

# PROCEEDINGS

OF THE

# COMMON COUNCIL

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
*Monday, September 8, 1873, 7½ o'clock, P. M.* }

The Common Council met in regular session.

Present—His Honor the Mayor, James L. Mitchell, in the Chair, and the following members :

Councilmen Anderson, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Thalman, Twiname, Ward and Woodburn—20.

Absent—Councilmen Adams, Batty, Kahn, Pendleton, Rush and Stratford—6.

Sealed proposals for sundry street improvements were received, opened, read and referred to the Committee on Contracts.

Mr. Craft, from the Committee on Contracts, submitted the following report:

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—We, the undersigned, members of the Committee on Contracts, to whom was referred the matter of street sprinkling during the progress of the Exposition, would report that we have let the contract to Omer T. Porter, who agrees to take the contract, accepting as the city's portion therefor the sum agreed upon, viz: \$2,500 and trusting to the residents on the streets to be sprinkled for the balance sufficient to pay for said work. As the City Attorney has been absent from the city, a bond and contract has not yet been prepared, but will be submitted at our next meeting.

W. H. CRAFT,  
M. C. ANDERSON,  
Com. on Contracts.

Which was concurred in.

#### REPORT FROM CITY OFFICERS.

The City Civil Engineer submitted the following report:

INDIANAPOLIS, September 4, 1873.

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

*Gentlemen*—I hereby report the following estimates for work done:

A first and final estimate allowed James W. Hudson for grading and paving the west sidewalk on Russell avenue from Illinois to Meridian street, 633.7 lineal feet of pavement at 66 cents per foot.....	\$410 24
118.3 lineal feet flagging at 60 cents.....	70 98
47.07 square yards bowldering at 70 cents per yard.....	32 95
Total estimate.....	522 17

Also, a first and partial estimate allowed Bernard Hammill for grading, curbing, bowldering and grading South Meridian street from South to Merrill street, 1680. lineal feet of grading and graveling at \$1.00.....	1,680 00
1564.1 lineal feet of curbing at 61 cents.....	954 10
1725.34 lineal feet of bowldering, 9 feet wide, at 76 cents	

per front ft. or square yard.....	134 26
33.4 lineal feet of flagging at 53 cents per ft.....	17 70
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Total estimate.....	3,963 06
Deduct 15 per cent.....	594 45
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Present payment.....	3,368 61
Also, a first and final estimate allowed Michael Foust, for grading and graveling the first alley south of Buchanan street, running from East to Wright street, 2302 lineal ft. at 34½ cents per foot.....	794 19
Also, a first and final estimate allowed Hiram Seibert, for grading and graveling Fletcher ave. and sidewalks from Dillon to Laurel street, 2122 lin. ft. at \$1.38 per ft.....	2,928 36
Also, a first and partial estimate allowed Andrew Douglass for grading, curbing and paving the sidewalks on Maryland street from Meridian to Illinois street, 698.5 lin. ft. of curbing at 59 cents.....	412 11
48.8 square yards bowldering at 70 cents.....	34 16
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Total estimate.....	387 27
Also, a first and final estimate allowed James Mahoney for grading and graveling the first alley west of West street, running from St. Clair street to Indiana avenue, 1575.4 lin. ft. at 35 cents per ft.....	551 39
Also, a third and partial estimate allowed Jesse S. Whitsitt, for grading and paving on North Tennessee street from the south line of Eleventh or Williams street to the south line of Twelfth street, 11,403.8 square yards pavement, at \$1.56 .....	17,789 93
5062.58 lin. ft. of curbing at 60 cents.....	3,037 55
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Total estimate.....	20,827 48
Deduct former estimate.....	15,169 16
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Present payment.....	5,658 32

Respectfully submitted,

JAMES W. BROWN,  
City Civil Engineer.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, September 5, 1873.

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

*Gentlemen*—The City Civil Engineer respectfully reports to the Council :

FIRST.

Contract and bond of James Mahoney for grading and graveling English avenue and sidewalks from Dillon street to the corporation line east.

SECOND.

First and final estimate allowed James W. Hudson for grading and paving the west sidewalk on Russell street or avenue from Illinois to Meridian street.

THIRD.

First and partial estimate allowed Bernard Hammill for grading, curbing, bowldering and grading South Meridian street from South to Merrill street.

FOURTH.

First and final estimate allowed Michael Foust for grading and graveling the first alley south of Buchanan street, running from East to Wright street.

FIFTH.

First and final estimate allowed Hiram Seibert for grading and graveling Fletcher avenue and sidewalks from Dillon to Laurel street.

SIXTH.

First and partial estimate allowed Andrew Douglass for grading, curbing and paving the sidewalks on Maryland street from Meridian to Illinois street.

SEVENTH.

First and final estimate allowed James Mahoney for grading and graveling the first alley west of West street, running from St. Clair street to Indiana avenue.

## EIGHTH.

Third and partial estimate allowed Jesse S. Whitsitt for grading and paving on North Tennessee street from the south line of Eleventh or William street to the south line of Twelfth street.

## NINTH.

First and final estimate allowed Michael Foust for grading and graveling on the first alley west of New Jersey street, running from Merrill to McCarty street.

## TENTH.

First and final estimate allowed Michael Foust for grading and graveling Coburn street and sidewalks from East street to the Madison road.

Respectfully submitted,

JAMES W. BROWN,  
City Civil Engineer.

Which was concurred in and the bonds approved.

Also, the following estimate resolution :

*Resolved.* That the foregoing first and final estimate of James W. Hudson for grading and paving with brick the west sidewalk on Russell street or avenue from Illinois to Meridian 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.

Which was adopted by the following vote :

Affirmative--Councilmen Anderson, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Hardesty, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Thalman, Twine, Ward and Woodburn—19.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and partial estimate allowed Bernard Hammill for grading, curbing, bowldering and graveling South Meridian street from South to Merrill 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.

Which was adopted by the following vote :

Affirmative--Councilmen Anderson, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Hardesty, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Thalman, Twi-name Ward, and Woodburn--19.

Negative--None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and final estimate of Michael Foust for grading and graveling the first alley south of Buchanan street, running from East to Wright 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.

Which was adopted by the following vote :

Affirmative--Councilmen Anderson, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Hardesty, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Thalman, Twi-name, Ward and Woodburn--19.

Negative--None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and final estimate of Hiram Seibert for grading and graveling Fletcher avenue and sidewalks from Dillon to Laurel 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.

Which was adopted by the following vote :

Affirmative--Councilmen Anderson, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Hardesty, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Thalman, Twi-name, Ward and Woodburn—19.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and partial estimate of Andrew Douglass for grading, curbing and paving the sidewalks on Maryland street from Meridian to Illinois 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.

Which was adopted by the following vote :

Affirmative—Councilmen Anderson, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Hardesty, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Thalman, Twi-name, Ward and Woodburn—19.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and final estimate of James Mahoney for grading and graveling the first alley west of West street running from St. Clair street to Indiana avenue, 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.

Which was adopted by the following vote :

Affirmative--Councilmen Anderson, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Hardesty, Kennington, McLaughlin,

Peck, Pressly, Reagan, Shepherd, Sherwood, Thalman, Twi-name, Ward and Woodburn—19.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing third and partial estimate of Jesse S. Whitsitt for grading and graveling on North Tennessee street from the south line of Eleventh or William street to the south line of Twelfth 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.

Which was adopted by the following vote :

Affirmative--Councilmen Anderson, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Hardesty, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Thalman, Twi-name, Ward and Woodburn—19.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and final estimate of Michael Foust for grading and graveling the first alley west of New Jersey street, running from Merrill to McCarty 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.

Which was adopted by the following vote :

Affirmative--Councilmen Anderson, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Hardesty, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Thalman, Twi-name, Ward and Woodburn—19.

Negative—None.

Also, the following estimate resolution :

*Resolved.* That the foregoing first and final estimate of Michael Foust for grading and graveling Coburn street and sidewalks from East street to the Madison Road, 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.

Which was adopted by the following vote :

Affirmative — Councilmen Anderson, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Hardesty, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Thalman, Twinn, Ward and Woodburn—19.

Negative—None.

His Honor, the Mayor, submitted the following report :

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—I have the honor to report :

1st. That on the 29th day of August, 1873, I delivered to the City Clerk 300 \$1,000 twenty year 7.30 bonds, with coupons attached, all signed as required by law : said bonds bearing date of July 1st, 1873, and numbered from 1 to 300 inclusive. As voucher for same I file Clerk's receipt therefor.

2d. That I have this day signed and delivered to the Clerk (whose receipt as voucher is herewith filed) one hundred and fifty (150) One Thousand (\$1,000) Dollar eight per cent. Warrants, dated September 1st, 1873, and payable by the city December 1st, 1873.

Respectfully submitted,

JAMES L. MITCHELL,  
Mayor.

Which was concurred in.

Also, the following :

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—I have the honor to report that I have this day paid to the City Treasurer, as will now fully appear by his receipts filed herewith, the sum of four hundred and forty three dollars and ten

cents (\$443.10) as fines and forfeitures for the violation of city ordinances for the month of August, 1873.

Respectfully submitted,

JAMES L. MITCHELL,  
Mayor.

Which was concurred in.

The City Clerk submitted the following report:

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—The City Clerk would respectfully report the following affidavit now on file in his office for the collection of street assessment by precept, to-wit:

John Greene vs. Hannah A. Free, for \$123.75.

And would recommend that you order the precept to issue.

Respectfully submitted,

JOHN R. CLINTON,  
City Clerk.

Which was concurred in and the precept ordered to issue.

The City Gas Inspector submitted the following report:

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—Pursuant to an order from your honorable body, I have contracted for the erection of street lamps on Delaware street from Tinker northward to the end of Delaware street; and the work will be completed by the middle of the present week. I would call the attention of the Council to the absence of lamps on Delaware street from Tinker south to Morrison streets. An order to light this portion of Delaware street was made early last spring, and in compliance with this order the lamps were located and the service pipes put in before the block pavement was laid; but as far as I can ascertain no contract for erecting the lamps has yet been made.

If it is desirable that the new lamps on North Delaware street be put into use as soon as completed, it will be necessary that an order to that effect be made, as I have no authority to light them without such order.

RYLAND T. BROWN,  
City Gas Inspector.

Which was concurred in.

By consent Dr. Ward offered the following resolution :

*Resolved*, That the City Gas Inspector cause to be erected lamps, etc., on Delaware street, between Morrison and Tinker streets, said posts to be erected in accordance with the general plan for the erection of lamp posts.

Which was adopted by the following vote :

Affirmative—Councilmen Anderson, Bigham, Bollman, Craft, Darnell, Gibson, Pressly, Shepherd, Thalman, Twiname and Ward—11.

Negative—Councilmen Brown, Gimber, Hardesty, Kennington, McLaughlin, Peck, Reagan, Sherwood and Woodburn—9.

The City Marshal submitted the following report :

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—The undersigned would respectfully report that he has served the following notices since his last report, September 8, 1873 :

Opening street, or alley, in the width of twenty feet between Illinois and Meridian streets, by taking a portion of the property of Messrs. Henderson, Condit and Lucy Witt.

Opening alley running north and south between lots 7 and 8, and between lots 1, 2, 3, 4, 5 and 6, of Benton's subdivision of square 12, of Drake's addition.

Respectfully submitted,

WILLIAM C. WEST,  
City Marshal.

Which was received.

The Street Commissioner submitted the following report :

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—I beg leave to submit the following report :

Total amount of pay rolls for four weeks, ending September 5th, five thousand four hundred and eighty-six dollars and eighty-four

cents (5,486.84). Incidental expenses, one thousand one hundred and forty-seven dollars and ten cents (\$1,147.10.) Total, \$6,633.94.

Respectfully submitted,

THOS. WILES,  
Street Commissioner.

Which was received.

The City Attorney submitted the following report :

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—I have examined the questions presented by the petition of Simeon Goings and others praying for a change in the mode of paving the sidewalks on West street, and respectfully submit the following opinion :

When an ordinance has been passed providing for an improvement and a contract has been duly awarded and entered into, the powers of the Council cease. They have no power to alter or change the contract.

Respectfully submitted,

BYRON K. ELLIOTT,  
City Attorney.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—I have examined the record in the matter of the State Ditch, and am of opinion that the Water Works Company does not own the ditch.

Respectfully submitted,

BYRON K. ELLIOTT,  
City Attorney.

Which was concurred in.

The Board of Health submitted the following report :

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—The Board of Health would respectfully submit the following weekly mortality report for the week ending September 8, 1873 :

Under 1 year.....	14
From 1 to 2 years.....	3

From 2 to 5 years.....	3
From 5 to 10 years.....	6
From 10 to 15 years.....	1
From 15 to 20 years.....	
From 20 to 25 years.....	2
From 25 to 30 years.....	
From 30 to 40 years.....	4
From 40 to 50 years.....	2
From 50 to 60 years.....	3
From 60 to 70 years.....	
From 70 to 80 years.....	
From 80 to 90 years.....	
From 90 to 100 years.....	
100 and upwards.....	
Unknown.....	
Total.....	38

Respectfully submitted,

S. A. ELBERT, M. D., Prest.

W. WANDS, M. D., Secretary.

Which was received.

Also, the following report :

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—At a meeting of the Common Council held September 1, 1873, the following motions were referred to the Board of Health :

That the Street Commissioner be directed to fill the mud holes on Lincoln street, near the Peru Railroad. Also; the ponds or sink holes on Lincoln street, near Yandes street.

2d. That the Street Commissioner be ordered to fill the mud holes on Tinker street, near Peru Railroad.

3d. That the Street Commissioner be ordered to fill the mud holes at the corner of Malott avenue and the first alley east of the Peru Railroad.

We have examined the different places referred to and find them in bad condition.

W. WANDS,  
Secretary Board of Health.

Which was concurred in.

## ORDINANCES ON FIRST READING.

Mr. Brown introduced General Ordinance No. 63, 1873, entitled :

An ordinance regulating the cleaning of public sewers and removal of garbage from the city.

Which was read the first time.

Mr. Brown moved to suspend the rules for the purpose of passing the above entitled ordinance.

Which motion was adopted by the following vote :

Affirmative — Councilmen Anderson, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Thalmann, Twiname, Ward and Woodburn—20.

Negative—None.

General Ordinance No. 63, 1873, entitled :

An ordinance regulating the cleaning of public sewers and removal of garbage from the city.

Was read the second time, when Mr. Hardesty offered the following ordinance as an amendment to Mr. Brown's ordinance :

General Ordinance No. 64, 1873, entitled :

An ordinance to amend Section 2 of "An ordinance concerning the removal of garbage," passed July 21, 1873.

Which was read, and on motion by Dr. Woodburn, the whole matter was referred to the City Attorney for examination, with instructions to report next Monday night.

Mr. Kennington introduced Special Ordinance No. 318, 1873, entitled :

An ordinance to light with gas Wyoming street from Delaware to High street.

Which was read the first time.

Also, Special Ordinance No. 319, 1873, entitled :

An ordinance to light with gas Morris street from Delaware to East street.

Which was read the first time.

Mr. Peck introduced Special Ordinance No. 320, 1873, entitled :

An ordinance to light with gas Sixth street from Tennessee to Illinois streets.

Which was read the first time.

Also, Special Ordinance No. 321, 1873, entitled :

An ordinance to light with gas Tinker street from Delaware to Tennessee streets.

Which was read the first time.

Also, Special Ordinance No. 322, 1873, entitled :

An ordinance to light with gas First street from Tennessee to Pennsylvania streets.

Which was read the first time.

Also, Special Ordinance No. 323, 1873, entitled :

An ordinance to grade and gravel the first alley west of Tennessee street from Sixth to Tinker streets.

Which was read the first time.

Mr. Pressly introduced General Ordinance No. 65, 1873, entitled:

An ordinance appropriating ground for opening and extending Co-burn street from Short street to Virginia avenue, and appropriating money to pay damages arising from such opening and extension.

Which was read the first time.

Mr. Reagan introduced General Ordinance No. 66, 1873, entitled:

An ordinance concerning the location and maintainance of lumber yards.

Which was read the first time.

Mr. Thalman introduced Special Ordinance No. 324, 1873, entitled:

An ordinance to grade and pave with brick and curb with stone the west sidewalk of West street between St. Clair and Third streets.

Which was read the first time.

Also, Special Ordinance No. 325, 1873, entitled:

An ordinance to grade and gravel New York street from West street to Indiana avenue.

Which was read the first time.

Also, the following petition:

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—We, your humble petitioners, residents of the Fourth Ward, do pray you to cause to be paved with brick, eight feet wide, the south sidewalk of Ohio street, from West street to Mississippi

street, and do most earnestly beseech you to cause the sidewalk on the south side of Ohio street, lying between West street and Mississippi street, to be improved as above asked for as soon as possible. And your petitioners will ever pray, etc.

WM. M. POWELL,  
GEO. DIXON,  
C. F. HAGERHORST,  
And 4 others.

Which was received.

Also, Special Ordinance No. 326, 1873, entitled :

An ordinance to grade and pave with brick the south sidewalk of Ohio street between Mississippi and West streets.

Which was read the first time.

Dr. Ward presented the following petition :

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—The undersigned, owners of the real estate fronting on the first alley west of Noble street, from North street to its northern terminus, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of the above described alley with good river or creek gravel.

And your petitioners will ever pray, etc.

CONRAD WESLEY,  
FRED. SCHROEDER,  
JOHN SPELLMAN,  
And 5 others.

Which was received.

Also, Special Ordinance No. 327, 1873, entitled :

An ordinance to grade and gravel the first alley west of Noble street from North street to its present northern terminus.

Which was read the first time.

Mr. Woodburn presented the following petition :

INDIANAPOLIS, September 8, 1873.

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

*Gentlemen*—Your petitioners would respectfully represent to your honorable body that they are the owners of a lumber yard on out-lot 32, immediately west of and adjoining the track of the I. C. & L. R. R. Co., and south of First street, and that it is necessary for the proper enjoyment of said premises that a switch be made across First street, and that the same can be done without any inconvenience or trouble to travellers. They therefore pray your honorable body for permission to lay a track across First street, immediately west of the line of the I. C. & L. R. R. Co., at their own expense.

And your petitioners will ever pray, etc.

COX, FOSTER & CO.

Which was referred to the Committee on Railroads.

Also, General Ordinance No. 67, 1873, entitled :

An ordinance authorizing Cox, Foster & Co., to lay a side track across First street, west of and connecting with the Indianapolis, Cincinnati & LaFayette Railroad Company.

Which was read the first time and referred to the Committee on Railroads.

On motion by Mr. Pressly the rules were suspended for the purpose of taking up and passing General Ordinance No. 65. Also, Special Ordinance No. 156, 1873.

General Ordinance No. 65, 1873, entitled :

An ordinance appropriating ground and money on account of opening and extending Coburn street from Short street to Virginia avenue.

Was read the second time and ordered engrossed, and read the third time and passed by the following vote :

Affirmative — Councilmen Anderson, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kennington,

McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Thalman, Twiname, Ward and Woodburn—20.

Negative—None.

Special Ordinance No. 156, 1873, entitled :

An ordinance to grade, gravel, and curb the sidewalks with stone East street from Washington street to Massachusetts avenue, including the sidewalks,

Was read the second time, and ordered engrossed, and read the third time and passed by the following vote :

Affirmative — Councilmen Anderson, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Thalman, Twiname, Ward and Woodburn—20.

Negative—None.

On motion by Mr. Gimber the special order of business, the canal matter, was taken up.

Mr. Pressly offered the following resolution :

WHEREAS, It is deemed expedient to the public health and convenience of the city, that that portion of the Central Canal south of Market street should be filled up ; and whereas, it may be expedient for the city to acquire a sewer basement and to construct a sewer in the bed of said canal south of Market street ; therefore,

*Resolved*, That a committee of five be appointed from this Council to confer with the owners of said canal and ascertain the most favorable terms upon which the right to accomplish these objects can be obtained, and to report the result to the Council at its next meeting.

Mr. Gibson offered the following motion as a substitute to Mr. Pressly's resolution :

*Moved*, That a committee of five be appointed to report to this Council some plan for improving Missouri street and the extinguish-

ment of the claim of the Water Works Company to a right of way in said Missouri street for a canal.

Which was laid on the table.

Mr. Brown offered the following motion as a substitute to Mr. Pressly's resolution, which was accepted by Mr. Pressly:

*Moved.* That a committee of five be appointed to confer with the Water Works Company with instructions to report what is the best means of having the canal south of Market street filled up, and that said committee make report thereon at the next meeting of the Council.

The question being on the adoption of the substitute, those who voted in the affirmative were,

Councilmen Brown, Craft, Gibson, Pressly, Thalman, Ward and Woodburn—7.

Those who voted in the negative were,

Councilmen Anderson, Bigham, Bollman, Darnell, Gimber, Hardesty, Kennington, McLaughlin, Peck, Reagan, Shepherd, Sherwood and Twiname—13.

So Mr. Brown's motion was not adopted.

Special Ordinance No. 201, 1873, entitled:

An ordinance to build a sewer on Missouri street from Market street to Kentucky avenue.

Was read the second time.

Dr. Woodburn offered the following amendment:

*Moved,* To amend so as to charge the property fronting on the sewer one dollar and fifty cents per front foot on each side of such sewer.

Mr. Brown moved to refer the ordinance to the City Attorney, City Civil Engineer and special committee of five.

Mr. Kennington moved to lay Mr. Brown's motion on the table.

The question being on the adoption of Mr. Kennington's motion, those who voted in the affirmative were,

Councilmen Bigham, Bollman, Gimber, Kennington, McLaughlin, Reagan, Shepherd and Sherwood—8.

Those who voted in the negative were,

Councilmen Anderson, Brown, Craft, Darnell, Gibson, Hardesty, Peck, Pressly, Thalman, Twiname, Ward and Woodburn—12.

So the motion to lay on the table was not adopted.

Mr. Brown's motion was then adopted.

His Honor, the Mayor, appointed as such committee Councilmen Brown, Thalman, Pressly, Gimber and Woodburn.

ORDINANCES ON SECOND READING.

General Ordinance No. 63, 1873, entitled :

An ordinance regulating the price to be charged for conveying persons to and from the Exposition in public hacks, express wagons, and other vehicles.

Was read the second time and on motion was stricken from the files.

General Ordinance No. 59, 1873, entitled :

An ordinance to regulate sprinkling of streets.

Was read the second time, and on motion stricken from the files.

On motion the Council adjourned.

JAMES L. MITCHELL,  
MAYOR.

ATTEST :

JOHN R. CLINTON,  
*City Clerk.*