

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, SEPTEMBER 9TH, 1867, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, Daniel Macauley, in the chair,
and the following members:

Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Loomis, MacArthur, Seidensticker and Woodburn—15.

Absent—Councilmen Kappes, Schmidt and Stanton—3.

The proceedings of the regular session held September 2, 1867, were read and approved.

Mr. Burgess introduced general ordinance No. 105—entitled:

AN ORDINANCE to amend section three of an ordinance entitled "an ordinance to provide for the compensation of city officers, and officers and members of the police force and fire department, for the fiscal year ending May 15, 1868."

Which was read the first time by its title.

Mr. Coburn presented the following petition:

INDIANAPOLIS, Sept. 9, 1867.

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

The undersigned citizens and tax-payers, respectfully represent for the consideration of your honorable body, that the present condition of the grounds known as the Governor's Circle is not creditable to the city, and that

some action should immediately be taken for planting out forest trees, and enclosing the grounds with a suitable picket fence, and with further provisions to protect the same from trespasses. The cost would be inconsiderable, and two-thirds of the amount, we believe, would be cheerfully paid by the persons owning lots fronting on the Circle. This Park, from its central location is seen by every citizen, and by almost every visitor, and, besides being useful, could be made one of the chief adornments of the city. We respectfully request your honorable body, to pass an ordinance similar in its provisions to the one herewith submitted for your consideration.

Douglass & Conner,	Wm. H. Lingenfelter,
W. H. English,	Long & Birch,
H. C. Newcomb,	And 64 others.

The undersigned, fully concurs in the prayer of the above petition.

T. B. McCARTY,
Auditor of State.

Which was received.

Mr. Coburn introduced special ordinance No. 84—1867, entitled:

AN ORDINANCE to provide for improving and enclosing the Governor's Circle, and to protect the same from trespasses.

Which was read the first time by its title.

Mr. Coburn offered the following motion:

That the Auditor advertise for a twelve hundred barrel cistern, on corner of Alabama and Cumberland streets, and an eight hundred barrel cistern, corner Gregg and East streets.

Mr. MacArthur offered the following amendment to Mr. Coburn's motion:

That the the report be so so amended, as to include a cistern on the corner of Tennessee and Walnut.

The ayes and noes being called for on the amendment, those who voted in the affirmative were Councilmen Brown, Burgess, Colley, Davis, Geisel, Goddard, Jameson, Loomis, MacArthur, Seidensticker and Woodburn—11.

Those who voted in the negative were Councilmen Coburn, Cottrell, Foster and Henschen—4.

So the amendment was adopted.

Mr. Seidensticker offered the following amendment to Mr. Coburn's motion:

To amend by adding an eight hundred barrel cistern, at the corner of North and Winston streets.

Which was adopted.

The question then being on the original motion, as amended, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jamson, Loomis, MacArthur, Seidensticker and Woodburn—15.

No Councilman voting in the negative.

So the motion was adopted.

Mr. Cottrell moved that all the cisterns to be built be of the capacity to contain 1,200 barrels water.

Which was adopted.

Mr. Coburn presented the following petition :

INDIANAPOLIS, Sept. 9, 1867.

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

GENTLEMEN:—Your petitioner would ask the abatement of the taxes on 60 feet, north end of lots 5 and 6, in square 59, amounting to \$75.91, the same having been used for several years past, and is now being used for school purposes, and in accordance with the decision of the Supreme Court in such cases, your honorable body have exempted such property from taxation, for which your petitioner would ever pray.

SARAH A. SMITH.

Which was referred to the Finance Committee.

Mr. Cottrell offered the following motion :

That the Street Commissioner be instructed to place two foot crossing over the gutter on Delaware street, on the north side of Merrill street, one of the foot bridges to be on the west, the other on the east side of Delaware street.

Which was adopted.

Mr. Cottrell offered the following resolution :

Resolved, That the City Attorney be instructed to examine the ordinance, resolution or motion, giving the Indianapolis & Cincinnati Railroad Co., permission to cross Alabama street, between Pogues Run and Louisiana street, and report whether they have the right to lay more than one track across said street, also, to report to the Council, the proper legal means on the part of the city for removing any excess of tracks across said street.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jamson, Loomis, MacArthur, Seidensticker and Woodburn—15.

No Councilman voting in the negative.

So the resolution was adopted.

Mr. Cottrell offered the following motion :

That the City Marshal be instructed to notify the Superintendent of the "Citizens' Street Railroad Co.," that they must not permit their cars to stand on the Virginia Avenue route, at any point north of the south line of Washington street.

Which was referred to the Superintendent of the Street Railway Company.

Mr. Cottrell offered the following motion :

That the Mayor be requested to inform the Common Council, whether there is now a person known as a "Secret Policeman" on duty, and, if so, does he perform any other duties than drawing his regular pay.

Mr. Loomis moved to lay the motion on the table.

Mr. Cottrell called for the ayes and noes.

The question being to lay the motion on the table, those who voted in the affirmative were Councilmen Burgess, Coburn, Colley, Goddard, Jameson, Loomis, MacArthur and Seidensticker—8.

Those who voted in the negative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Henschen and Woodburn—7.

So the motion to lay on the table was adopted.

Mr. Cottrell offered the following motion :

That the City Auditor be instructed to report to the Common Council, the amount allowed the City Printer, by the city on account of printing, stationery, &c., from the first day of January, 1867, to the first day of September, 1867, inclusive, also, an estimate of what additional amount it may cost to the first of January, 1868.

Dr. Woodburn moved to lay the motion on the table.

Mr. Davis called for the ayes and noes.

Those who voted in the affirmative were Councilmen Burgess, Coburn, Colley, Davis, Goddard, Loomis, MacArthur, Seidensticker and Woodburn—9.

Those who voted in the negative were Councilmen Brown, Cottrell, Foster, Geisel, Henschen and Jameson—6.

So the motion to lay on the table was adopted.

Mr. Cottrell introduced general ordinance No. 106—entitled :

AN ORDINANCE amendatory of an ordinance entitled "an ordinance to provide for the compensation of city officers, and officers and members of the police force and fire department, for the year ending May 15, 1868."

Which was read the first time, and, on motion, was read the second time, and referred to the Judiciary Committee.

Mr. Davis presented the following remonstrance :

INDIANAPOLIS, Sept. 9, 1867.

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

The undersigned, owners of lots fronting on the alley running east and west, through square 55, respectfully remonstrate against granting the prayer of the petition of James H. Hume and W. L. Adams, presented to the Council at its last meeting. If the privileges asked for in said petition be granted, the property of youa remonstrants will be seriously damaged.

J. A. BRADSHAW,
JAMES SULGROVE.

Which was laid over temporarily.

Mr. Geisel offered the following motion :

That Holland & Ostermeyer, be permitted to pave with flag stone or brick, and also put in stone curbing in front of their building on Maryland street, between Meridian and pennsylvania streets, the same to be done under the direction of the Civil Engineer, and completed in ninety days, and the Civil Engineer is hereby directed to set the grade stakes.

Which was adopted.

Mr. Goddard presented the following petition :

INDIANAPOLIS, August, 1867

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

Your petitioners respectfully ask your honorable body to pass and ordinance to grade and gravel West street and sidewalk, from the north side of Merrill street, to the south side of Root street. Your petitioners would further state, that the above portion of West street is much traveled, and part of it is so low as to become very muddy in wet time.

S. Yandes, T. W. Harris,
O. B. Gilkey, John Rupp,
J. Jones, And 9 others.

Which was received.

Mr. Goddard introduced special ordinance No. 85—1867, entitled :

AN ORDINANCE to provide for grading and graveling West street and sidewalks, between the north side of Merrill street and the south side of Root street.

Which was read the first time by its title.

Mr. Goddard offered the following motion :

That the Street Commissianer be, and is hererby directed to properly repair the bridge across the canal on South street, at the earliest possible period

Which was adopted.

Mr. Henschen presented the following petition :

INDIANAPOLIS, Sept. 9, 1867.

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

We, the undersigned, property holders on Louisiana street, ask your honorable body to pass the necessary ordinance to compel the Indianapolis, Cincinnati & Lafayette Railroad Co., to grade and gravel Louisiana street, between East and Noble streets, according to contract with said city, as it is now impassible, and has been for seven or eight years. We earnestly hope your honorable body will act at once on this matter, as we have been set aside from time to time in regard to this street, both by Railroad Co., and City Council, as we pay our city taxes in equal proportion to other citizens having the benefit of streets, we think it no more than just, that we should have some means of reaching our property, besides through back alleys, and mud a foot deep.

W. A. Cuyppendall.....	52 feet.
S. Phelps.....	18 "
James Murphy.....	52 "
John Blattner.....	54 "
George Jockantgen.....	52 "
Henry Weiher.....	40 "
Michael Galleven.....	145 "
William Hughey.....	230 "
Miss Sophia G. Weightman.....	40 "
Alice Wellerding.....	

Which was referred to the City Attorney and Board of Public Improvements.

Mr. Henschen presented the following remonstrance:

INDIANAPOLIS, Sept. 9, 1867.

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

We, the undersigned, citizens of Indianapolis, represent to your honorable body, that it is proposed to grade and gravel Cady street, between Bates and Harrison streets, in said City of Indianapolis. And we further represent that we are resident property owners on said street, and in view of this fact, we present this, our remonstrance against said grading and graveling said street, lieving that said work is not at present necessary, and that the cost of said work will be more than we are able, or willing to pay, we, therefore, pray that said work may be abandoned.

John Windsor.....	117 feet.
James Jolly.....	125 "
Michael Sawless.....	125 "
Theresa Engel.....	117 "
I. C. & L. R. R. Co., by W. H. L. Noble, Gen'l. Sup't.....	125 "

Which was referred to the Board of Public Improvements, together with the ordinance.

Dr. Jameson presented the following petition :

INDIANAPOLIS, Sept. 2, 1867.

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

The undersigned shows that she is taxed for the year 1865, on \$3,500 worth of goods appertaining to merchandise, the sum of about \$62, or a little over, and that to avoid litigation, (which she has not the means to carry on,) she has paid to the City Treasurer a part thereof, to-wit: the sum of \$40.

She further shows that she was not the owner, at the time, of that or any other amount of such goods subject to taxation for said year 1865, in this city or elsewhere, and she had no property of any kind to that amount anywhere subject to taxation.

She further shows that said goods were purchased by her son, Jared H. Newman, in Cincinnati, Ohio, on a credit, and they there gave same in for taxation in her name, when the same were not hers, *and not a cent of the purchase money for same was paid, but said goods had been brought to this city.*

She further shows that afterwards said goods were taken by them to Tipton, Indiana, and their creditors followed them, and took the goods for the purchase money due from them on said goods, and they were taken to Peru, Indiana, and sold at Sheriff's sale.

She further shows that she can satisfactorily establish the truth of the facts by her above stated, if permitted by competent and reliable witnesses, that she is unable to litigate the matter the said city, and she respectfully asks that you will inquire into the truth of this her representation if not satisfied with this her statement, and relieve her from the said tax, so wrongfully assessed, and also direct the Treasurer to return to her the said sum of \$40 paid by her on said wrongful assessment, and which sum of \$40 she borrowed from her daughter to pay to said Treasurer.

her
PAULINA X NEWMAN.
mark.

In relation to which, Dr. Jameson offered the following motion:

That the petition be referred to the Committee on Judiciary, who shall report whether said taxes can be legally remitted on the ground that the owner had not paid for his goods when assessed, or any other ground alleged in the petition.

Which was adopted.

Mr. Loomis offered the following motion:

That Charles Richman be permitted to place a plank crossing as sidewalk in front of his property on Washington street, between East and Liberty street, the same to be done as per the direction of the Civil Engineer, provided there shall be no objection by the contractor.

Which was adopted.

Mr. Loomis, also, offered the following motion:

That the City Civil Engineer be directed to contract for the building of a brick sewer at least 4 feet 6 inches in the clear, to be built in circular form under the alley now being graded and graveled between Huron, Cedar, Noble and the next cross street east of Noble, to be erected for the purpose of conveying the stream of water known as Virginia River.

Mr. Coburn offered the following amendment:

That the Street Commissioner put in a wooden culvert large enough to pass the water.

Which was adopted.

The original motion, as amended, was then adopted.

Mr. MacArthur offered the following motion :

That the Board of Public Improvements together with the Street Commissioner be instructed to notify the Citizens' Street Railway Company to keep in repair that part of the street occupied by their track, as provided for by their Charter.

Which was adopted.

Dr. Woodburn presented the following communication :

AUDITOR'S OFFICE, MARION COUNTY, }
Indianapolis, September 2, 1867. }

Trustees of Schools Indianapolis :

GENTLEMEN:—In reply to your inquiry as to taxation of negroes for school purposes, as shown upon the Tax Duplicate, beg leave to submit that colored persons are exempt from State School Tax 16 cents on each \$100, but are charged with and pay taxes for building and repairing School Houses 35 cents per \$100 for the present year, 1867, upon city property.

Very Respectfully,

J. T. WRIGHT,
Auditor Marion County.

Also, the following communication :

INDIANAPOLIS, Sept. 9, 1867.

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

A committee, representing the colored people of the city, having petitioned your honorable body for an appropriation in aid of the education of their children, to be expended for that purpose by the Trustees of the Public Schools, the undersigned, by order of said Board of Trustees, beg leave to submit the following statement :

The colored people of the city are greatly in need of more, and better schools. They are excluded from the benefits of the Common School law of the State, and while partly exempted from taxation for the support of schools, they do, in practice, pay a large proportion of their share in the school tax, as will be seen by reference to the enclosed statement of the Auditor of Marion County.

The only immediate remedy for this injustice, is to sustain their schools by private contributions, or by appropriations from the city Treasury.

These people have on various times urgently petitioned the Trustees of the Public Schools to take charge of their schools, employ teachers, and establish suitable grades.

This additional labor we will cheerfully assume, provided the Common Council shall appropriate such amount of money as may be needed for the judicious and economical maintenance of these schools. It is estimated that the sum of two thousand dollars (\$2,000) per annum, payable in instalments during the year, will be required for this purpose.

It is proposed to establish two schools in the old fourth ward public schoolhouse, and two other school in buildings already provided by the colored people, who further offer to keep the buildings and furniture in repair, and pay all incidental expenses of the schools.

This statement we present for such action as to you shall seem just and wise.

By order of the Trustees of the Public Schools,

T. B. ELLIOTT, President.

A. C. SHORTRIDGE, Secretary.

Dr. Woodburn introduced special appropriation ordinance No. 55—1867, entitled:

AN ORDINANCE appropriating money to the schools of the colored citizens of Indianapolis.

Which was read the first time, and the whole matter, both communications and ordinance, were referred to the Judiciary Committee.

Mr. Coburn offered the following motion:

That the Terre Haute Railroad Company be notified by the City Auditor to widen the bridge on Kentucky Avenue, over the Canal, the full width of the street.

Which was adopted.

Mr. Brown offered the following motion:

That the Committee on Bridges be instructed to report a plan for the enlargement of the Pogue's Run culvert under the Canal, the work to be done by the Street Commissioner, and the cost of the same collected from the Canal Company.

Which was adopted.

Sealed proposals were then opened and read by the City Clerk, and referred to the Board of Public Improvements.

REPORTS FROM BOARDS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, Sept. 9, 1867. }

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 that Wm. Cogill is the lowest bidder for grading and graveling the alley running east and west between Huron, Elm, Cedar and Pine streets, his bid being 28½ cents per lineal foot front on each side.

Also, the contract to pave and curb south sidewalk of Washington street, between Noble and East streets, be given to Samuel Lefever, his bid being, for paving, \$1.35 per foot; and for curbing, 90 cents per foot.

Also, the Indianapolis Gas Light & Coke Company are the best bidders for erecting lamp posts and fixtures on Mississippi street, between Washington and Georgia streets, their bid being, for the heavy pattern, \$35.00; for the light pattern, \$33.00.

We would recommend that the contracts be awarded to the above named parties.

Respectfully submitted,

JOHN B. MACARTHUR, }
SAMUEL GODDARD. } Board.
W. H. LOOMIS, }

Which was concurred in and contracts awarded.

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

INDIANAPOLIS, Sept. 2, 1867.

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

GENTLEMEN:—The Board of Public Improvements, to whom was referred the different matters, would respectfully report that on examination we find, with the Civil Engineer, that the cost of bowldering the East Market space will be \$5,704.75, and recommend the work be advertised for by the City Clerk.

Also, that the City Civil Engineer be authorized to contract with G. W. Alred to do all the necessary work pertaining to the repair of the Cemetery fence caused by the improvement of Kentucky Avenue.

Also, that the remonstrance of Herman Rasener and others as regards Garden street be not allowed, for in our opinion the improvement is necessary.

Respectfully submitted.

JNO. B. MACARTHUR, }
SAMUEL GODDARD, } *Board.*
W. H. LOOMIS. }

On motion by Mr. Brown, each paragraph of the report was acted on separately.

On motion, the first paragraph in relation to the improvement of the East Market Space, was not concurred in.

On motion, the second part of the report was concurred in.

And, on motion, the last paragraph of the report was concurred in.

REPORTS FROM COMMITTEES.

Mr. Brown, from the Committee on Streets and Alleys, made the following report:

INDIANAPOLIS, Sept. 9, 1867.

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

The committee on streets and alleys, to whom was referred the petition of Perrine & Allaire, recommend that the prayer of the petition be granted: *Provided*, That the Terre Haute and Indianapolis Railroad Company have no objection.

AUSTIN H. BROWN,
Chairman Committee on Streets and Alleys.

Which was concurred in.

Mr. Goddard, from the Committee on Gas, made the following report:

INDIANAPOLIS, Sept. 9, 1867.

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

GENTLEMEN:—The Committee on Gas, to whom was referred the petition of Israel Traub and others, praying for the laying of Gas mains on St. Joseph street, between Delaware and Alabama streets—erection of lamp posts and

fixtures, and for lighting said street—would respectfully report that we have examined the above, and recommend that the prayer of the petitioners be granted. *Provided*, They comply with the usual bond.

SAMUEL GODDARD, } Committee.
JAMES BURGESS,

Which was concurred in.

Mr. Burgess, from a select committee, made the following report:

INDIANAPOLIS, Sept. 9, 1867.

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

GENTLEMEN:—Your committee to whom was referred the subject of filling up what is known as Lake McCarty, would respectfully report that there is no feasible plan for immediate drainage for the water emptying into and running down the gutters of Delaware street, but to carry the same through the drain heretofore made from the south end of Lake McCarty to the Bluff Road, running through the field belonging to the heirs of N. McCarty, deceased, the said heirs having agreed to permit the drainage through the said field for two years from June 1st, 1867, upon the conditions embraced in the accompanying resolution. Your committee would respectfully recommend the adoption of the same.

JAMES BURGESS, } Committee.
G. A. FOSTER,
THOMAS COTTRELL,
H. COBURN,

Which was concurred in.

Also, the following resolution:

Resolved, That the Street Commissioner and chain gang be ordered to clear out and deepen the drain leading from the south end of the so-called "Lake McCarty" to the Bluff road, so that the water level of said lake be reduced to the lowest level caused by the said drain: *Provided*, The cost does not exceed \$100. After the said drain was deepened and extended last year, at the expense of the owners, (heirs of McCarty, deceased,) of out lot 118, on which lake is situated—and that the said drain be maintained of said depth at the expense of the city for the term of two years, from June 1, 1867, and that the said owners, upon the water in said lake being so reduced by the deepening of said drain, be, and are hereby required to fill up said lake to the height of the lowest water level caused by the deepening and clearing out of said drain as aforesaid, and that at the expiration of the said two years, should the owners of any of the ground through which the drain runs desire to fill said drain, the city will not interfere therewith unless the city proceeds by a legal process of condemnation.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Burgess, Coburn, Colley, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Loomis, Seidensticker and Woodburn—13.

Councilman Brown voting in the negative.

So the resolution was adopted.

Dr. Jameson, from a select committee, made the following report :

INDIANAPOLIS, Sept. 9, 1867.

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

The select committee to whom was referred the remonstrance of Elijah Smith and others, relating to the granting of a right of way to the Vincennes Railroad on West street, have had that matter under consideration, and would respectfully state that West street cannot be used for said railroad track without inflicting heavy damages on the property along and contiguous to said street. That a good way for said track could be had along the south-western border of the corporation, and on Dacotah street. That the best and most direct rout for the said road in the opinion of your committee is along Kentucky Avenue, which is more than one-half mile shorter within the city limits than either of the proposed routes.

AUSTIN H. BROWN, P. H. JAMESON, JAMES BURGESS, HENRY GEISEL,	}	Committee.
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Which was concurred in.

REPORTS FROM CITY OFFICERS.

The City Attorney made the following report :

INDIANAPOLIS, Sept. 9, 1867.

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

GENTLEMEN:—I have examined the communication of the committee of the colored citizens of Indianapolis in relation to their schools, and have the honor of reporting that I am of the opinion that their petition, so far as the appropriation asked by them is concerned, may be granted.

The Charter which confers on the incorporation its existence and all its powers, provides (Section 53) that your honorable body shall have the management and control of the finances of the city, and (Section 56) that in addition to the specific powers conferred, you shall have power to make other by-laws and ordinances not inconsistent with the laws of this State, and necessary to carry out the objects of the corporation.

As far as their request that their schools may be placed in charge of the Trustees of the Public Schools of the city is concerned, I do not think you can, consistently with the laws of this State, make their schools public schools, nor can money be appropriated out of the general funds of the city for common school purposes. But should you think the making of the appropriation a proper matter of benevolence, or for the interest and general welfare of the city, I think you may appropriate a sum certain to be paid to the persons designated in the petition as individuals, to be applied by them to the purposes specified in the petition.

Respectfully submitted,

JAMES B. BLACK,
Dep'ty City Att'y.

Which was received, and referred to the Judiciary Committee, with other papers on the same subject.

The Civil Engineer made the following report :

INDIANAPOLIS, Sept. 9, 1867.

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

I hereby report the following work done according to contract :

John Feary and Thomas Dillon for grading and paving the south sidewalk

on McNabb street. Length of sidewalk 450 feet; at 70 cents per lineal foot, \$315.00.

Also, Indianapolis Gas Light and Coke Company for erecting lamp posts, lamps and fixtures on North street, between Illinois and Tennessee streets. Two intermediate posts at \$33.00 per post, \$66.00.

Also, James S. Coyner, a partial estimate on bridge over Pogue's Run on Liberty street. Sixty yards of masonry at \$6.00 per yard, \$360.00.

Respectfully,

R. M. PATTERSON, *Civil Engineer.*

Which was concurred in.

ORDINANCES ON SECOND READING.

Mr. Loomis called up special ordinance No. 81—1867, entitled:

AN ORDINANCE to provide for graveling the sidewalks on each side of Huron street, between Cedar street and the Corporation line east.

Which was read the second time and ordered to be engrossed.

Mr. Henschen called up special ordinance No. 59—1867, entitled:

AN ORDINANCE to provide for grading and graveling Harrison street and sidewalks from the west line of Coe's subdivision and the Corporation line east.

Which was read the second time, and referred to the City Attorney.

Mr. Henschen called up special ordinance No. 60—1867, entitled:

AN ORDINANCE to provide for grading and graveling Harrison street and sidewalks, between Noble street and the west line of Coe's subdivision.

Which was read the second time, and referred to the City Attorney.

Mr. Goddard called up special ordinance No. 76—1867, entitled:

AN ORDINANCE to provide for grading and graveling Ray street and sidewalks, between the Bluff road and the Central Canal.

Which was read the second time, and ordered to be engrossed.

Mr. Coburn called up special ordinance No. 84—1867, entitled:

AN ORDINANCE to provide for improving and enclosing the Governor's Circle, and to protect the same from trespasses.

Which was read the second time.

Mr. MacArthur offered the following amendment:

That so much as pertains to the fence be so amended so as to read, a good, substantial, plain iron railing, the same to be set in flat rock stone to the necessary depth.

Mr. Seidensticker offered the following motion:

To refer to the City Attorney and to committee on streets and alleys with instructions to report estimates of the separate improvements contemplated

by the ordinance, and also, whether the city can legally assess said cost on property owners.

Which was adopted.

ORDINANCES ON THIRD READING.

Mr. MacArthur introduced special ordinance No. 63—1867, entitled :

AN ORDINANCE to provide for paving with brick, and curbing the outside edges with Flat Rock stone, the north sidewalk on Washington street, where the same has not been already paved and curbed, between Mississippi and Missouri streets.

Which was read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Goddard, Henschen, Loomis and Woodburn—5.

Those who voted in the negative were Councilmen Brown, Coburn, Cottrell, Foster, Geisel, Jameson and Seidensticker—7.

So the ordinance did not pass.

Mr. Goddard called up special ordinance No. 67—1867, entitled :

AN ORDINANCE to provide for grading and graveling Garden street and sidewalks, between Illinois and Mississippi streets.

Which was read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Goddard, Jameson, Loomis, MacArthur and Woodburn—5.

Those who voted in the negative were Councilmen Brown, Coburn, Cottrell, Foster, Geisel, Henschen and Seidensticker—7.

So the ordinance did not pass.

Mr. Loomis called up special ordinance No. 81—1867, entitled :

AN ORDINANCE to provide for graveling the sidewalks on each side of Huron street, between Cedar street and the Corporation line east.

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, Cottrell, Foster,

Geisel, Goddard, Henschen, Jameson, Loomis, MacArthur, Seidensticker and Woodburn—12.

No Councilman voting in the negative.

So the ordinance passed.

On motion by Mr. Loomis. the Council adjourned.

DANIEL MACAULEY, *Mayor.*

ATTEST:

D. M. RANDELL, *City Clerk.*