

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, JUNE 22D, 1868, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

Present—Hon. A. Seidensticker in the chair, and the following members :

Councilmen Coburn, Cottrell, Davis, Foster, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Stanton and Woodburn—14.

Absent—Councilmen Brown, Burgess, Colley and Geisel—4.

The proceedings of the regular session held June 15th, 1868, were read and approved.

Mr. Cottrell introduced special ordinance No. 54—1868, entitled :

AN ORDINANCE to provide for grading and bowldering Virginia Avenue, and curbing the outside edge of the sidewalks with White Oak plank, from the south side of Louisiana street to the south side of South street.

Which was read the first time.

Mr. Davis presented the following petition :

INDIANAPOLIS, June 22, 1868.

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

Your petitioners would respectfully show that at a former meeting of your honorable body an ordinance was passed authorizing the opening of Walnut street from Tennessee street to Mississippi street. Your petitioners would also show that this portion of Walnut street passes through a bearing orchard of fine trees, and that it would be a great loss to the owners to have them destroyed. Your petitioners would also show the street, before it is graded, could not be used for general purposes even if opened out for travel. We therefore ask that the opening of said part of Walnut street be suspended until the 1st day of November next.

JAMES BLAKE,
ELIZA BLAKE.

Which was received and the prayer of the petition granted.

Mr. Foster offered the following motion :

That Mr. A. Wiegand be granted permission to repair the street in front of his property on Kentucky Avenue. between Missouri and West streets, the same to be done at his own expense.

Which was adopted.

Dr. Jameson presented the following communication :

INDIANAPOLIS, June 22, 1868.

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

GENTLEMEN:—In accordance with the direction of the Council, we made a survey of out-lots 178, 179, 180 and 181 for the purpose of locating East, Jackson, Broadway and Plum streets.

The cause of the difficulty in this part of this city was pointed out in a report made to the Council on July 30, 1866. At that time the Council adopted a motion directing the Civil Engineer, in connection with two of the undersigned, to report a plan for remedying the irregularities in the measurements of these out-lots.

The parties were not notified of the action of the Council, and knew nothing about it until long after, and nothing was done. No disrespect to the Council was intended.

The present survey shows that there is ground enough between New Jersey street and Massachusetts Avenue, measured along the north line of St. Clair street, for all the lots, streets, and alleys. And we recommend that Broadway, Jackson and East streets, at their intersection with St. Clair, and the south end of Plum street, be located at the distances from New Jersey street which are given on the recorded plats of the subdivisions of out-lots 178 and 181, being the same distances which are given on the plat accompanying this report. We also recommend that the same streets, at their intersection with Cherry street, be located at the distances from Fort Wayne Avenue which are given on the accompanying plat, and that the streets be run straight through the points thus established.

This arrangement would give every lot owner his full quantity of ground, and some of them a little more, would make every street the required width; and would not narrow any alley so as to seriously injure it. The changes are such as are usually made under similar circumstances, and require no special legislation.

This settlement would affect the improvements more or less on all the streets.

The north end of East street is right; at St. Clair street it is $4\frac{1}{2}$ feet too far east. On the west side the improvements are all in the street; on the east side they are all out of the way. East street has been graded and graveled, and if it is located in the manner mentioned, a change in the sidewalks and gutters would be necessary. These changes could be avoided by moving the street at St. Clair $4\frac{1}{2}$ feet further east and letting the north end remain as it is and running it straight from one point to the other. This change we had no power to make.

The south part of the alley between East and New Jersey streets is too far east, and should the street be changed a corresponding change in the alley might be made.

On Jackson street there is nothing in the way but a few fences.

On Broadway there is a one-story frame house about two-feet in the street.

On Plum street there is no improvements of any importance in the way, except a two-story brick house on the corner of Plum and Massachusetts Avenue which is $4\frac{1}{2}$ feet in Plum street. No change in the location of the street would remedy this error, that would not be a serious injury to adjacent owners.

Should this location of East, Jackson, Broadway, and Plum streets be established, we recommend that the center lines of the streets be permanently marked, and a plat similar to the one enclosed be recorded in the County Recorder's Office

Which is respectfully submitted,

R. M. PATTERSON,
D. B. HOSBROOK,
J. W. BROWN.

In reference to which Dr. Jameson offered the following motion :

That the communication be referred to the gentlemen signing the same and the City Attorney, who shall report the powers of the Council in reference to the changes indicated.

Which was adopted.

Dr. Jameson offered the following motion :

That Fred'k Resener, Geo. Van Antwerp and Charles Roney be permitted to grade and pave the sidewalk in front of their property on East street, and that the Engineer be directed to set the proper stakes, provided the same be done within sixty days.

Which was adopted.

On motion by Dr. Jameson, Messrs. Zeis and Jones of Cincinnati, were invited to seats in the Council.

Mr. Kappes presented the following invitation :

INDIANAPOLIS, June 22, 1868.

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

GENTLEMEN:—Your honorable body is respectfully invited by the Association of the German Orphan Asylum to take part in the festivities of the 4th of July, on which occasion they will hold a Picnic in the Fair Grounds at Camp Morton. If possible, they will be glad if you will form a part of the procession.

Yours respectfully,
By order of the Association.

J. H. KAPPES,
Chairman Board of Trustees German Orphan Asylum.

Which was accepted.

Mr. Loomis introduced special ordinance No. 55—1868, entitled:

AN ORDINANCE to provide for bowldering Virginia Avenue between the center of South street and the center of East street to the center of Stevens street, and curbing the same with White Oak plank.

Which was read the first time.

Mr. MacArthur offered the following resolution:

Resolved, That the City Treasurer be, and he is hereby, directed to pay to Sampson Barbee, Jr., ex-Market Master, the unpaid balance of the salary due him from the city as Market Master, at the rate of \$800 per annum, for the fiscal year ending May 13, 1868.

The following opinion of the City Attorney, bearing on the same subject, was called for:

INDIANAPOLIS, June 22, 1868

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

GENTLEMEN:—I have examined the communication of S. Barbee, and respectfully submit the following opinion.

The ordinance increasing the Market Master's salary must be construed as having a prospective and not a retroactive effect. The increase of salary is after the passage of the ordinance and not prior to its enactment.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was received.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Cottrell, Davis, Foster, Goddard, Henschen, Loomis, MacArthur, Stanton and Woodburn—9.

Those who voted in the negative were Councilmen Coburn, Jameson, Kappes, Schmidt and Seidensticker—5.

So the resolution was adopted.

Mr. MacArthur introduced general ordinance No. 149, entitled:

AN ORDINANCE relative to markets, and prohibiting the sale of sundry articles during certain hours.

Which was read the first time.

Mr. MacArthur introduced general ordinance No. 150, entitled:

AN ORDINANCE defining the western boundary lines of the Fourth and Fifth Wards of the City of Indianapolis.

Which was read the first time.

Mr. MacArthur offered the following motion:

That the Market Master be authorized to have the nuisance abated at the West Market.

Which was adopted.

Mr. MacArthur offered the following resolution :

Resolved, That a special committee of three, and the City Attorney, be appointed, with full power and authority, to arrange, settle, and adjust certain actions concerning injuries alleged to have been done by Virginia River, upon the basis agreed upon by the City Attorney. That the sum of one hundred and fifty dollars be hereafter appropriated to pay certain expenses of said actions.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Coburn, Cottrell, Davis, Foster, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the resolution was adopted.

The Chairman appointed as such committee Messrs. MacArthur, Jameson and Henschen.

Mr. Seidensticker presented the following petition :

INDIANAPOLIS, June 22, 1868.

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

The undersigned respectfully represent that they are the owners of a Brewery on Norwood street, between Illinois and Russell streets, that the offal water coming from their establishment, in consequence of the little fall in the gutters, stands in the gutter and causes a disagreeable smell to the occupants of the surrounding property. To avoid complaints arising from this cause, the undersigned ask for permission to lay a drain of tiles from their Brewery to the west gutter along Illinois street, and along said gutter down to Pogue Run. The work to be done at their own expense and under the supervision of the Civil Engineer.

HARDING & BROTHER.

Which was granted.

Mr. Stanton presented the following petition :

INDIANAPOLIS, June 22, 1868

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

Your petitioner would respectfully represent that he is now and has been for three years last past a citizen of the City of Indianapolis, Indiana. That in the assessment of the year 1867 he lived at 142 North Mississippi street, and that the City Assessor incorrectly returned the amount of his property. That at the time of making his return to the Assessor he gave the amount of his claims outstanding at \$3,500, and the amount of the difference between this amount and his debts at \$500, which was the amount legally to be taxed, being the difference between his outstanding claims and his indebtedness. The \$3,500 was placed by the Assessor in the wrong column. In signing the Statement he did not notice the figures, supposing the Assessor knew best how to make out the Statement. As the Statement stands the \$3,500 is taxed as well as the \$500, thus compelling your petitioner to pay tax on \$4,000. He therefore asks that the error may be corrected according to law, and that your honorable body will grant him proper relief.

CARTER M. RIGGS.

STATE OF INDIANA, }
MARION COUNTY, } ss:

On this 22d day of June, 1868, personally appeared Carter M. Riggs, who, being duly sworn, declares that the foregoing statement is true in substance and in fact, as he verily believes. Witness my hand and notarial seal the day and year above written.

JOHN W. BLAKE, Not. Public,
Marion County, Ind.

The undersigned states that he was present when Dr. Carter M. Riggs was assessed in 1867 by the City Assessor, and that Riggs, at the time, gave in his claims outstanding in notes at \$3,500, and amount over and above his indebtedness at \$500; and it was his understanding at the time that this was all that he would be taxed on. He further states that he has been for over two years intimately acquainted with Carter M. Riggs and his circumstances, and knows that he had not more than \$3,500 of outstanding claims, and that he had indebtedness equal to \$3,000, and that he should not be assessed at over \$500 for this class of property, as he verily believes.

HENRY N. CONKLIN.

Sworn to and subscribed before me this 22d day of June, 1868.

JOHN W. BLAKE, Not. Public,
Marion County, Ind.

Which was referred to the Committee on Finance.

Mr. Stanton presented the following request:

INDIANAPOLIS, June 22, 1868.

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

I respectfully ask leave of absence from the meetings of this body during the six weeks next ensuing this date.

A. P. STANTON.

Which was granted.

On motion by Dr. Woodburn, an ordinance introduced at last meeting for the improvement of Kankakee alley, was amended by inserting Paoki in lieu of Kankakee, being simply a clerical error.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, June 22, 1868. }

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 William Kown is the lowest bidder for the grading and graveling of Kentucky Avenue and south-east sidewalk, his bid being 50 cents for grading and graveling the street, and 14 cents for the sidewalk.

Also, Hiram Seibert is the lowest and best bidder for bowldering Virginia Avenue and curbing the sidewalks, his bid being for bowldering \$2 29, and for curbing 25 cents per foot, and \$2.15 per foot if Railroad Company paves between the tracks.

Also, that D. Root & Co. are the only bidders for the erection of lamp-posts on Vermont street, between Illinois and Tennessee streets, his bid being for corner posts \$36, intermediate posts \$34.

J. W. DAVIS,
SAM'L GODDARD, } *Board.*

Which was concurred in and the contracts awarded.

REPORTS FROM COMMITTEES.

Mr. Coburn, from the Committee on Accounts and Claims, introduced special appropriation ordinance No. 33—1868, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims against the city of Indianapolis.

Which was read the first time.

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

INDIANAPOLIS, June 1, 1868.

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

Your committee, to whom was referred a communication of Messrs. E. A. Parker and others, property holders on California street, between Vermont and Michigan streets, in regard of the Gas Company's neglecting laying mains on said street, inquired into the matter at the office of the Superintendent of the Gas Company, and was informed that as soon as the property holders on said street will take the amount of burners as their Charter requires, the Company will lay the mains on said California street without delay.

C. F. SCHMIDT,
SAMUEL GODDARD, } *Committee*

In reference to which Mr. Stanton offered the following motion:

That the report of the Committee on Gas Light, in reference to laying mains on California street, between Vermont and Michigan streets, be referred to the City Attorney, with instructions that he take such steps as are necessary to compel the Gas Company to lay down the mains, if they are legally bound so to do.

Which was adopted.

Mr. Schmidt, from the same Committee, made the following report:

INDIANAPOLIS, June 1, 1868.

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

Your committee, to whom was referred the petition of Mr. J. H. Baldwin, for erecting of two lamp-posts on St. Clair street, between Illinois and Meridian streets, had said petition in consideration, and respectfully recommend an ordinance for the erection of two lamp-posts on said St. Clair street.

C. F. SCHMIDT,
SAMUEL GODDARD, } *Committee.*

Which was concurred in.

Mr. Kappes, from the Committee on Benevolence and City Hospital, made the following report :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING JUNE 6, 1868.

Number of patients in Hospital at last report.....	21
Number of patients received in Hospital since last report.....	1
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	2
Number of patients died in Hospital since last report.....	1
Number of patients remaining in Hospital at present report.....	19

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING JUNE 13, 1868.

Number of patients in the Hospital at last report.....	19
Number of patients received in the Hospital since last report.....	2
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	7
Number of patients died in the Hospital since last report.....	1
Number of patients remaining in the Hospital at present.....	13

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING JUNE 20, 1868.

Number of patients in Hospital at last report.....	13
Number of patients received in Hospital since last report.....	5
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	1
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report.....	17

Which were received.

REPORTS FROM CITY OFFICERS.

The City Clerk made the following report :

The City Clerk respectfully reports to Council :

1st. The contract and bond of George W. Buchanan for curbing the outside edges of the sidewalk with stone of Meridian street, from the south side of Pogue Run and the south side of South street, is presented for your approval.

2d. The contract and bond of Samuel Hanway for grading and graveling Wabash street and sidewalks from Mississippi to Missouri streets, is also presented for your approval.

3d. The contract and of John Feary and Thomas Dillon for grading and paving the sidewalk and curbing the outside edge of the sidewalk with wood from the first alley north of Market street and Ohio street, on the west side of Mississippi street.

Respectfully submitted,

D. M. RANSELL, *City Clerk.*

Which was concurred in, and the contracts and bonds approved.

The City Civil Engineer made the following report :

INDIANAPOLIS, June 22, 1868.

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

I have examined the petition of Mr. Marsee in regard to the lamp-posts on South street, between East and New Jersey streets, and find that he has paid sixteen dollars more than his proportionate amount. He had erected a post on his corner, at his own expense, which was not taken into the account. The error can be corrected when the posts are extended south on New Jersey street.

Also, submit the following estimated cost of a bridge across the Canal on Merrill street :

Masonry,	-	-	-	-	-	-	-	\$772	80
Superstructure,	-	-	-	-	-	-	-	217	20
Foundation,	-	-	-	-	-	-	-	217	60
Total,	\$1,207	60

Respectfully, R. M. PATTERSON, *Civil Engineer.*

The first paragraph was laid on the table, the second was received.

The City Civil Engineer, also, made the following report :

INDIANAPOLIS, June 12, 1868.

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

In pursuance to your order, permit me to submit the following estimated cost of a bridge across Pogue Run on Ohio street :

A trestle bridge twenty feet wide will cost \$650.

A bridge the same width with a span of 40 feet and stone abutments, so arranged that they may be extended at any future time to the whole width of the street, will cost \$1,070.

I think it would be economy to adopt the stone abutments at first.

Respectfully, R. M. PATTERSON, *Civil Engineer.*

Which was received.

The City Treasurer made the following report :

INDIANAPOLIS, June 22, 1868.

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

GENTLEMEN:—I have the honor to transmit herewith my report as City Treasurer for the fiscal year ending May 13, 1868.

RECEIPTS.

Wm H. Craft, ex-Treasurer	-----	\$74,207	27
Wm. H. Craft, " in Bonds 7-30s	-----	3,000	00
Ten per cent. bearing City Bonds issued	-----	120,000	00
Money borrowed of First National Bank	-----	30,000	00
Fines and Fees	-----	2,696	60
Licenses	-----	2,966	56
Market Stalls	-----	970	30
Indianapolis Gas Light and Coke Company, overcharge on 18 public lamps	-----	261	47
Charles Richmann, Chief Fire Engineer, money allowed for use of Department and not expended	-----	433	79

August Richter, Street Commissioner, filling lot on East street.....	42 90
Money kept out of Silsby's bill	10 88
Hand Engine sold.....	350 00
Articles sold by Street Commissioner.....	98 80
Hospital Fund.....	75 00
Indianapolis Gas Light and Coke Company, credit on \$30,000 note.....	21,350 67
Interest on \$30,000 note	1,202 86
Printing on Precept	124 94
Bell sold by Chief Fire Engineer.....	5 00
Selling Street Repair Orders.....	63 17
Delinquent Tax	68,730 80
Costs collected for printing Delinquent R. E.....	258 37
Current Tax.....	202,336 04
Total.....	<u>\$529,185 42</u>

DISBURSEMENTS.

War Fund	\$3,335 00
Bonds.....	84,000 00
Fire Department.....	32,928 67
Police.....	26,718 76
Street Repairs.....	21,306 58
Salaries	13,732 49
Straightening Pogue Run	207 40
Fees	4,305 87
Street Lamps	215 65
Costs.....	133 41
Gas Fixtures.....	1,202 94
Internal Revenue on Gas.....	1,538 36
Gas.....	26,661 18
Cisterns	3,270 22
Street Improvements	8,063 29
Hospital.....	6,236 28
Pest House	763 75
Specific.....	4,894 44
Interest on Bonds	14,825 79
Bank Loan	100,000 00
Markets	757 37
Interest on Bank Loan.....	5,750 00
Assistant Civil Engineer	1,608 00
Real Estate	1,413 33
Cemetery.....	728 37
Rubber Coats for Fire Department.....	50 00
University Square.....	99 45
Elections	520 50
Taxes refunded	1,359 80
Nuisances	660 00
Jail Expenses.....	5,688 85
Orphan Asylum.....	750 00
Printing	6,317 28
Brokerage	494 50
Benevolent	1,000 00
Books and Stationery.....	527 36
Circle street	1,465 73
Detective Police.....	1,000 00
Furniture	185 85
Percentage	10,395 68
Bridges	7,926 42
Fire Alarm.....	2,766 66
Interest on Orders.....	1,386 85
Gas Inspector.....	50 00
Rent	1,550 00
Singers' Festival.....	1,500 00

Town Clock	150 00
Fuel	236 82
Lighting and Extinguishing Street Lamps	3,287 96
Promiscuous	124 37
Balance in Treasury May 14, 1868.....	115,094 19
Total	\$529,185 42

Very respectfully, &c.,

ROBT. S. FOSTER, *City Treasurer.*

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

The Chief Fire Engineer made the following report :

INDIANAPOLIS, June 1, 1868.

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

GENTLEMEN:—According to the instructions of your Committee on Fire Department, I have purchased the following articles for the repairing and additions to the Fire Alarm Telegraph, to-wit:

To 769 lbs. galvanized wire at 12½ cents per lb.....	\$96 32
“ 29 Cedar Poles, at \$1.50 per pole.....	43 50
“ 60 Bracket Insulators at 20 cents.....	12 00
“ 10 Try Pods at \$1.00	10 00
“ 7¾ lbs. Gutta Percha Wire at \$1.85.....	14 31

Making a total of..... \$176 13

The bill of which is herewith presented, and for which I would ask an order on the Treasury for the amount.

I would also state that the Alarm Boxes and Instruments ordered by the former Fire Engineer, Mr. Buchanan, one for the Indiana Institute for the Blind, and one for Frank Wright, have arrived, and I would ask for instructions as to whether the work and material furnished shall be done at the expense of the city or at the expense of the persons having the boxes put up.

Respectfully submitted,

CHAS. RICHMANN, *Chief Fire Engineer.*

On motion, the first part of the report, in reference to the purchase of articles, &c., was concurred in.

In reference to the latter part, Mr. Cottrell offered the following motion :

That the Chief Fire Engineer be instructed to put up Fire Alarm Boxes at the expense of the city, provided such boxes are placed in a public place and made free to the public.

Which was adopted.

The Market Master made following report :

INDIANAPOLIS, June 22, 1868.

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

GENTLEMEN:—I would respectfully recommend the adoption of the within enclosed ordinance, (which has been drafted by the City Attorney,) believing that it will aid materially in enhancing the interests of the markets of this city and add considerably to its revenue.

As the ordinances now in force for the government of said markets are construed, it gives any person the right, by the payment of a sum in proportion to the rate charged annually for stalls, to take out a license for three months or more for the sale of cut meats on the outside of the market houses. By this means the city is deprived of the rentage of a large number of stalls, or their equivalent, for three-fourths of the year, as these "outsiders" can only sell but a few months.

By stopping the sale of vegetables and meats at any butcher shop or grocery house within the corporate limits during a specified time, it renders it necessary that people should attend markets for the purpose of obtaining fresh family supplies. In all cities of any size grocers and butchers are strictly prohibited from selling garden products or meats, during market hours, outside of the Market Squares, and I am of opinion that such a prohibition should be strictly enforced here.

Respectfully submitted,

GID. B. THOMPSON, *Market Master.*

Which was received.

ORDINANCES ON SECOND READING.

Mr. MacArthur called up general ordinance No. 150, entitled :

AN ORDINANCE defining the western boundary lines of the Fourth and Fifth Wards in the City of Indianapolis.

Which was read the second time, and, on motion, was referred to the Committee on Revision of Ordinances and City Attorney.

On motion by Dr. Woodburn, special ordinance No. 42—1868, was taken up, read the second time, and ordered to be engrossed.

On motion by Mr. Cottrell, special ordinance No. 54—1868, was taken up, read the second time, and ordered to be engrossed.

Mr. MacArthur called up general ordinance No. 149, entitled :

AN ORDINANCE relative to markets, and prohibiting the sale of sundry articles during certain hours.

Which, on motion by Dr. Woodburn, was made the special order for next meeting.

Mr. Henschen called up general ordinance No. 148, amending section one of an ordinance prohibiting the running at large in the City of Indianapolis of any swine.

Dr. Jameson offered the following amendment :

That all after the ordaining clause be struck out and the following inserted: "That said ordinance be and is hereby repealed."

The question being on the adoption of the amendment, Mr. MacArthur called for the ayes and noes.

Those who voted in the affirmative were Councilmen Foster, Goddard, Henschen, Jameson, Loomis, MacArthur and Stanton—7.

Those who voted in the negative were Councilmen Coburn, Cottrell, Davis, Kappes, Schmidt, Seidensticker and Woodburn—7.

So the amendment was lost.

The question then being on the engrossment, the ayes and noes were demanded.

Those who voted in the affirmative were Councilmen Cottrell, Foster, Goddard, Henschen, Loomis, MacArthur, Stanton and Woodburn—8.

Those who voted in the negative were Councilmen Coburn, Davis, Jameson, Kappes, Schmidt and Seidensticker—6.

So the ordinance was ordered to be engrossed.

On motion by Mr. Goddard, general ordinance No. 141, was taken up, read the second time, and ordered to be engrossed.

By unanimous consent Mr. Loomis presented the following remonstrance :

INDIANAPOLIS, June 22, 1868.

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

Some six or seven weeks since an ordinance was introduced before your honorable body to grade and gravel that part of Noble street between the crossing of the Indiana Central Railway Company and Washington street; and at the next meeting of the City Council the Indianapolis, Peru and Chicago Railway Company and the said Indiana Central Railway Company, now the Columbus, Chicago and Indiana Central Railway, remonstrated against the passage of the same, and the matter was then, as was supposed, abandoned. The said Railroad Companies own all the land on each side of said Noble street, which is proposed to be improved, notwithstanding which, and notwithstanding said remonstrance, your honorable body at the last meeting of the City Council passed an ordinance to make said improvement. Now, inasmuch as there is no part of Noble street in a better condition than that portion of it between Washington street and said Railroad crossing, the said Railroad Companies regards it unfair and unjust that that portion of Noble street should be singled out to be improved simply because said Railroad Companies own the property on each side thereof. Therefore the said Railroad Companies ask your honorable body to repeal said ordinance and place the said Railroad Companies on an equal footing with that of other property holders on said Noble street.

DAVID MACY,

Pres't and Sup't Ind'p'lis, Peru and Chi. R. W. Co.

J. M. LUNT,

Sup't Col, Chi. and Ind. Central Railway Co

In reference to which Mr. Loomis offered the following motion :

That the vote on the passage of the ordinance to re-gravel Noble street between Maryland and Washington streets be, and the same is hereby, reconsidered.

The question being on the adoption of the motion, the ayes and noes were called.

Those who voted in the affirmative were Councilmen Davis, Goddard and Loomis—3.

Those who voted in the negative were Councilmen Coburn, Foster, Henschen, Jameson, Kappes, MacArthur, Schmiut, Seidensticker, Stanton and Woodburn—10.

So the motion was lost.

Mr. Stanton offered the following motion :

That the Board of Public Improvements be instructed not to report the acceptance of any bid for the re-grading of Noble street, between Washington and Maryland streets, and that the Peru and Indianapolis and Columbus and Indianapolis Railroad Companies be requested to re-grade said street between the streets aforesaid.

Which was adopted.

ORDINANCES ON THIRD READING.

Dr. Woodburn called up special appropriation ordinance No. 31—1868, entitled :

AN ORDINANCE appropriating money to aid in the erection of the abutments and piers of a bridge over White River at or near the crossing of the Crawfordsville Gravel Road.

Mr. Loomis offered the following motion :

That the matter of appropriating \$1,600 for the building of a bridge over White River at Crawfordsville Road be referred to the City Attorney, with instructions to report as to the legality of such appropriation at the next meeting of Council.

Dr. Woodburn moved to lay the motion on the table, and called for the ayes and noes.

Those who voted in the affirmative were Councilmen Foster, Goddard, Kappes, MacArthur, Stanton and Woodburn—6.

Those who voted in the negative were Councilmen Coburn, Davis, Henschen, Jameson, Loomis, Schmidt and Seidensticker—7.

So the motion to lay on the table was lost.

The question then being on the adoption of Mr. Loomis' motion,
Dr. Woodburn called for the ayes and noes.

Those who voted in the affirmative were Councilmen Coburn, Cottrell, Davis, Foster, Henschen, Jameson, Kappes, Schmidt and Seidensticker—10.

Those who voted in the negative were Councilmen Goddard, MacArthur, Stanton and Woodburn—4.

So the motion was adopted.

On motion, the Council adjourned.

DANIEL MACAULEY, *Mayor*.

ATTEST:

D. M. RANDELL, *City Clerk*.