New Jersey and Fort Wayne Avenue, No. 489, under the direction of the Civil Engineer and according to the established grade.

On motion by Dr. Jameson,

The Street Commissioner was directed to raise the gutters on Alabama street, between Michigan and North streets, so as to run the water north.

On motion by Dr. Jameson,

The Gas Company was directed to lay their mains on North New Jersey st., between Michigan street and Fort Wayne Avenue so soon as the required bond is filed with the Company.

On motion by Mr. Kemker,

The Civil Engineer was instructed, as soon as possible, in connection with his other work, to re-establish the streets and highways within the Corporation line, as near as possible, upon the original location, and all work done hereafter shall conform to this rule.

On motion by Mr. MacArthur,

Dan'l Mahoney was allowed six weeks further time to finish his contract on Massachusetts Avenue, the weather being so unfavorable as to prevent his completing it, provided the sureties give their consent to such extension of time.

On motion by Mr. MacArthur,

James Splane was allowed four weeks further time to complete his contract on New York street, between Blackford and Blake streets, provided the sureties give their consent to such extension of time.

On motion by Mr. MacArthur,

The Reporters of the City Press were requested not to mutilate the proceedings of this Council, but report them as they are, verbatim.

Mr. MacArthur presented the following petition :

INDIANAPOLIS, Oct. 1, 1866.

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

GENTLEMEN :—The undersigned would respectfully ask your honorable body to cancel the sale and refund the amount we paid, as agents of Ruth D. Torbet, on lot one (1), in out-lot ninety-one (91), sold on certificate No. 6,850, for \$80.64, the assessment being erroneous. We would respectfully refer to the City Treasurer for explanation.

MCKERNAN & PIERCE.

Which was referred to the Finance Committee.

Mr. MacArthur presented the following petition :

INDIANAPOLIS, Oct. 1, 1866.

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

GENTLEMEN :—Your petitioner would respectfully represent that the Rolling Mill Co. have enjoined him from proceeding with the improvement of Tennessee street. The cause of injunction is that the grade of the street has been raised so as to cover their track. Your petitioner desires to complete his contract, and prays your honorable body to take some action in the matter.

Respectfully,

THOMAS WREN.

Which was referred to the Committee on Streets and Alleys.

Mr. Schmidt presented the following petition :

INDIANAPOLIS, Oct. 1, 1866.

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

The undersigned respectfully ask permission to grade and gravel a part of alley running through out-lot 104, north and south.

John L. Ketcham,
Charles Secrest,
Samuel Merrill.

Which was granted, provided the same be done under the direction of the City Civil Engineer.

On motion by Mr. Seidensticker,

The Street Commissioner was instructed to repair at once the bridges across Pogue's Run on South and Market streets.

On motion by Mr. Seidensticker,

The City Auditor was instructed to advertise for proposals to rebuild the bridge across Pogue's Run on Liberty street, and that the Civil Engineer prepare plans for said bridge, providing for stone abutments.

Dr. Thompson presented the following petition :

INDIANAPOLIS, Oct. 1, 1866.

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

James Spencer requests the privilege of erecting a post for an eating-house sign on the curb west of Blackford's Block, south-east corner of Washington and Meridian streets.

Which was referred to the Committee on Streets and Alleys.

His Honor, the Mayor, presented the following petition :

INDIANAPOLIS, Sept. 29, 1866.

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

GENTLEMEN:—The undersigned petitioner did, in March last, pay into the City Treasury twenty-two dollars and fifty cents (\$22.50), as the city tax on \$1,500 of the capital stock of one of the National Banks, reported by him, through mistake, as taxable property. He now begs your honorable body to order the City Treasurer to refund the same. Respectfully,

HENRY DAY.

Which was referred to the Finance Committee, and the City Attorney.

REPORTS FROM BOARDS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Oct. 1, 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 Civil Engineer has submitted to the Board plans and specifications for a bridge over Pogue's Run on Liberty street. We would recommend that the City Auditor be instructed to advertise for proposals for a bridge in accordance with the plans and specifications.

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

Which was concurred in.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Oct. 1, 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 they herewith submit a profile of East street from Bicking street to Corporation line south. The profile runs the water south from Bicking street outside of the Corporation. We would recommend that it be adopted.

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

Which was concurred in.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Oct. 1, 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 Charles John to have the grade of the alley running east and west through Square eight, changed; we would report that it cannot be done, and would recommend that the grade remain as it has been fixed by the Civil Engineer.

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

Which was concurred in.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Oct. 1, 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 Thomas H. Williams is the lowest bidder for the south sidewalk of Kentucky Avenue, between Tennessee street and the south side of Georgia street for twenty (20) cents per lineal foot front, and recommend that the contract be awarded him.

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

Which was concurred in and the contract awarded.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Oct. 1, 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 they herewith submit the monthly report of the Street Commissioner showing the work done and the amount expended. Vouchers for the expenditures have been examined and found correct, and filed with the City Clerk.

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

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

1. Opened the gutters on Meridian street, between Pogue's Run and McCarty street.
2. Opened the gutters on North street, between the Canal and Illinois st., and hauled away the dirt.

3. Made the crossings on Madison Avenue and Meridian st. with gravel.
4. Made two crossings on Merrill and Delaware streets with gravel.
5. Opened the gutters on Madison Avenue, between Delaware and Meridian street.
6. Opened the gutters on Pennsylvania street, between Madison Avenue and Maryland street.
7. Built a culvert on Bluff Road and Ray street, full width.
8. Took up the old culvert on Bluff Road and filled up the place, which took 325 yards of dirt and gravel.
9. Put two foot bridges on Delaware and Market streets.
10. Opened the gutters on Ohio street, between New Jersey and Noble streets.
11. Opened the gutters on New York street, between East and Alabama streets.
12. Built a culvert on Stevens street, between East street and Virginia Avenue
13. Filled the mud hole on East street, between Massachusetts Avenue and St. Clair street.
14. Opened the gutters on Alabama street, between North and St. Clair streets.
15. Opened the gutters on East street, between Ohio and St. Clair streets.
16. Opened the gutters on St. Joseph street, between New Jersey and Pennsylvania streets.
17. Opened the gutters on St. Clair street, between New Jersey and Pennsylvania streets.
18. Rebuilt the bridge on Maryland street across the Canal, and put in 10 new stringers.
19. Put a new floor on the foot bridge across the Canal and Kentucky Avenue.
20. Filled the mud hole on Georgia street, between Noble and Benton sts.
21. Built a culvert on Illinois street with intersection of North street.
22. Repaired the culvert on Massachusetts Avenue and Delaware street.
23. Filled the mud hole on Mississippi street, between North street and Indiana Avenue.
24. Opened the gutters on East street, between Louisiana and Washington streets.
25. Opened the gutters on New Jersey street, between Ohio street and Massachusetts Avenue.
26. Cleaned Washington street, between Noble and Mississippi streets.
27. Repaired the south sidewalk on Washington street, between Noble and Liberty streets.
28. Put one foot bridge on Market and Noble streets.
29. Repaired the bowldering on Virginia Avenue which was washed out by the overflow.
30. Repaired the bowldering on Delaware street which was washed by the overflow.
31. Opened the gutters on South street, between New Jersey street and Virginia Avenue.
32. Built two new culverts on Washington and Illinois streets.
33. Repaired the culvert on Virginia Avenue and East street.
34. Put a foot bridge on Virginia Avenue and Noble street.
35. Hauled 366 yards of dirt, and 366 yards of gravel, spalts and cinders on the crossings of Mississippi and North streets.
36. Took up 22 yards of bowldering on Washington and Illinois streets, and replaced the same.
37. Hauled all the timbers back which was taken away by the overflow on Sept. 18, 1866, belonging to the different bridges across Pogue's Run.
38. Put one foot bridge on Michigan and Mississippi streets.
39. Built the culvert on New Jersey street in the front of the alley running east and west in Square 62.

40. I had nine hands on Sept. 18, 1866, (by overflow,) to save the culverts and bridges across Pogue's Run as much as possible.

Respectfully submitted,

AUGUST RICHTER, *Street Commissioner.*

Which was accepted and approved.

REPORTS FROM COMMITTEES.

Dr. W. C. Thompson, from the Committee on Gas, made the following report :

INDIANAPOLIS, Oct. 1, 1866.

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

The Gas Committee, to whom was referred the various bids for lighting and extinguishing the city lamps, would report that they find that Charles Webster is the lowest bidder, being 40 cents per lamp post. Dr. Thompson, one member of the Gas Committee, recommends that the contract be awarded to Mr. Webster. Mr. Smith, the other member of the Committee, recommends that the contract be awarded to Schultmeyer, the old contractor, at 45 cents per lamp post.

W. C. THOMPSON, }
C. F. SCHMIDT, } *Committee.*

On motion by Mr. Emerson the contract for lighting and extinguishing the street lamps was awarded to Charles Webster.

Dr. W. C. Thompson, from the Committee on Gas, made the following report :

INDIANAPOLIS, Oct. 1, 1866.

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

The Committee on Gas, to whom was referred the petition of the property holders on Bluff Road, respectfully report that they recommend the prayer of the petitioners be granted, as soon as they file their bond with the City Clerk, in accordance with the ordinance. Respectfully,

W. C. THOMPSON, }
CHAS. KEMKER, } *Committee.*
C. F. SCHMIDT, }

Which was concurred in.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer made the following report :

INDIANAPOLIS, Oct. 1, 1866.

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

The Civil Engineer would respectfully report the following amount of work finished according to contract :

John M. Kennedy, for grading and paving of the alley running through Square sixty-six (66), (north and south), except the east sidewalk now paved with brick.

East side -----	195 feet
West side -----	195 "
Total No. of feet -----	390 "
At 49½ cents per lineal foot each side -----	49½
Total -----	\$193

Daniel Mahoney, for grading, graveling and curbing the outer edge of the sidewalks with plank, and paving the gutter with boulder stone, of Meridian street, between St. Clair street and the Corporation line.

Length on west side -----	1,121.2
Length on east side -----	1,122.4
Total length both sides -----	2,243.6
At \$1.50 per lineal foot, each side -----	150
Total -----	\$3,365 25

Also, respectfully submit a plat and profile showing proposed plan for draining the north-east portion of the city, in compliance with an order issued from Common Council some months since.

Have established the grade of Massachusetts Avenue, and find as the streets are now graded it is impossible to drain that portion of the city. Would propose to have a bowldered gutter or ditch cut to extend from the intersection of Massachusetts Avenue and Chestnut street running east to Railroad street, thence south on Railroad street to Ohio or Market streets, thence east to Pogue's Run; also to continue the gutter north on Railroad street from the intersection of Chestnut and Railroad streets to the north side of Massachusetts Avenue. The building of the gutter will drain that portion of the city lying on either side of Massachusetts Avenue, as also the entire portion in the vicinity of said gutter. I find there will be an average of one and a half feet cutting on the whole line, and that it will not interfere materially with the present grade of Railroad street or travel thereon. Perhaps by simply opening a ditch a little deeper than it would be necessary for a bowldered gutter, it would probably answer the purpose for the present.

Also, have made surveys on Union street, and find that by moving the old culvert about one hundred and fifty feet south, (opposite alley,) and by raising the center of said street six inches at that point, can drain water coming either way (as also the puddle now standing near Corporation line), through alley running west to Bluff Road, thence south to Ray street, thence west towards Canal.

Also, I find numerous discrepancies in the alignment of the city, and desire that some definite instructions be given to apply in all cases where encroachments upon or crooks have been made in the streets, in order that the work hereafter may conform to one system.

Also, submit profile of alley running east of Pogue's Run and north and south through out-lot 16, for your approval.

Also, a profile of the alley running west of Pogue's Run and north and south through out-lot 15.

Also, a profile of Garden street, between Illinois and Meridian streets.

Respectfully submitted,

JOSHUA STAPLES, JR., *Civil Engineer.*

On motion, so much of the Engineer's report as refers to the completion of contracts for street improvements, was accepted and approved, and the City Auditor directed to make out the estimates.

On motion, the balance of the Engineer's report was accepted and approved.

The City Auditor made the following report:

INDIANAPOLIS, Oct. 1, 1866.

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

GENTLEMEN:—The City Auditor respectfully reports the following:

1. The contract and bond of John Shire for grading and graveling the sidewalks on Virginia Avenue, between Cedar and Elk streets, which contract was awarded to him by the Common Council Sept. 24th, 1866.

2. The contract and bond of J. H. Williams for grading and graveling the south sidewalk on Huron street, between Virginia Avenue and Noble street, which contract was awarded Sept. 24, 1866.

3. The contract and bond of C. E. Whitsit & W. S. Hubbard, for grading and bowldering Market street, between Delaware and Alabama streets, which contract was awarded to them Sept. 24, 1866.

4. Contract and bond of Richard Carr & Frederick Richter for graveling Elm street and sidewalks, between Noble street and the Corporation line east, which contract was awarded to them Sept. 24, 1866.

5. Complaint has been made by S. V. B. Noel and others, that lots 4 and 5, in Square 78, owned by Rachel Clarke; lot 3, in Square 78, owned by McVey and Huntington; lot 7, in Square 78, owned by D. Funkhouser; lot 6, in Square 78, owned by Hiram Seibert; and the east one-half of the south one-half of lot 9, in Square 78, owned by D. B. & J. E. Fatout, are covered with water, and that he desires the Council to compel the owners to abate the nuisance.

6. W. Q. Smith has notified me that lot 9, in Square 21, Vajen's sub-division, owned by Patrick Dawson, is covered with water, and that the water runs through into his callar, greatly injuring his property, and respectfully asks your honorable body to compel him to fill the same up to grade.

Respectfully,

JOHN G. WATERS, *City Auditor.*

Resolved, That the owner of the following described real estate, to-wit: Lot 9, in Vajen's sub-division, in Square 21, be, and he is 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 inhabitants 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 question being on the passage of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Colley, Emerson, Glazier, Grosvenor, Jameson, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—15.

No Councilman voting in the negative.

So the resolution passed.

On motion so much of the report as relates to contracts and bonds was accepted and approved, and so much as relates to the nuisance complained of by S. V. B. Noel and others, was referred back to the City Auditor.

The City Attorney made the following report :

INDIANAPOLIS, Oct. 1, 1866.

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

GENTLEMEN:—I have examined the petition of Messrs. Braden and others, and respectfully submit the following opinion :

Under the general order of reference it is difficult to ascertain what question was submitted to me, but as the only specific prayer is that the city pay

for the improvement of street crossings, I have only considered that question.

I think that the city is not legally bound to pay for the improvement of street crossings. The 66th section of the Charter provides that "if it is deemed just and right by the Common Council," part of the expenses of improving streets may be "paid out of the general revenue of the city." Under this provision, I think Council would have the right, should they deem it just, to cause the cost of improving street crossings to be paid out of the City Treasury.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was accepted and approved.

The City Attorney made the following report:

INDIANAPOLIS, Sept. 22, 1866.

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

I have examined the communication of Mr. Unversaw, and submit the following opinion:

The Marshal, with the consent of the Council, appoints his deputies, and is responsible for their acts. If the deputy should be guilty of any official malfeasance the Marshal would be answerable, and should have the power of removal to protect himself. The ordinances and Charter are silent as to the removal of deputies, and I think the rules applicable to ordinary cases of principal and agent apply to the case of the Marshal and deputies. The principal may, at his pleasure, remove the agent, and I think may the Marshal of the City. As he is responsible for the faithful performance of the official acts of the deputy, and for his proper conduct he must necessarily have the power of removing any deputy that he may deem it unsafe or improper to continue in office. The power of removal is possessed by the Marshal, and the appointment is made by him with the consent of the Common Council.

The only action that is necessary upon the part of Council is to confirm or refuse to confirm the appointment of Mr. Scudder.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was approved.

The City Clerk made the following report:

OFFICE OF CITY CLERK, }
Indianapolis, Oct. 1, 1866. }

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

O'Conner & Dorsey vs. William A. Stolte, for.....	\$71 76
O'Conner & Dorsey vs. Robert A. Wetzel, for.....	79 73
O'Conner & Dorsey vs. M. S. & J. Coffman, for	79 73
O'Conner & Dorsey vs. S. Cain, for	79 73
O'Conner & Dorsey vs. M. S. & J. Coffman, for.....	79 73
O'Conner & Dorsey vs. M. S. & J. Coffman, for.....	29 73
O'Conner & Dorsey vs. M. S. & J. Coffman, for.....	29 73
Thomas Wren vs. Samuel Dunlop, for	99 03
Dunn & Karney vs. J. M. Patterson, for	38 15
Dunn & Karney vs. E. G. Wilson, for	10 87
Charles H. Kelley vs. Christian Yager, for.....	401 13

Conner & Dorsey vs. Emeline Robinson, for	25	20
Conner & Dorsey vs. Hiram Bland, for.....	25	20
Conner & Dorsey vs. Hiram Bland, for.....	25	20

And respectfully request that you order precepts to issue.

C. S. BUTTERFIELD, *City Clerk.*

Which was accepted and approved, and precepts ordered.

The City Sexton made the following report :

Report of the Sexton for the month ending September 30, 1866:

NO. OF INTERMENTS.

Under 1 year old.....	13
1 to 5 years.....	12
5 to 10 years.....	1
10 to 20 years.....	1
20 to 30 years.....	3
30 to 40 years.....	8
40 to 50 years.....	1
50 to 60 years.....	4
Total.....	43

This has been the healthiest Summer and Fall for 15 years.

G. W. ALLRED, *Sexton.*

Which was approved.

Dr. Thompson called up special ordinance No. 100 entitled :

N ORDINANCE prescribing that eight hours shall constitute a days labor, by day laborers employed by the City of Indianapolis,

Mr. Brown moved to strike out all after the ordaining clause and insert the following amendment :

That this Common Council earnestly memorialize the General Assembly in favor of amending the existing laws of Indiana so as to make *eight hours* legal day's labor.

Councilman Colley demanded the ayes and noes.

The question being on the adoption of Mr. Brown's amendment those who voted in the affirmative were Councilmen Brown, Colley, Emerson, Grosvenor, Kemker, McNabb, Schmidt, Seidensticker and Staub—9.

Those who voted in the negative were Councilmen Coburn, Glazier, Jameson, MacArthur and Thompson—5.

So the amendment was adopted.

On motion by Mr. Seidensticker, the ordinance was then read the second time, as amended, and ordered to be engrossed.

Councilmen Colley and Grosvenor asked and obtained leave of absence.

UNFINISHED BUSINESS.

On motion by Dr. Thompson,

Charles Williams and John F. Wallick were granted permission to pave the sidewalk with brick in front of their property on Michigan street, between Meridian and Pennsylvania streets, to the width of nine feet, provided the same is done in thirty days, and under the direction of the Civil Engineer.

On motion by Mr. Brown, special ordinance No. 90—1866, was called up and referred to the Board of Public Improvements.

On motion by Mr. Brown,

The City Auditor was directed to re-advertise for proposals for lamp posts, lamps, &c, on Virginia Avenue, between South and Bradshaw streets, and that hereafter proposals be invited by the lamp post instead of by the lineal foot.

Dr. Jameson introduced special ordinance No. 101, entitled :
AN ORDINANCE prescribing that eight hours shall constitute a days labor by the City of Indianapolis,

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

Mr. Seidensticker offered the following resolution :

Resolved, That the report of Marshal John Unversaw relieving his former Assistant, John Russell, and appointing Michael R. Scudder as Assistant, be, and is hereby, approved.

Resolved further, That in approving said report the Council do not endorse any complaints against the former Assistant Marshal, but entertain the same high regard for his official efficiency and integrity as formerly.

Mr. Brown demanded a division of the question and called for the ayes and noes on the adoption of the first resolution.

The question being on the passage of the first resolution, those who voted in the affirmative were Councilmen Coburn, Emerson, Glazier, Jameson, Loomis, MacArthur, Schmidt, Seidensticker, Staub and Thompson—10.

Those who voted in the negative were Councilmen Brown, Kemker and McNabb—3.

So the resolution passed.

On motion the second resolution was adopted by consent.

On motion by Mr. Coburn,

The Auditor was instructed to notify the contractor for the bowldering of the gutters around East Market Space to complete the same within two weeks or this Council will declare the contract forfeited.

On motion by Dr. Jameson,

Wm. Langenkamp was permitted to pave with brick the sidewalk in front of his property on Ohio street, near the corner of East street, provided the same be done at his own expense and under the direction of the City Civil Engineer.

Mr. Loomis offered the following resolution :

Resolved, That His Honor, the Mayor, Chief of Police, and Board of Police, be, and are hereby, empowered to increase the Police Force of the city so as to include ten extra patrolmen during the preset State Fair, should they deem such increase of force necessary.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Coburn, Glazier, Jameson, Loomis, MacArthur, Schmidt, Seidensticker, Staub and Thompson—9.

Those who voted in the negative were Councilmen Brown, Emerson, Kemker and McNabb—4.

So the resolution passed.

Dr. Jameson called up the petition of Wm. Braden and others in relation to bouldering West Washington street.

Mr. Brown moved that the prayer of the petitioners be granted.

Pending which, on motion by Mr. McNabb, the Council adjourned.

JOHN CAVEN, *Mayor*.

ATTEST :

C. S. BUTTERFIELD, *City Clerk*.