

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, APRIL 26TH, 1869, 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, Coburn, Cottrell, Davis, Foster, Geisel, God-
dard, Henschen, Jameson, Kappes, MacArthur, Schmidt, Seiden-
sticker, Stanton and Woodburn—15.

Absent—Councilmen Burgess, Colley and Loomis—3.

The proceedings of the regular session held April 19th, 1869, were
read and approved.

Dr. Woodburn presented the following petition:

INDIANAPOLIS, April 26, 1869.

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

The undersigned, owners of three-quarters of the front on St. Clair street,

between Tennessee and Mississippi streets, request that your honorable body will change the ordinance for the improvement of St. Clair street, so that they may have a separate letting for it

JACOB P. DUNN,
WM. E. FEATHERSTON.

Which was referred to the Board of Public Improvements.

Dr. Woodburn introduced special ordinance No. 27—1869, entitled:

AN ORDINANCE to provide for grading and graveling Roanoke alley, between St. Clair and Pratt streets.

Which was read the first time.

Dr. Woodburn presented the following communication:

INDIANAPOLIS, April 26, 1869.

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

GENTLEMEN:—I desire to represent to your honorable body that the late James Wood, Esq., Civil Engineer, some time since authorized me to grade and gravel the crossing of McCarty and Tennessee streets, and set stakes for said work, representing to me that the City would pay me for the work at the same rate as agreed upon as per my contract with the City for grading and graveling Tennessee street and sidewalks between Garden and McCarty streets. I have done the work as per instructions of Mr. Wood, and have received pay for graveling but not for grading. I would respectfully ask that I receive pay for grading. And thus I will ever pray, &c., &c.

THOMAS WREN, Contractor.

Which was referred to the Board of Public Improvements and Civil Engineer.

Dr. Woodburn offered the following motion:

That the City Treasurer be directed to rent the West Market House grounds for the exhibition of canvass shows, &c., until further ordered by this Council. The proceeds to be retained in the City Treasury for the use of the City.

Which was referred to the Committee on Markets.

REPORTS FROM BOARDS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, April 12, 1869. }

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

GENTLEMEN:—The Board of Public Improvements, to whom the bids were referred, would report that Dan. Mahoney is the lowest bidder for grading

and graveling the east sidewalk of Ellen street, between North street and Indiana Avenue, his bid being 15 $\frac{3}{4}$ cents per lineal foot. We recommend that the contract be awarded said party.

We would also report that for the bowldering of Wabash alley, between Meridian and Illinois streets, there are two bids that are equal. That of R. P. Dunning and Hiram Seibert, both being 65 cents per foot. We refer the matter to your honorable body for its disposition.

We would also report that we have examined the remonstrance of L. M. Phipps et al. against paving the east sidewalks of Alabama street, between Massachusetts Avenue and Washington street. We find that about one-half the whole number of feet along said line is represented on said remonstrance, and in view of that fact, and that the present sidewalk is very passable, we recommend that the ordinance providing for said improvement be stricken from the files.

We would also report that we have examined the remonstrance of R. E. Harrison et al. against improving Oak street from Cherry street to the Corporation line, the distance is only about 160 feet, and at the Corporation line the street terminates, leaving no outlet, and nearly all the property is represented on the remonstrance. In view of all these facts, we recommend that that the ordinance be amended so that the improvement of Oak street shall terminate at Cherry street.

All of which is respectfully submitted.

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

Attest:

D. M. RANDELL, Clerk.

The first paragraph was concurred in, and the contract awarded.

With reference to the second paragraph, Mr. Seidensticker moved to award the contract to H. Seibert.

Mr. Cottrell moved to amend by awarding to R. P. Dunning.

Which amendment was lost.

Mr. Seidensticker's motion was then adopted.

The third paragraph was concurred in.

The fourth paragraph was laid on the table, the ordinance referred to having been stricken from the files.

REPORTS FROM COMMITTEES.

Mr. Seidensticker, from the Judiciary Committee, made the following report:

INDIANAPOLIS, April 24, 1869.

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

GENTLEMEN:—We have again examined the petition of Julius Petty, together with the evidence presented by him, and upon the evidence presented

are of the opinion that he should receive the deed prayed for. We therefore recommend that the Mayor and Clerk be directed to execute a deed to him in accordance with the prayer of his petition.

Respectfully,

AD. SEIDENSTICKER, }
A. P. STANTON, } *Committee.*
B. K. ELLIOTT, *City Attorney.*

Which was concurred in.

Mr. Coburn, from the Committee on Claims, introduced special appropriation ordinance No. 15—1869, entitled :

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

Which was read the first time.

Dr. Jameson, from the Finance Committee, made the following report :

INDIANAPOLIS, April 19, 1869.

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

GENTLEMEN:—The Committee on Finance, in relation to sundry matters referred thereto, would respectfully recommend that the Society of Turners be relieved from taxation, and that the City Treasurer be directed to strike from the duplicate any amount of taxes against the property of said Society which remains unpaid.

That the petition of John F. Ramsey, in reference to the personal property of C. M. Munhall, be not granted, the same being given in under the sworn statement of its former owner.

That the petition of James W. Dixon be not granted, since by his own admission the assessment is below the cost value of the property in question.

That the petition of James H. McKernan be referred to the Assessor with the suggestion of your Committee that the proper time has passed for correction in the case.

That the communication of R. M. Stewart be referred to the Assessor with directions to report any error in his assessment.

All of which is respectfully reported.

P. H. JAMESON.

I concur in all this report except the second section.

THOMAS COTTRELL.

Which was concurred in, with the exception of the first paragraph which was referred to the City Attorney.

Mr. Seidensticker presented the following report from the City Attorney :

INDIANAPOLIS, April 20, 1869.

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

I have examined the question presented by the ordinance providing for the improvement of Virginia Avenue, and respectfully submit the following opinion :

The Council cannot compel the property owners to pay for the raising of the Street Railway track, nor for any extra expense caused by relaying said track. The only assessment that can be legally made against the property owners is for the expense of improving the street.

I gave your honorable body an opinion, some months ago, that the City was not legally liable to pay the expense of relaying or raising Street Railway tracks. Upon consultation with the Judiciary Committee, I found that they entertained a different opinion. I again examined the question, and am constrained to adhere to my former opinion, and with all deference to hold an opinion different from that entertained by the Judiciary Committee.

The Committee and myself are united in the opinion that the property owners cannot, in any event, be taxed with the expense of raising or relaying the track.

I respectfully suggest that the ordinance provide that the expense of raising the track be, in the first instance, paid by the city, and by the city collected of the Railway Company. This will obviate all questions as to the validity of the assessment and enable the question to be properly tried between the Railway Company and the City.

Respectfully, B. K. ELLIOTT, *City Attorney.*

Which was concurred in.

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

INDIANAPOLIS, April 5, 1869.

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

The Committee on Streets and Alleys, to whom was referred the petition of Joseph Esaman and others, report in favor of granting the prayer of the petitioners, and recommend that an order of vacation be granted.

AUSTIN H. BROWN, }
HENRY COBURN, } *Committee.*

ORDER OF VACATION.

And now come the petitioners and produce proof that they have given proper notice of their intention to apply to this Council to vacate ten feet off of the west side of Railroad or Chestnut street in front of lots from fifty to sixty-four, inclusive, in Margaret McCarty's subdivision of out-lot No. 118, in the City of Indianapolis, by advertising 21 days in the Indianapolis Evening Commercial, a newspaper of general circulation, printed and published in the City of Indianapolis, which proof is as follows to-wit :

STATE OF INDIANA, }
MARION COUNTY, } ss:

Notice is hereby given that a petition is pending before the Common Council of the City of Indianapolis, asking for the vacation of ten (10) feet off of the west side of Railroad or Chestnut street, in front of lots from fifty to sixty-four, in Margaret McCarty's subdivision of out-lot No. 118, in the City of Indianapolis. Said petition will be heard at the meeting of the Common Council, to be held on Monday evening, September 28, 1868, or at some subsequent meeting.

JOSEPH ESAMANN, And others.

Personally appeared before the undersigned, a Notary Public in and for the State and county aforesaid, Mandeville G. Lee, of the Evening Commercial Company, and on oath, swears that the accompanying notice for petition of vacation was published in the Evening Commercial three weeks, to wit, Monday September 7, 14 and 21, 1868.

M. G. LEE.

Subscribed and sworn to before me this 27th day of April, 1869.

P. L. NEGLEY, Not. Public.

And also by putting up notices at three of the most public places in the neighborhood of said street, which is as follows, to-wit:

STATE OF INDIANA, }
MARION COUNTY, } ss:

Personally appeared before me, a Notary Public in and for said county, Thomas Chill, and on his oath says, that he posted in six public places in the City of Indianapolis, Indiana, three in print and three in writing, three weeks previous to the 28th of September, 1868, the following notice, to wit:

Notice is hereby given that a petition is pending before the Common Council of the City of Indianapolis, asking for the vacation of ten (10) feet off of the west side of Railroad or Chestnut street, in front of lots from fifty to sixty-four, inclusive, in Margaret McCarty's subdivision of out-lot No. 118, in the City of Indianapolis. Said petition will be heard at the meeting of the Common Council, to be held on Monday evening September 28th, 1868, or at some subsequent meeting.

JOSEPH ESAMANN, and others.

THOS. G. CHILL.

Subscribed and sworn to before me, this 27th day of April, 1869.

PETER L. NEGLEY, Not. Public.

And no person appearing to object to said vacation, and it appearing to the satisfaction of the Council that said petitioners are the sole owners of all the property adjoining said street, and the Council being fully advised in the premises, it is therefore ordered, adjudged and decided by the Council that ten feet off of the west side of Railroad or Chestnut street, in front of lots from fifty to sixty-four, inclusive, in McCarty's subdivision of out-lot 118, in the City of Indianapolis, be, and the same is hereby, vacated.

Which, on motion, was received, and the vacation ordered.

Mr. Kappes, from the Committee on Printing, introduced special appropriation ordinance No. 16—1869, entitled:

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

Which was read the first time.

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

RECAPITULATION OF THE MONTHLY REPORT OF EXPENDITURES OF THE CITY HOSPITAL, ENDING FEBRUARY 28, 1869.

Total expenditures for the month.....	\$464 38
Aggregate number of days for which subsistence, etc., was furnished	732
Average expense per capita per diem.....	0.63

Also, the following:

RECAPITULATION OF THE MONTHLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING MARCH 31, 1869.

Number of patients in Hospital at last report	26
Number of patients received in Hospital since last report	14
Number of patients born in Hospital since last report.....	4
Number of patients discharged from Hospital since last report.....	21
Number of patients died in Hospital since last report	0
Number of patients remaining in Hospital at present report	23

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING APRIL 3, 1869.

Number of patients in the Hospital at last report	20
Number of patients received in the Hospital since last report	3
Number of patients born in Hospital since last report	2
Number of patients discharged from Hospital since last report	5
Number of patients died in the Hospital since last report	1
Number of patients remaining in the Hospital at present	19

Which were received.

REPORTS FROM CITY OFFICERS.

The City Attorney made the following report :

INDIANAPOLIS, April 12, 1869.

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

GENTLEMEN:—I have examined the petition of Messrs. Merritt and Elliott and respectfully submit the following :

The power of the Council over the streets and alleys of the city is very extensive, and they may permit any public use which will not interfere with the public easement. In most cases what is a just and public use of the street is a question to be determined by your honorable body, and the case presented by the petition belongs to this class. Should you determine that the use prayed by the petitioners will not interfere with the rights of the public, or that it will benefit the public, you have an undoubted right to grant the prayer.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was concurred in.

The Gas Inspector made the following report :

OFFICE OF CITY GAS INSPECTOR, }
Indianapolis, April 26, 1869. }

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

GENTLEMEN:—On last Thursday I received your orders of the 19th inst. to prepare a Time Table for the Public Lamps for the year ending the 30th of April, 1869. This evening I can only report the Table as finished to end of the present calendar year.

In making Table for the first four months of 1870, the first step to be taken is to calculate the rising and setting of the moon. As yet I have been unable to satisfy myself with the accuracy of any formulæ thus far found and by me tested. It may be that it will be necessary for me to send to the Director of some Observatory for this information. I would, therefore, ask your authority to do so, if I am unsuccessful in my own attempts, allowing me to certify the expense of the same for payment from the City Treasury. The amount, possibly, will be about five dollars.

I would recommend that when the Time Table shall have been finally completed, that one hundred copies of the same be printed for distribution among the members of the Council and for the use of the Lamplighters, &c. I could place eight months in the hands of the City Printer during the present week.

Respectfully,

GEO. H. FLEMING, *City Gas Inspector.*

Which was concurred in, and the Gas Inspector relieved from making a schedule other than for the present year, 1869.

The Civil Engineer made the following report :

INDIANAPOLIS, April 8, 1869.

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

GENTLEMEN:—I hereby report the following work finished according to contract :

D. and J. B. Root for erecting lamp-posts, lamps and fixtures on Madison Avenue, between Meridian street and the south side of the alley running east and west between out-lots 16 and 25.

One corner post at \$37.50,	-	-	-	-	-	-	\$37 50
Two intermediate posts at \$35.50,	-	-	-	-	-	-	71 00
Total,	-	-	-	-	-	-	\$108 50

Also, same, for erecting lamp-posts, lamps and fixtures on St. Joseph street between Alabama and New Jersey streets.

Two corner posts at \$37.50,	-	-	-	-	-	-	\$75 00
Two intermediate posts at \$35.50,	-	-	-	-	-	-	71 00
Total,	-	-	-	-	-	-	\$146 00

Respectfully,

R. M. PATTERSON, *Civil Engineer.*

Which was concurred in.

On motion, the following ordinances were read the second time and ordered to be engrossed :

Special ordinance No. 13—1869.

Special ordinance No. 24—1869.

Special ordinance No. 25—1869.

Special ordinance No. 26—1869.

Special ordinance No. 23—1869.

Special ordinance No. 21—1869.

Special ordinance No. 18—1869.

Special ordinance No. 22—1869.

Special appropriation ordinance No. 14—1869.

ORDINANCES ON THIRD READING.

Mr. MacArthur called up special ordinance No. 13—1869, entitled :

AN ORDINANCE to provide for grading and graveling Blackford street and sidewalks, between New York and North 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 Brown, Coburn, Cottrell, Davis, Fos-

ter, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Seidensticker, Stanton and Woodburn--14.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Kappes called up special ordinance No. 21—1869, entitled:

AN ORDINANCE to provide for grading and paving with brick the sidewalks on the north side of North street, between Delaware and Pennsylvania 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 Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Seidensticker, Stanton and Woodburn--14.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Kappes called up special ordinance No. 5—1869, entitled:

AN ORDINANCE to provide for paving with brick the sidewalk on the east side of Delaware street, between Fort Wayne Avenue and St. Clair street.

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, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Kappes called up special appropriation ordinance No. 14—1869, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims on account of City Hospital for the month of March, 1869.

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, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Brown called up special ordinance No 18—1869, entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Maryland street, between Meridian and Alabama 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 Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Stanton called up special ordinance No. 22—1869, entitled :

AN ORDINANCE to provide for grading and graveling Washington street and south sidewalk, between the western arm of the Canal and the river.

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, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Seidensticker, Stanton and Woodburn—14.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Brown introduced general ordinance No. 10 —1869, entitled :

AN ORDINANCE providing for the execution and delivery of Bonds of the City of Indianapolis to the Indianapolis and St. Louis Railroad Company.

Which was read the first time.

Mr. Brown introduced special ordinance No. 28—1869, entitled :

AN ORDINANCE to provide for graveling Merrill street and sidewalks, between Meridian and Pennsylvania streets.

Which was read the first time.

Mr. Brown presented the following petition :

INDIANAPOLIS, April 26, 1869.

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

The Citizens' Street Railway Company respectfully represent to your honorable body that said Company are determined to use their utmost exertions to prevent accidents upon their roads, and to that end they respectfully ask that an ordinance be passed, applicable to Street Railroads, similar, in sub-

stance, to the ordinance passed December 2, 1867, in relation to Steam Railroads; with further provision to prevent children from hanging on the outside of street cars and dashing in before them, when in motion, so close as to make the prevention of accidents impossible. And as in duty bound your petitioner will ever pray.

THE CITIZENS' STREET RAILWAY CO.

Which was received.

Also, general ordinance No. 11—1869, entitled:

AN ORDINANCE to prevent persons getting on or off street cars while in motion.

Which was referred to the City Attorney.

Mr. Brown offered the following motion:

That the election officers in each Ward be requested to admit inside the building where the ballots are received and counted on the day and evening of the election for city officers, on the 4th day of May, 1869, two citizens, one of whom shall be selected by the candidates for Councilmen representing the Republican party, and one of whom shall be selected by the candidates for Councilmen in opposition thereto, and that such citizens be allowed to remain inside such voting place to witness the voting and counting from the time the polls open until the last ballot is counted; provided that such citizens shall not be entitled to any compensation from the City for the services so rendered.

Dr. Jameson moved that a copy of the motion be referred to each Election Board, and called for the previous question, and called for the ayes and noes.

The question being, shall the main question be now put?

Those who voted in the affirmative were Councilmen Coburn, Goddard, Jameson, MacArthur, Seidensticker, Stanton and Woodburn—7.

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

There being a tie vote, His Honor, the Mayor, voted in the affirmative.

So the demand for the previous question was sustained.

The question then being on Dr. Jameson's motion of reference.

Those who voted in the affirmative were Councilmen Coburn, Goddard, Jameson, MacArthur, Seidensticker, Stanton and Woodburn—7.

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

There being a tie vote, His Honor, the Mayor, voted in the affirmative.

So the motion to refer was adopted.

Mr. Brown offered the following motion :

That the Election Officers of the several Wards be required to appoint two Clerks of the Election Boards, one of whom shall be selected by the two candidates for Councilmen representing the Republican party, and one by the two candidates for Councilmen representing the opposition to such candidates, and that the Clerks shall be compensated by the Common Council for their services as such.

Dr. Jameson moved to refer a copy of the motion to each of the Election Boards.

Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Coburn, Goddard, Jameson, Kappes, MacArthur, Seidensticker, Stanton and Woodburn—8.

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

So the motion to refer was adopted.

Mr. Brown offered the following motion :

M ved. By the Common Council of the City of Indianapolis, that this Common Council hereby memorializes the General Assembly of the State of Indiana to not pass the bill now pending postponing the general City Elections until the year 1870, believing it to be against the interests of the people to pass such a bill at this time.

Dr. Jameson offered the following as a substitute for Mr. Brown's motion :

That the General Assembly be memorialized not to pass the pending bill in reference to City Elections, but pass such a law as shall make the City Elections at the time of the State, in October, 1870, and biennially thereafter, and that all City Officers elected at the pending election shall hold their offices two years.

Mr. Seidensticker moved to lay both the motion and substitute on the table.

The ayes and noes being demanded,

Those who voted in the affirmative were Councilmen Kappes, MacArthur, Seidensticker and Woodburn—4.

Those who voted in the negative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson and Stanton—10.

So the motion to lay on the table was lost.

The question then being on the adoption of Dr. Jameson's substitute, the ayes and noes were demanded.

Those who voted in the affirmative were Councilmen Brown, Courn, Goddard, Jameson, MacArthur, Seidensticker, Stanton and Woodburn—8.

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

So the substitute was adopted.

Mr. Cottrell introduced special ordinance No. 29—1869, entitled :

AN ORDINANCE to provide for grading and graveling New Jersey street and sidewalks from McCarty street south to the Corporation line.

Which was read the first time.

Mr. Cottrell introduced special ordinance No. 30—1869, entitled :

AN ORDINANCE to provide for grading and graveling Sinker street and sidewalks, between Alabama and New Jersey streets.

Which was read the first time.

Mr. Cottrell introduced special ordinance No. 31—1869, entitled :

AN ORDINANCE to provide for the erection of lamp-posts and fixtures complete to burn gas, except the service pipe, on Delaware street between McCarty street and the Madison Road, thence along the Madison Road to the Corporation line.

Which was read the first time.

Mr. Geisel presented the following petition :

INDIANAPOLIS, April 26, 1869.

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

The undersigned respectfully shows, that for several years past he and a widow lady, Mrs. Cox, have refreshment stands for the accommodation of the Market visitors, keeping said stands open all winter and providing a warming place for those selling and buying. As this is connected with very little profit in winter, we think we ought to have no competition in summer of others, who want to help such stands merely in summer, and respectfully pray that such orders be given to the Market Master.

MILSOHN ROSLUR.

Which was granted.

Dr. Jameson presented the following resignation :

INDIANAPOLIS, April 24, 1869.

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

I hereby tender to your honorable body my resignation as Judge of the Election Board in the 7th Ward of this City, and also my resignation as a

member of the Board of Registry for the said 7th Ward, my business being such that I cannot serve without great pecuniary loss to myself.

STEPHEN WILSON.

Which was accepted.

Dr. Woodburn offered the following motion :

That the vacancy in the Board of Registry in the 7th Ward, caused by the resignation of Stephen Wilson, be filled by the appointment of Daniel Glazier as Judge of election in said Ward.

Mr. Kappes moved to amend by appointing F. A. W. Davis.

Mr. Brown called for the ayes and noes on the amendment.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Henschen and Kappes—6.

Those who voted in the negative were Councilmen Coburn, Goddard, Jameson, MacArthur, Seidensticker, Stanton and Woodburn—7.

So the amendment was lost.

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

Those who voted in the affirmative were Councilmen Coburn, Goddard, Jameson, MacArthur, Seidensticker, Stanton and Woodburn—7.

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

So the motion was adopted.

Mr. Kappes presented the following resignation :

INDIANAPOLIS, April 26, 1869.

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

GENTLEMEN:—I hereby respectfully resign my position on the Registry Board for the Second Ward. With considerations of respect,

Your obedient servant,

JOHN L. HANNA.

Which was accepted.

Mr. Coburn offered the following motion :

That the vacancy caused by the resignation of John L. Hanna, as Inspector of the Board of Registry for the 2d Ward, be filled by the appointment of David Powell.

Mr. Kappes moved to amend by appointing Charles E. Harris.

Mr. Brown called for the ayes and noes upon the amendment.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Henschen and Kappes—6.

Those who voted in the negative were Councilmen Coburn, Goddard, Jameson, MacArthur, Seidensticker, Stanton and Woodburn—7.

So the amendment was lost.

The question then being on the adoption of Mr. Coburn's motion, Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Coburn, Goddard, Jameson, MacArthur, Seidensticker, Stanton and Woodburn—7.

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

So the motion was adopted.

Mr. Kappes introduced general ordinance No. 12—1869, entitled:
AN ORDINANCE amending section 17 of an ordinance entitled "An ordinance regulating and protecting streets, alleys, sidewalks, gutters, shade trees," passed December 28, 1863.

Which was read the first time, and, by unanimous consent, the rules were suspended and the ordinance was read the second and third times and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Goddard, Henschen, Jameson, Kappes, Seidensticker, Stanton and Woodburn—12.

Councilman MacArthur voting in the negative.

So the ordinance passed.

Mr. Kappes presented the following peti-

To the Mayor and Co-

The undersigned
between Pr
nance