

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
MONDAY, FEBRUARY 3D, 1868, 7 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, Loomis, MacArthur, Schmidt,  
Seidensticker, Stanton and Woodburn—16.

Absent—Councilmen Burgess and Colley—2.

The proceedings of the regular session held January 27th, 1867,  
were read and approved.

Mr. Brown presented the following communication :

INDIANAPOLIS, Jan. 15, 1868.

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

The undersigned would respectfully represent that at a special election held on the — day of —, 1861, he was elected Councilman from the Eighth Ward of Indianapolis; that the Council refused to allow him to take his seat because of informality in certificate of election; that subsequently, to-wit: on the — day of —, 186—, the Supreme Court of Indiana decided that he was entitled to his seat; that in August, 1862, and before such decision was made, he entered the army as an officer of the 79th Regiment

Indiana Volunteers, and had no opportunity to present himself to the Council to claim his seat and compensation. He therefore makes claim to a sum equal to \$2.00 per day for each day that he would have been entitled to have served as Councilman, from the date of his election until his successor was elected.

JAMES M. BUCHANAN.

Which was referred to the Committee on Finance.

Mr. Brown also presented the following petition:

INDIANAPOLIS, February 3, 1868.

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

GENTLEMEN:—The undersigned respectfully represents to your honorable body that he is the owner of lots Nos. 1, 2 and 4 in out-lots 82 and 80, fronting on Washington street, in the city of Indianapolis; that since the first of the year 1864, he has erected buildings, under a permit of your honorable body, with reference to the then established grade of said Washington street and the sidewalks thereof, of the value of six thousand dollars, upon said lots; that since the erection of his said buildings thereon, said city has wrongfully changed the grade of said street and sidewalk in front of said buildings by lowering the same about four inches, so that said street and sidewalk is lower in front of his said lots and buildings than at the culvert across Pogue's Run, on East Washington street, and he says that by so doing the said city has damaged him in the sum of one thousand dollars by injuring said sidewalk, and rendering his cellars in said buildings liable to overflow by allowing water from the sewer of said street to run over said sidewalk and into said cellars when said Pogue's Run is high. He further says that said city authorities are now insisting upon making him pay for so reducing the grade of said sidewalk, and injuring said property and damaging him. Therefore he prays that his damages may be inquired into, and that instead of attempting to make him pay for the injury done him, they will appropriate the said sum of one thousand dollars to him as aforesaid. And, as in duty bound, he will ever pray, &c.

WM. C. MEANS.

Which was referred to the Committee on Streets and Alleys and the Civil Engineer.

Mr. Brown also presented the following petition:

INDIANAPOLIS, February 3, 1868.

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

GENTLEMEN:—Your petitioner prays for a reduction of taxes on lots 29 and 30, in out-lot 116, the same being overflowed by the drainage of water by direction of your body. The lots are appraised at \$500 each, and in fact are only worth half of that sum for cash. I therefore pray your honorable body to refund to me the amount of \$7.50 which I have paid.

ROBERT NEIGHBORS.

Which was referred to the Committee on Finance.

Mr. Loomis offered the following preamble and resolutions:

WHEREAS, Certain privileges were granted to the Indiana Central Railway Company by an ordinance passed July 14, 1852, amended by an ordinance passed August 20, 1855, amendatory of the first ordinance above named, and

WHEREAS, The said Company have failed to comply with the terms of the said ordinances, first, in reference to grading and graveling Maryland street

and bridging Pogue's Run, as provided in said ordinances, and second, by locating their principal machine shop some eleven feet in the said Maryland street; therefore,

*Resolved*, That the City Marshal is hereby directed to cause the proper notice to be served upon the proper officers of the said Railway Company to remove, at their earliest possible convenience, their machine shop back and out of said Maryland street, and to cause the said street to be properly graded and graveled, according to the provisions and conditions named in the ordinances above referred to.

2. *Resolved*, That should said Company fail to carry out this order, then the City Marshal is hereby empowered and directed to cause aaid building to be removed within six months next ensuing after the passage of these resolutions, and the cost thereof to be assessed against and collected from the said company the same as other assessments are collected.

Which were referred to the City Attorney, with instructions to report whether or not the Council can legally act in accordance with the resolutions.

Mr. Stanton presented the following petition:

INDIANAPOLIS, Jan. 26, 1868.

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

The undersigned respectfully represent that in pursuance of a contract dated the 14th of May, 1866, with the City of Indianapolis, to grade and gravel Stevens street and sidewalks, in said city, the undersigned did grade and gravel said street and sidewalks in conformity to said contract and to the acceptance of the City Civil Engineer; that the sum of three hundred and seventy-eight dollars was assessed by said Engineer against the property of Mary Gilmore for doing said work along and in front of the lot of said Mrs. Gilmore; that by suit in the Marion Civil Circuit Court the said Mary Gilmore succeeded in obtaining a judgment in said Court restraining and enjoining the collection of said assessment against her, upon the alleged ground, as the undersigned are informed, that a strip of the said lot on the east side of about six feet, and about four feet on the west side of said lot is covered by said street and sidewalk improvements. The undersigned therefore prays that the City Council may order and direct that payment of said sum of three hundred and seventy-eight dollars be made to the undersigned from the city treasury.

O'CONNOR & DORSEY.

Which was referred to the City Attorney, with instruction to report the facts, and whether the city is liable.

Dr. Woodburn presented the following petition:

INDIANAPOLIS, Feb. 3, 1868.

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

We, the subscribers, would recommend that the City Council pay E. Seymour the amount of \$300, which he asks to help defray the expenses of putting down the sewer pipe on the west side of Illinois street, as it has been of great value to all living on said street along where said sewer is laid.

J. M. Bradshaw, T. Dawson,  
Geo. B. Yandes, And 24 others.

Dr. Woodburn moved that the prayer of the petition be granted.

Mr. Sdidensticker called for the eyes and noses.

Those who voted in the affirmative were Councilmen Loomis and Woodburn—2.

Those who voted in the negative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, MacArthur, Seidensticker and Stanton—13.

So the prayer of the petition was not granted:

Dr. Woodburn presented the following petition:

INDIANAPOLIS, Feb. 3, 1868.

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

The undersigned, the Indianapolis Rolling Mill Company, would respectfully represent that it is a corporation, created under the laws of the State of Indiana, that their entire assessment consists of real estate and the fixtures thereunto belonging, in the City of Indianapolis, and real estate, moneys, furnace and fixtures connected therewith, in the counties of Vigo, Clay and Putnam; that over half of said assets, in value, is situated outside of the City of Indianapolis, and is all taxed by the laws of the State, at its value, in each county. Said Company has no cash funds or surplus, but on the contrary it owes a large debt, for which a part of its property is mortgaged. The City Assessor now insists that under the City Charter that the stock of said corporation is subject to taxation, and that the stockholders are bound to list the same for taxation. If such is a proper construction of the City Charter you will see at once that said property is subject to double taxation, which it is believed was never intended by the Legislature, and if so intended is clearly unconstitutional. This Company does not desire to escape its proportion of taxation, but does protest against paying more than its proportion. The property belonging to the Company in the city is all palpable, and its value can be determined and ascertained by the Assessor.

You are respectfully asked to direct your Assessor to assess the property of the Company in the City of Indianapolis at its fair value, and not assess the stock.

Indianapolis Rolling Mill Company, by

J. M. LORD, President.

Which was referred to the Finance Committee, City Attorney and City Assessor.

Dr. Woodburn presented the following communication:

INDIANAPOLIS, Feb. 3, 1868.

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

GENTLEMEN:—The Council passed a charter authorizing a company to build and establish Water Works for the City of Indianapolis. There can be no doubt that from the terms of the grant this charter has been forfeited to the city, the party to whom the charter was given having failed to comply with the requirements of the charter.

If this charter shall be declared forfeited, and repealed by the Council, a company proposes, on the same terms, to commence immediately and erect Water Works for this city.

Respectfully,

JOHN ARMSTRONG.

Which was referred to the Judiciary Committee and City Attorney.

By unanimous consent Mr. Brown introduced general ordinance No. 121, entitled :

AN ORDINANCE prohibiting the making up of railroad freight trains within the corporate limits.

Which was read the first time and referred to the City Attorney.

Sealed proposals for lighting the city lamps were then opened and read by the City Clerk, and referred to the Committee on Gas, together with Councilmen Jameson, Brown and Stanton,

#### REPORTS FROM BOARDS.

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

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }  
Indianapolis, Feb. 3, 1868. }

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

GENTLEMEN:—The Board of Public Improvements, to whom was referred the matter of repairing the foot bridge over the Canal on Maryland street, would respectfully report that it would be a waste of money to repair said bridge, and respectfully recommend that a new bridge be built.

Respectfully submitted,

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

Which was concurred in.

#### REPORTS FROM COMMITTEES.

Mr. Seidensticker, from the Committee on Revision of Ordinances, made the following report :

INDIANAPOLIS, Feb. 3, 1868.

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

Your committee herewith report, according to instruction, an ordinance creating the office, and defining the duties, of a City Gas Inspector.

Respectfully,

A. SEIDENSTICKER.

Which was received.

Also, general ordinance No 122, entitled :

AN ORDINANCE creating the office of Gas Inspector, defining his duties and fixing his salary.

Which was read the first time.

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

INDIANAPOLIS, Feb. 3, 1868.

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

The Committee on Streets and Alleys, to whom was referred the remonstrance of A. Wiegand and others, report that the Council having, already, granted the right of way on Kentucky Avenue for the track of the Rolling Mill or Iron Company, that the company has thereby obtained rights which cannot be now taken from them, and, in the opinion of your committee, it would be detrimental to the interests of the city to do so. Your committee, therefore, recommend that the prayer of the remonstrants be not granted.

AUSTIN H. BROWN,

*Chairman Committee on Streets and Alleys.*

Which was received.

Mr. Coburn, from the Committee on Fire Department, made the following report:

INDIANAPOLIS, Feb. 3, 1868.

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

GENTLEMEN:—The Committee on Fire Department and Chief Fire Engineer, to whom was referred the motion to estimate the cost of sinking a pipe down below the stratum of clay, which underlies the surface of the ground, from fifty to seventy feet, to ascertain if the water will raise near enough to the surface to supply fire cisterns, have had the same under consideration, and report that in their opinion the experiment can be made for three hundred dollars, and would recommend that the committee be allowed to make the necessary arrangement to sink the piping at some point where a cistern has been recommended to be constructed.

GEO. W. BUCHANAN, *Chief Fire Engineer.*

HENRY COBURN, } *Com. on Fire Dep't.*

J. H. KAPPES, }

Which was concurred in.

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

INDIANAPOLIS, Feb. 3, 1868.

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

GENTLEMEN:—Your committee beg leave to introduce the report of the Superintendent of Hospital, together with an ordinance appropriating \$506.47 cents on account of City Hospital for the month of January, 1868.

Respectfully,

J. H. KAPPES,

W. H. LOOMIS,

HENRY GEISEL,

} *Com. on Benevolence.*

Which was received.

Also, the following :

RECAPITULATION OF THE MONTHLY REPORT OF THE CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL ENDING JANUARY 31, 1868.

Number of patients in Hospital at last report .....	15
Number of patients received in Hospital since last report.....	13
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	6
Number of patients died in Hospital since last report .....	2
Number of patients remaining in Hospital at present report.....	20

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING JANUARY 25, 1868.

Number of patients in Hospital at last report.....	17
Number of patients received in Hospital since last report.....	7
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	3
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report.....	21

Also, the following :

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING FEBRUARY 1, 1868.

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

Also, the following :

RECAPITULATION OF THE MONTHLY REPORT OF EXPENDITURES OF THE CITY HOSPITAL, ENDING JANUARY 31, 1868.

Total expenditures for the month .....	\$533 97
Aggregate number of days for which subsistence, etc., was furnished.....	601
Average expense per capita per diem.....	\$0 88
Amount received from patients \$20.00.	

Which were received.

Also, special appropriation ordinance No. 9—1868, entitled :

AN ORDINANCE appropriating moneys for the payment of sundry claims on account of the City Hospital for the month of January, 1868.

Which was read the first time.

Mr. Kappes, from the Committee on Printing and Stationery, introduced special appropriation ordinance No. 10—1868, entitled :

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

Which was read the first time by title.

Mr. Brown, from Select Committee, made the following report :

INDIANAPOLIS, Jan. 27, 1867.

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

The select committee, to whom was referred general ordinance No. 117, and sundry amendments proposed thereto, beg leave to report the following amendment to the pending ordinance, and recommend its adoption.

AUSTIN H. BROWN,	} Committee.
J. H. WOODBURN,	
G. A. FOSTER,	
P. H. JAMESON,	

Which was received.

Also, the following ordinance, which was ordered to be printed in the proceedings :

Amend by striking out of the ordinance all after the enacting clause, and insert the following :

That it shall be unlawful for any prostitute to be found wandering about said city, or within one mile from the corporate limits thereof, and conducting herself in a lewd manner, or to be found in any public act of prostitution within said limits; or for any person to be found associating with any common prostitute for lewd purposes, or to be found conducting himself in a lewd or indecent manner with such prostitute in any public place, street, alley, common or field of said city, or within one mile of its limits; or for any person to make, in public, any indecent exposure of his or her person, or to use any obscene language or exhibit any obscene print, painting or representation, or be guilty of any other obscene conduct; or to bathe in the day time in the Canal, in White river, or in Pogue's Run, or at any point in said city subject to the view of citizens thereof, or in White river opposite and near to said city; or for any person to publicly exhibit, in said city, any stallion, or jack, or bull, or to cause or suffer any such animal, publicly, to cover any mare, jenny, or cow therein; or to disturb the peace and quiet of of said city, or of its inhabitants, by making loud and unusual noises, by crying the alarm of fire, or any other alarm, without good cause, or by threatening any person, or by challenging him to fight, or menacing him with corporal or pecuniary harm; or for any person to, on Sunday and within said city, pitch quoits or coins, play at cricket, base ball, bandy, cat, town ball, croquet, or any other public game or amusement; or for any person to appear on any street or alley, or in any public place of said city in a state of intoxication, and while in such state commit any disorderly act or any act calculated to disturb the quiet and peace of the city, or of its inhabitants, or to endanger the safety of the citizens of said city. Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction before the City Judge shall be fined in any sum not exceeding fifty dollars. The Marshal of said city, or his deputy, or any police officer of said city, or any legal voter or householder of said city may, without breach of the peace, apprehend any person found violating any provision of this section, without process, and cause or require such person to be taken before said city Judge for trial, filing complaint of such offense.

Sec. 2. It shall be unlawful for any person to keep a house of ill-fame or prostitution in said city; or for any person, being the owner or occupant of, or the agent for renting any building in said city, to knowingly rent the same to be used as a house of ill-fame or prostitution; or for any person, owning or occupying any building in said city, to permit the same to be used or occupied for the purpose or in the practice of gaming, in any way, for money or its equivalent, or for any person to permit any disorderly noise or conduct in or about any drinking saloon, grocery or other establishment, existing in

said city, and wherein distilled or fermented liquors are sold, or kept for sale, or for being given away. Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction before the City Judge, shall be fined in any sum not exceeding fifty dollars.

Sec. 3. It shall be unlawful for the City Marshal, Deputy Marshal, or any policeman to enter any house of ill-fame, or prostitution, in said city, except in pursuance of a warrant of law, or in case of a riot, and any legal voter or householder of said city may, without breach of the peace, apprehend any policeman found violating this section, and bring him before the City Judge for trial, filing complaint of such offense. Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction before the City Judge, shall be fined in any sum not exceeding fifty dollars: *Provided*, That upon written complaint of the property owners or residents, or householders living adjacent to or in the immediate vicinity of any house suspicioned of being a house of ill-fame or prostitution, that the same is carried on in a disorderly, indecent, or unlawful manner, the Mayor of said city may direct the Chief of Police and a sufficient number of policemen to enter and close the same, and arrest and bring the person keeping such house before the City Judge for trial; and in case such house is so closed and is again opened and kept as a house of ill-fame or prostitution, or gambling house, the person so offending shall be deemed guilty of a misdemeanor, and shall upon each such subsequent conviction before the City Judge, be fined in any sum not exceeding one hundred dollars.

Sec. 4. Any person arrested for violating any of the provisions of this ordinance, in the night time or on Sunday, by the City Marshal or his deputy, or by the Chief of Police or any policeman, shall be committed to the County Jail or City Station-House or prison for safe keeping until complaint against him or her can be made to such City Judge: *Provided*, That no person shall be so imprisoned longer than until ten o'clock of the succeeding day, unless such succeeding day shall be Sunday, in which case complaint against such offender shall be made on the following Monday: *Provided, however*, That every person so arrested on Sunday, or at night, shall have a right to be discharged from custody upon entering into recognizance with good freehold surety in a sum equal to the highest penalty imposed upon a person found guilty of the offense for which he or she may have been arrested; or, upon placing in the hands of the officer arresting him or her a sum of money equal to said penalty, conditioned, in either case, for his or her appearance before the City Judge on the next judicial day of his Court, at 10 o'clock, A. M., to answer to the charge upon which he or she may have been arrested; and it is hereby made the duty of the officer making such arrest to take and approve such recognizance or receive such money, and thereupon discharge such prisoner; and, in case any such money is so received, the same shall be paid over to the City Judge, to be held by him until final decision of the complaint.

Sec. 5. Nothing in this ordinance contained shall be construed to affect any action now pending, or right of action now existing, in favor of said city; and all ordinances, or parts of ordinances, coming in conflict with any of the provisions of this ordinance, be, and the same are hereby, repealed, and especially an ordinance entitled "An ordinance protecting public morality, decency and order," passed November 30, 1863, which ordinance this ordinance is intended to supercede.

Sec. 6. This ordinance shall be in force from and after its passage and publication once a week, for two consecutive weeks, in the Indianapolis Daily Journal; and it is hereby made the duty of the City Clerk to procure proof of publication of this ordinance, and record the same in the Record of Ordinances of the Common Council of said city.

## REPORTS FROM CITY OFFICERS.

The City Assessor made the following report :

INDIANAPOLIS, Feb. 3, 1868.

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

GENTLEMEN:—I herewith submit the following report for the week ending February 1st, 1868 :

Weekly Report.	This Week's Report.			Last Week's Report.				Total Amount.				
	February 1st, 1868.	Lists.	Polls.	Dolls.	Cts.	Lists.	Polls.	Dolls.	Cts.	Lists.	Polls.	Dolls.
William C. Phipps....	112	77	75,718	00	470	386	465,631	00	582	463	541,349	00
Asa M. Strong.....	182	153	88,732	00	387	340	47,652	00	569	493	136,384	00
H. P. Randail .....	99	72	23,932	00	496	406	281,751	00	595	478	305,683	00
Nelson Hoss.....	156	87	72,200	00	228	159	75,652	00	384	246	147,852	00
William Hadley.....	192	155	608,478	00	506	419	682,800	00	698	574	1,291,278	00
Samuel Strong .....	151	118	38,865	00	100	83	38,803	00	251	201	67,668	00
							Totals.....		3679	2455	2,490,214	00

Respectfully submitted,

WM. HADLEY, *City Assessor.*

Which was concurred in.

The City Attorney made the following report :

INDIANAPOLIS, Jan. 27, 1868.

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

GENTLEMEN:—I have examined the precept issued in favor of Joseph Bernauer against G. W. Joseph, and respectfully report that the precept being regular upon its face, required me to investigate the facts in order to ascertain the difficulty. The difficulty I find to consist in this—that the contractor filed his affidavit and obtained a precept without having given Joseph due notice. This, I think, vitiates the precept. The issuing of a precept is strictly analogous to an action at law, and in an action a judgment rendered without legal notice is utterly void, because the Court has no jurisdiction. I think the same rule should be applied to this case, and the Treasurer directed to suspend proceedings on the precept.

Respectfully,

B. K. ELLIOTT, *City Attorney.*

Which was concurred in.

The City Judge made the following report :

INDIANAPOLIS, Jan. 28, 1868.

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

GENTLEMEN:—I have the honor to report that during the month of December, just past, I received on account of forfeit for the violation of city ordinances, the sum of one hundred and thirty-six dollars and ten cents, which

amount I have turned over to the City Treasurer, as will appear by the accompanying voucher.

I am, gentlemen, very respectfully,

Your obedient servant,

JOHN N. SCOTT, *City Judge.*

Which was concurred in.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }  
Indianapolis, Feb. 3, 1868. }

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

GENTLEMEN:—The City Clerk would respectfully report the following affidavits on file in his office for the collection of street assessment by precept, as follows:

Samuel Lefever against Nancy Means, for \$40.50.

J. J. Palmer against Louisa Yeager, for \$404.96.

And would recommend that you order the precepts to issue.

Respectfully,

D. M. RANDELL, *City Clerk.*

Which was concurred in, with the exception of that part of the report referring to Nancy Means, a petition on the subject being before the Council.

#### ORDINANCES ON SECOND READING.

Mr. Kappes called up special appropriation ordinance No. 10—1868, entitled :

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

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

Mr. Brown moved that the rules be suspended and the ordinance placed upon its passage.

The question being on a suspension of the rules, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—16.

No Councilman voting in the negative.

So the rules were suspended, and the ordinance read the third time and placed upon its passage.

The question being on the passage of the ordinance, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell,

Davis, Foster, Geisel, Goddard, Henschen, Jameson, Kappes, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—16.

No Councilman voting in the negative.

So the ordinance passed.

Dr. Woodburn called up general ordinance No. 122, creating the office of Gas Inspector.

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

Dr. Woodburn moved that the rules be suspended and the ordinance placed upon its passage.

The question being on a suspension of the rules, those who voted in the affirmative were Councilmen Brown, Coburn, Foster, Geisel, Jameson, Kappes, MacArthur, Schmidt, Seidensticker and Woodburn—10.

Those who voted in the negative were Councilmen Cottrell, Davis, Goddard, Henschen, Loomis and MacArthur—6.

There not being a two-thirds vote in the affirmative the rules were not suspended.

Mr. Kappes called up special appropriation ordinances Nos. 8 and 10—1868, appropriating money for the payment of sundry claims against the City of Indianapolis.

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

#### ORDINANCES ON THIRD READING.

Mr. Brown called up special appropriation ordinance No. 8—1868.

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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—16.

No Councilman voting in the negative.

So the ordinance passed.

On motion by Mr. Seidensticker, the Council adjourned.

DANIEL MACAULEY, *Mayor*.

ATTEST:

D. M. RANSELL, *City Clerk*.