

The Secretary laid before the council the following application of Mr E Crouse viz.

"To the City Council of Indianapolis
Gentlemen, I desire to lease for the term of One year, the four acres of ground purchased by the City Council, as a site for the erection of a Hospital. for patients afflicted with the Small pox and other infectious or contagious disorders, for which Land I will give \$3.00 per acre, or, deliver in good Order and condition to your honorable body One third of the product of such land.

Respectfully submitted
Ephraim Crouse. "

On motion, the application was laid upon the table.

And on motion, the Council adjourned to meet on Monday the 12th inst at 2 oClock P.M.

Attest

James G. Jordan
Secretary

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(Geo. A. Chapman.
(President of the City Council.

Council Chamber
Indianapolis, March 12. 1849.

The Council met pursuant to adjournment. Present George A. Chapman President. Messrs Tutewiler, Eaglesfield, Mayhew, and Sibert of the Council.

The proceedings of the last meeting were read and approved.

The President laid before the council a resignation of Mr Alford of the Office of Councilman for the 3rd Ward of the City, which was read and accepted. And on motion the council proceeded to an election to fill the vacancy occasioned by said resignation. And on the first ballot Cornelius King having received a majority of all the votes cast was declared duly elected.

Mr King, having been apprized of his election, appeared, was qualified, and took his seat as a member of the council.

On motion, The allowance made to Isaac N. Phipps at the last meeting of the council. of \$1.00 for removing nuisances, was revoked. the marshal denying the justice of said claim.

Mr Mayhew, from the select committee to whom was referred the Ordinance entitled "An Ordinance in relation to rail roads in the city of Indianapolis, reported the following Ordinance towit.

An Ordinance

in relation to the construction and connection of Rail Roads through the city of Indianapolis.

1 Section 1. Be it ordained by the City Council of Indian-
2 apolis, that before any
3 track for a rail road shall be allowed to be laid down, or
4 maintained along or across
5 the streets of the City, which lie within the streets named,
6 East, West, North and
7 South, it shall be requisite for the commissioners or other
8 persons desirous of locating
9 such track to file their petition in writing with the City
10 Council, setting forth distinctly
11 the route of such rail road.

12 Section 2. At the first meeting of the council after such
13 petition shall have
14 been received by the President or Secretary, a day shall be
15 designated for the consid-
16 eration of the same, of which the Secretary shall forthwith
17 give at least fifteen
18 days notice in two public newspapers published in the city,
19 stating the
20 matters embraced in said petition.

21 Section 3. At the meeting of the Council for the consider-
22 ation of such
23 petitions; remonstrances, if presented in writing, will
24 also be received, and considered
25 from Owners of real estate along any such street where said
26 track is proposed
27 to be located, each remonstrant, stating therein, of how
28 much land in lineal feet
29 along such street he is the Owner, And if it shall appear
30 from such remonstrance, that
31 the Owners of a majority of the real estate, estimated by
32 feet along such street,
33 within the limits named, are opposed to such Street being
34 so used for a rail road
35 track, such petition shall not be granted, and in the
36 decision of such question,
37 the City Council, shall also receive and take into
38 consideration, any remonstrance or petition
39 for or against the proposed track presented by the Owner
40 of property on any such
41 street, without and beyond the limits of said East, West,
42 North & South Streets, whereon
43 said track is proposed to be run, within the city limits,
44 if from the density of the

24 population along such outer extension of such street, or
other cause, the consideration
25 of such remonstrance or petition shall to said Council
appear to be just and proper.

26 Sec. 4. In case such remonstrance shall not be presented
in manner as above
27 required to prevent such use of any such streets, and if
the City Council
28 deem it expedient and judicious, it shall be lawful to
grant the said petition.

29 Provided, that no such track shall interfere with, or
vary from the established
30 grade of any such Street, and that any such track shall
be planked and
31 gravelled by the Company making, or causing the same, so
as to make as little
32 obstruction to ordinary travel as possible. And provided
further, that the
33 City Council shall have the power at all times to designate
the proper motive
34 power to be used by any rail road company, within the limits
of said city.
35 Also to regulate and control the speed of, and all other
matters connected
36 with the running of all Rail Road Cars within the bounds
of the city as
37 public convenience and safety may seem to require.

38. Section 5. All ordinances containing the provisions of the ordinance
 39. are hereby repealed.
 40. Ordained and established this 12th day of March A. D. 1849 to take
 effect.
 41. and be in force from and after its approval and publication as provided-
 in the
 42. Charter.

The Ordinance having been read:

Mr. King moved to amend Section 3 by adding after the word "location" in the 15th line the following words "from the point where such rail road track strikes the city limits, to the point of termination of said track estimating the same by lineal feet" and upon the question of concurrence in said Amendment, the yeas and nays being demanded, those who voted in the affirmative are Messrs. Tutwiler & King 2. Those who voted in the negative are Messrs. Eaglesfield, Mayhew & Sibert & Mr. President 4. So said Amendment did not prevail.

Mr Mayhew, proposed to amend Section 3 as follows after the word "owner" in the 16th line insert the following "with the anewed value thereof, or the same may appear by the latest city assessment for taxable purposes" also in the 17th line after the word "the" insert the words "value of the". And the question of concurrence in said amendments being put the yeas and nays were demanded. Those who voted in the affirmative are Messrs. Mayhew, Sibert & Mr. President 3. Those who voted in the negative are Messrs. Tutwiler, King & Eaglesfield 3. So said Amendment did not prevail.

Mr. Tutwiler moved to strike out all of Section 3, after the word "limits" in the 23rd line, and the yeas and nays being demanded, those who voted in the affirmative are Messrs. Tutwiler & King 2. Those who voted in the negative are Messrs. Eaglesfield, Mayhew, Sibert & Mr. President 4. So said motion did not prevail.

The question recurring on the adoption of the Ordinance as reported by the Committee, the yeas and nays were demanded. Those who voted in the affirmative are Messrs. Eaglesfield, Mayhew, Sibert & Mr. President 4. Those who voted in the negative are Messrs. Tutwiler and King 2. So said Ordinance was adopted.

The following resolution was offered and adopted viz:

Resolved. That all Script certificates issued by the Secretary for the improvement of Streets, in denominations of Five dollars, and Two dollars since the passage of the Ordinance for the regulation and government of the City of Indianapolis Approved May 30, 1848. And the same are hereby legalized, and that hereafter the Secretary be authorized to issue said Script certificates in denomination not exceeding five dollars, nor less than fifty cents.

And on Motion the Council adjourned to meet on the 15th unit at early candlelighting.

Attest

James G. Jordan
 Secretary

Geo. A. Chapman
 President City Council.

