

Resolved further, That inasmuch as the State has a large amount of real property within the city limits exposed to destruction by fire the General Assembly be also petitioned to grant a sum of money to aid in the purposes aforesaid exceeding one fourth of the amount raised by said special tax, which amount shall be certified under oath by the Secretary of the city council.

Mr Gates, presented the Petition of sundry citizens of the 1st Ward requesting an appropriation of Ten dollars to the grading and raising Noble Street at the Point of New York Street. provided the same amount be subscribed by those interested in said grading.

The petition being read, it was not granted.

And on Motion the council adjourned.

James G. Jordan Secy

Chas W Cady, Prest

Council Chamber
Indianapolis Jany 24. 1848

The council met upon a call. Present Chas W. Cady President Messrs Gates, Tutewiler, King & Rooker, Councilmen.

The object of the meeting having been explained by the President.

The following minute & Order were presented & adopted towit.

Whereas, by an Act of the Legislature of 9th Feby 1831. the agent of State for the Town of Indianapolis, was directed to make an accurate survey of the lands around said Town. &c. according to the plat presented to the Legislature by said Agent, and to cause to be made out two complete maps or plats of the town designating the names & width of the Streets & alleys &c. to deposit one of said maps in the Office of the Recorder of Marion County and that from that time "it shall be considered a public Record, which map was subsequently on the day of July 1831. deposited in said office.

Portions of several of the streets & alleys upon the outskirts of the Town has been inclosed by the Owners of property adjacent thereto, simply for their own present convenience, and not at all with a view of vacating them.

By a recent decision, however, of the Supreme Court pronounced on the 24th December 1846 in a case between A citizen & the Town, it is decided that Streets & alleys of Towns are public highways and as such are by Sec 54. Ch 16 Rev Stats of 1843. vacated after an enclosure of Six years. By this unexpected decision the Symmetry & beauty of the capitol of the State will be seriously marred And the property of individuals who bought in the neighborhood of such Streets and with a view to them as a part of the privileges of such property very materially injured.

As the fee simple of the Ground. by grant of Congress is in the State the vacating of Streets & alleys does not vest the title thereto in the Owners of the adjacent property, but the same returns to the State, and as all the citizens of the State have an interest in the Capitol and her public grounds her streets & alleys the city council of the city of Indianapolis respectfully ask the Legislature to pass a law repealing all laws, or parts of laws, that in any wise change or vacate any of the streets or alleys as shown by the map aforesaid and declaring the streets & alleys as shown by said map to be streets & alleys of said Town.

Ordered That the Secy of the city council have a certified copy of the foregoing minutes and of this order to the President of the Senate & Speaker of the House of Reps. who are hereby requested to lay the same before the bodies over which they respectfully preside.

Ordered That the Street commissioner proceed forthwith to Open all streets and alleys of the city which have not been inclosed for a continuous period of six years, and that he keep the same Open for public use without permitting any obstructions to be placed therein.

Ordered that Messrs H & H Brown, be allowed Fifteen dollars for professional services, it being intended that this allowance shall be in part in full payment of their account for such services as may appear by the report of the committee on claims, in whose hands said account is now placed.

Ordered That the Secretary issue a license to McCann for exhibitions of Ledger remain on the payment of Fifteen dollars in advance for each exhibition.

456 Allowed, N Eudaily \$3.75 for Labor in 1847.
619. " Jacob Barluna 50 " repair of Hay scales.

And the council adjourned.

Attest

James G. Jordan
Secy

Chas W. Cady
President City council.

