

City Council Chamber
April 21, 1852

The City Council met. Present Messrs Buchanan, Durham, Edwards, Louden, Pitts & Culley, President.

The minutes read and approved.

Mr. Nathan Davis' account of \$7,35 for hauling gravel in 3d Ward was on motion allowed.

On motion

The Street Commissioner was directed to proceed immediately toward the grading and graveling of sidewalk on East side of Pennsylvania Street between N. York & Michigan Streets, directed to be graded and graveled by owners last fall.

Mr. Bartlett Baker prayed for the privilege of selling books by hawking without license; on motion by Mr. Pitts,

Mr. Baker to be granted license for two dollars by payment of two dollars into the City Treasury.

Mr. Pitts offered the following resolution for adoption:

Resolved, That the City Secretary be authorized to make sale of one of the City lots in Hospital Square to Owen Cullings upon the following conditions, to-wit; Said Cullings to bind himself to erect a building on said lot within six months after purchase, and to pay for said lot at three equal annual payments of one, two, and three years, after purchasing, with interest from date; and in other respects complying with the conditions heretofore established.

Which was, on motion, adopted.

On motion by Mr. Durham;

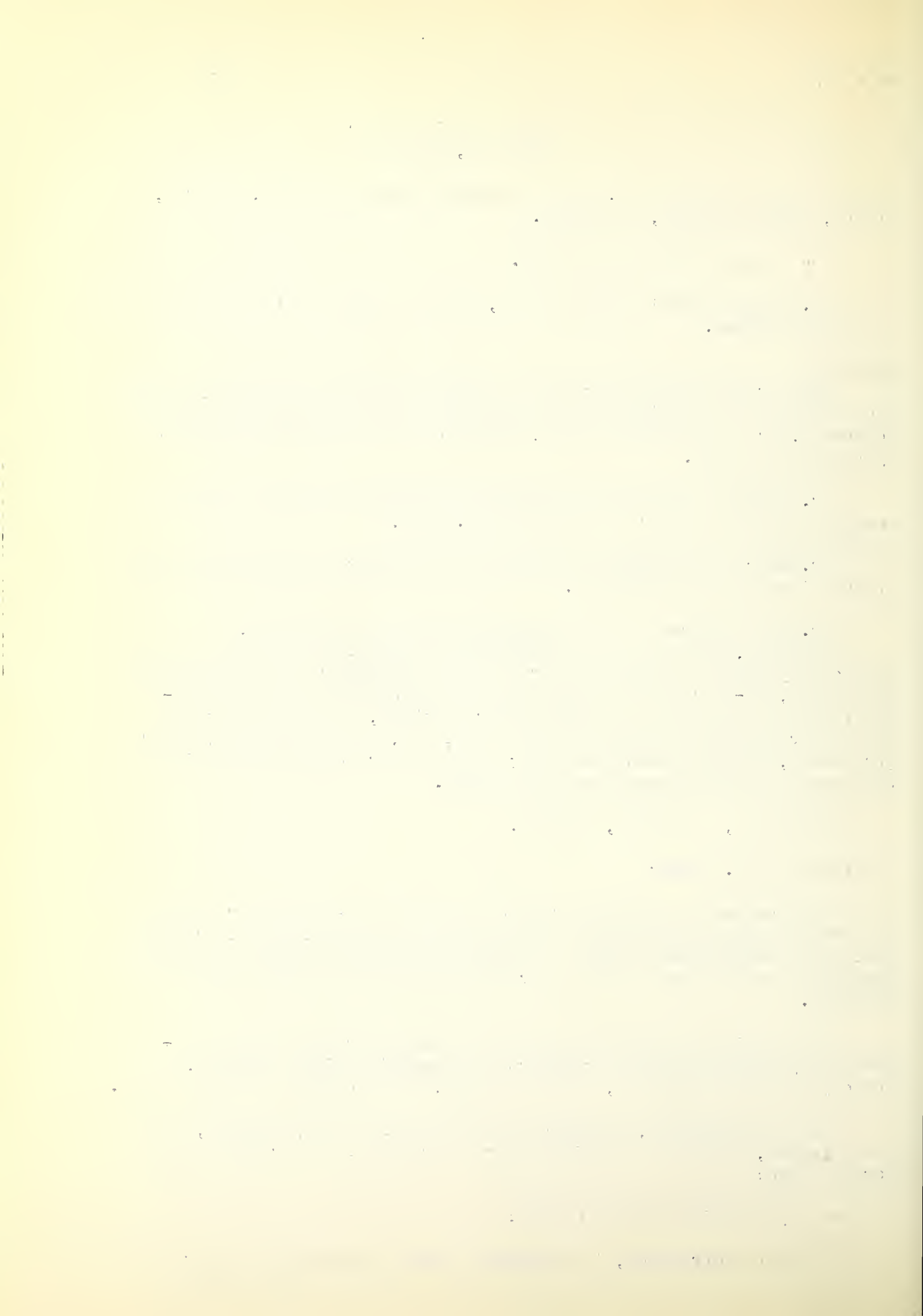
The Peoples Circus were granted license for two days for fifty dollars and granted privilege to occupy the East Market space, provided that make arrangements to have all damages paid they occasion by using said space and to leave it as clear from obstruction as when they found it.

The committee on Building School houses reported agreement between City Council of the first part and Cornelius King & James H. Kennedy of the second part, which was read, and adopted as the agreement.

The City Attorney, in answer to resolution of City Council, of last meeting, made the following report in relation to certain lots for Market space:

To the City Council of Indianapolis:

The undersigned, in compliance with a resolution of your



honorable body, passed at the last meeting, instructing him to inquire into the condition of the title to the City Council to certain lots lying west of the West Market House sold under execution sometime since as the property of the City; as also, what action is necessary to reassert the title of the City to the same and quiet any, adverse claim thereto, and report at next meeting of the Council," has the honor to report as follows:

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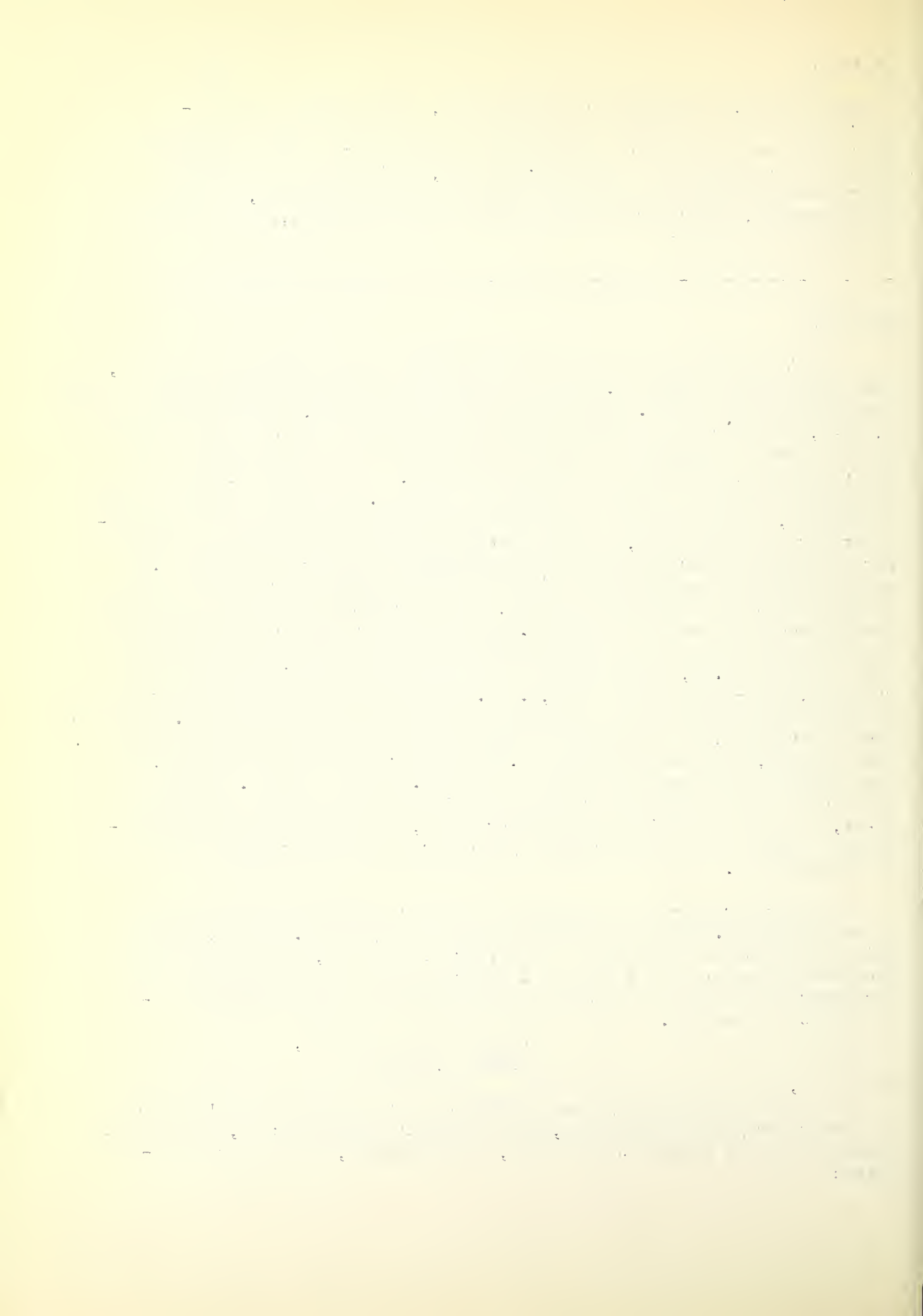
That by an Act of the General Assembly of this State approved 1821, the South half of Block No.50 in the town of Indianapolis was granted to said town for a Market House. By an Act of General Assembly, approved February 6, 1837, the Board of Internal Improvement were authorized to take possession for the use of the State if they should deem it for the interest of the State so to do, said South half of said Block, and in lieu thereof to set apart such portion of the North Half of Block No. 48 yet owned by the State of Indiana, as they should deem just and equitable to the town of Indianapolis for a Market space, and upon the corporate authorities of said town agreeing by an order in their books to receive such part of Block No.48 so to be set off as aforesaid, then the agent of State for the town of Indianapolis was thereby authorized, and it was made his duty to give said town a deed for same in fee simple. And the said corporate authorities should at the same time relinquish to the State by deed all of said South half of block No.50, which deed shall be given to the said Board to be recorded, etc:- (Local Laws 1837, p.41). Pursuant to said Act the Board of Internal Improvement took possession of the south half of Block No.50 for the use of the State, and the Agent of State conveyed in fee to the town of Indianapolis, that part of Block No.48 sold for the debt of the city, and the City conveyed the South half of Block No.50 to the State. The act last mentioned vested said property in said town in trust for a market space, and in the opinion of the undersigned, the property was never subject to sale for any debt created by the corporate authorities of the City of Indianapolis.

The proper mode to be adopted to recover possession of the part of said block No.48 sold for the debt of the city to Mr.Ketchum, and to quiet the title of the city in the property, would be, in the opinion of the undersigned to file a bill in chancery to set aside the deed of the purchaser and to have the possession delivered up to the corporate authorities of the city.

Respectfully submitted,
Albert G.Porter"

On motion,

The City Attorney was instructed to reassert the City's title to the property mentioned above, in the manner designated; if, upon tender of amount of the judgments and costs, with interest, the tender be refused:



On motion

The Secretary be directed to issue an order upon the School fund for the sum of the judgment costs, and interest, which will be necessary to tender in the attempt to reassert their title to the North half of Block No.48 mentioned above in City attorney's report; the School fund being indebted to General Fund about that amount.

Allowed Albert G. Porter professional services	\$ 176.50
do Horatio C. Newcomb " "	25.00

The Committee in Revision of Ordinance, entitled "An ordinance relative to the salaries of the officers of the City of Indianapolis, which was adopted as the ordinance of the city.

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On motion by Mr. Buchanan

Ordered That the City Engineer established the city grade on Louisiana & Maryland streets from East street east to the Donation line.

On motion

The petition of H.E. Bueking & John G. Brittain praying the city Council to remit certain fines assessed against them by the Mayor for retailing liquors was taken from the table; and, they giving bond in the sum of (\$50) fifty dollars not to violate that law again.

On motion

The prayer of the petitioners were granted, they paying the City Council the amount of the bill by them paid to City Attorney.

On motion adjourned to meet on Monday evening.

Attest: Daniel B. Culley Secy. C.C. David V. Culley, Prest.

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