

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, NOVEMBER 16TH, 1863, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, John Caven, in the chair ;
and the following members:

Councilmen Allen, Brown, Boaz, Blake Cook, Coburn, Emerson,
S. A. Fletcher, Jr., Glazier, Haughey, Jameson, McNabb,
Staub and Thompson—14.

Absent—Councilmen Colley, H. A. Fletcher, Lefever and
Wallace—4.

The proceedings of the special session, held November 9th,
1863, were read and approved.

By Dr. W. C. Thompson—Petition :

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

INDIANAPOLIS, November 16th, 1863.

Gentlemen—Your petitioner respectfully represents that by a
decision of the Marion Circuit Court, made in the case of Moriarty
v. Root, he is entitled to all estimates for the improvement of East
street, between South and Bicking streets.

That the portion due from the city has been withheld, awaiting
the decision in this case, and as the court has decided that he is
the party entitled to receive the amount due from the city, he re-

spectfully asks the Council to order the City Clerk to issue the proper warrants to him.

He also respectfully asks that the Council order the Civil Engineer to issue to him the proper estimate yet to be made upon said street.

Respectfully submitted,

DELOSS ROOT.

Which, on motion of Dr. Thompson, was referred to the Committee on Streets and Alleys.

By Mr. McNabb—Petition :

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

INDIANAPOLIS, November 16th, 1863.

Your petitioners most respectfully ask your honorable body to change the contract for graveling the sidewalks on South street, between Missouri and West streets, so that pit gravel may be used instead of river gravel. The contractor having agreed to deduct 25 cents per yard, if such change be authorized by your honorable body.

Agreement between the contractor and the property holders on South street, between Missouri and West streets, in the city of Indianapolis :

The contractor hereby agrees to deduct 25 cents per yard, from the contract price, provided that he use pit instead of river gravel on said sidewalks.

JOHN WEINBERGER,	THOMAS WREN, Contractor.
THOMAS LALLEY.	MICHAEL BARRETT.
ANTON WIEGAND.	JOHN CRONIN.
JOHN EBERT.	WILLIAM NICHOLSON.
JACOB CRULL.	FANNY ALLRED.
PETER RITTER.	

Which, on motion of Dr. Jameson, was referred to the Committee on Streets and Alleys.

By Mr. Emerson, Chairman Committee on Bridges :

Mr. President—Your Committee to whom was referred the proposals, for the construction of a bridge over the canal, at the crossing with McCarty street, have examined the same, and find Levi Comegys to be the best bidder, and would recommend that the contract be so awarded, also, that McCarty street be properly graded between Illinois and West streets.

All of which is respectfully submitted,

R. B. EMERSON,	} Committee.
WM. BOAZ,	
J. STAUB,	

Mr. Emerson moved to concur in so much of the report as refers to the awarding of the contract; and to non-concur in so much

as refers to the grading of McCarty street, between Illinois and West streets.

Which motion did not prevail.

On motion of Mr. Haughey, the report was referred back to the Committee on Bridges.

By Mr. Emerson, Chairman Committee on Bridges:

Mr. President—Your Committee to whom was referred the petition of James M. Ray, and others, praying for the extension of New York street across Patterson's race, and for a bridge over the same, beg leave to report that in their opinion, the prayer of the petitioners ought to be granted, in case the street is properly graded from Blake street to the west line of lot No. 7, as shown on their plat. Your committee think a bridge at that point would be of no use, unless the street is properly graded.

All of which is respectfully submitted.

R. B. EMERSON, }
 WM. BOAZ, } *Committee.*
 J. STAUB, }

Which, on motion of Mr. Allen, was laid upon the table.

Mr. Brown, Chairman Committee on Streets and Alleys, moved that the petition of Messrs. Kingan & Co., and others, asking the vacation of certain Streets and Alleys, be taken from the table.

Which motion was adopted.

Mr. Brown then reported that he had examined the matters and things set forth in said petition, and find them correct; and, therefore, respectfully recommend that the said vacation be ordered and decreed by the Council.

And now comes the petitioners, Messrs. Kingan & Co., Michael Barrett, Cobb & Arnel, Patterson & Co., O. B. Stout and Mrs. Mary McTaggart, and produces proof that they have given proper notice of their intention to apply to this Council to vacate the said Streets and Alleys, by advertising for twenty days in the Indianapolis Daily Journal, which proof is as follows, to-wit:

STATE OF INDIANA, }
 Marion County, } ss

Personally appeared before me, the undersigned, A. C. Grooms, one of the publishers of the *Indianapolis Daily Journal*, a newspaper of general circulation, printed and published in the City of Indianapolis, in the County and State aforesaid, who being duly sworn, upon his oath saith, that the notice, of which the attached is a true copy, was duly published in said paper for twenty days

successively, from the 10th day of October, 1863, to the 31st day of October, 1863, both inclusive.

A. C. GROOMS.

Subscribed and sworn to before me, this 14th day of November, 1863.

[SEAL.]

H. CLAY DILL, *Notary Public.*

And also by posting up written notices at three of the most public places in the immediate neighborhood of said streets and alleys, which is as follows, to-wit:

“Notice is hereby given that the undersigned will apply to the Common Council of the City of Indianapolis, on the 5th day of November, 1863, or as soon thereafter as we can be heard, to vacate Rachel street, from Maryland to Louisiana street; Georgia street, from the river to Helen street; Louisiana street, from block “H” to Helen street; the alley between lots 23 and 58, on the north, and 59, on the south; the alley between Patterson’s lots, said alley running north and south to Georgia street, from lot 59; also, the alley running north and south from Georgia to Maryland streets, being the alley between Helen and Rachel streets; all being in out-lots 136 and 139, in the City of Indianapolis, Indiana.

“KINGAN & CO.,
 “MICHEAL BARRETT,
 “COBB & ARMEL,
 “PATTERSON & CO,
 “O. B. STOUT,
 “MARY McTAGGART.”

“Indianapolis, Oct. 10th, 1863.”

STATE OF INDIANA,)
) ss:
 Marion County,)

I, Edward Finch, swear that I did, on the 10th day of October, 1863, post up written notices, of which the foregoing is a full and true copy, at the following three most public places in the immediate neighborhood of the streets mentioned in said notice, to-wit: one on Patterson & Co’s. hog-pen fence; one on Kingan & Co’s. pork-house office, and one on Wood & Dill’s Box Factory. So help me God.

EDWARD FINCH.

Subscribed and sworn to before me, this 14th day of November, 1863.

[SEAL.]

H. CLAY DILL, *Notary Public.*

And no person appearing to object to said vacation, and the Council being fully advised in the premises, ordered and decreed that Rachel street, from Maryland to Louisiana streets; Georgia street, from the river to Helen street; Louisiana street, from block “H” to Helen street; the alley between lots 23 and 58, on the north, and 59 on the south; the alley between Patterson’s lots,

said alley running north and south to Georgia street, from lot 59; also the alley running north and south from Georgia to Maryland streets, being the alley between Helen and Rachel streets; all being in out-lots 136 and 139 in the City of Indianapolis, Indiana, be, and each and all of the same are hereby declared vacated.

Mr. Brown, Chairman Committee on Streets and Alleys, presented the following :

CONTRACT AND BOND OF SAMUEL J. PATTERSON.

This Agreement, made and entered into this 16th day of November, 1863, by and between Samuel J. Patterson, of the County of Marion, and State of Indiana, of the first part, and the Common Council of the City of Indianapolis, of the second part.

Witnesseth, That the said party of the first part does covenant and agree to grade and gravel the sidewalk on the north side of New York street, between West and Blackford streets, also the same sidewalk between the east side of Blackford street, and the first alley west of Bright street, at 25 cents per cubic yard for grading 68 cents per cubic yard for graveling; said amounts to be collected by the contractor at his own cost and expense from the owners of property bordering on said improvements, according to their respective number of feet, and from the Common Council for the crossings of streets and alleys, in corporation orders, or city bonds, running two years payable with six per cent. interest, but payment thereof to be withheld so long as any sums remain unpaid to laborers employed by the contractor in prosecution of said improvement.

It is further agreed and understood, that no assignment of this contract shall be made to any other party without the consent of the Common Council.

The party of the first part further agrees to execute the work according to the following specification, viz: The whole width of the sidewalk above named between the limits aforementioned to be properly graded according to stakes to be set by the Civil Engineer, and the same to be graveled with good River gravel to the depth of six inches. The contractor to supply all the materials and labor required to complete the work, and if a surplus of earth remain, the same to be removed to some street or alley not exceeding a distance of half a mile as shall be directed by the Civil Engineer, and there spread the same to his satisfaction.

To be finished on or before the 1st day of January, 1864, to the entire satisfaction of the Civil Engineer, and should said work not be finished by the time specified, and according to the above specification, then the said party of the second part shall have the privilege and option of forfeiting this contract, and of reletting the same, and the party of the first part shall be responsible for all

damages that may accrue by said failure to perform said work according to contract.

In testimony whereof, we, the foregoing named parties, hereunto set our hands, this 16th day of November, 1863.

SAMUEL J. PATTERSON.

For the Common Council of the City of Indianapolis,
JAMES WOOD, *Civil Engineer*.

Know all men by these presents, That we, Samuel J. Patterson, George F. Myer, of the County of Marion, and State of Indiana, are held and firmly bound to the Common Council of the City of Indianapolis, in the sum of five hundred dollars, the payment whereof well and truly to be made, we bind ourselves, our heirs, executors, and administrators, firmly by these presents.

The conditions of the above obligation are such, that if the above bound Samuel J. Patterson, shall faithfully comply with the foregoing contract, made and entered into this 16th day of November, 1863, with the Common Council of the City of Indianapolis, and fulfil all the conditions and stipulation therein contained, according to the true intent and meaning thereof, in all respects, then this obligation to be void; otherwise, to remain in full force and virtue in law.

Witness, our hands and seals the day and year last above written.

SAMUEL J. PATTERSON, [SEAL.]
GEORGE F. MEYER. [SEAL.]

Which, on motion, were accepted and approved.

By Mr. Brown, Chairman Committee on Streets and Alleys:

Resolved, That the Indianapolis Gas Light and Coke Company be allowed a final estimate for furnishing and erecting lamp posts lamps and fixtures, on East street, between Ohio street, and the first alley north of New York street, on the west side, when finished to the satisfaction of the Civil Engineer.

The question being, shall the resolution pass? those who voted in the affirmative, were Councilmen Allen, Brown, Blake, Cook, Coburn, Emerson, S. A. Fletcher, Jr., Glazier, Haughey, Jameson, McNabb, Staub and Thompson—13. Noes, none.

So the resolution passed.

By Mr. Brown, Chairman Committee on Streets and Alleys:

Resolved, That the following first and final estimates be, and the same are hereby adopted as the estimates of this Council, and the property owners are hereby required to pay the sums set opposite their respective names.

The question being, shall the resolution pass? those who voted in the affirmative, were Councilmen Allen, Brown, Blake, Cook,

Coburn, Emerson, S. A. Fletcher, Jr., Glazier, Haughey, Jameson, McNabb, Staub and Thompson—13. Noes, none.

So the resolution passed.

First and Final Estimate allowed the Indianapolis Gas Light and Coke Company, for furnishing and erecting Lamp Posts, Lamps and Fixtures, on East Street, between Ohio Street and first Alley north of New York Street, on the west side of East street, made at 10 cents per lineal foot.

OWNERS' NAMES.	Lot.	Square.	Out-Lot.	Feet.	Inches.	Assessment.
Wm. L. Kamp, east part 5 and.....	6	40	...	109	6	\$10 96
Adam Scott, part 4 and.....	5	40	...	33	0	3 30
John S. Keely, north part.....	4	40	...	50	0	5 00
Peter Keeling, south part.....	3	40	...	44	6	4 66
John B. Stumph, north part.....	3	40	...	23	0	2 30
Jacob Kraus.....	2	40	...	67	6	6 75
Milton Pouder, south half.....	1	40	...	33	9	3 37½
Jacob Rubush, north half.....	1	40	...	33	9	3 37½
William Kuhn.....	1	21	...	33	9	3 37½
John R. Fiscus.....	2	21	...	33	9	3 37½
Milton Cox.....	3	21	...	33	9	3 37½
William A. Bradshaw.....	4	21	...	33	9	3 37½
Maria Parker.....	5	21	...	33	9	3 37½
Janna Hinds.....	6	21	...	33	9	3 37½
Cornelius Ferre's heirs, south half.....	9	.....	58	140	0	14 00
George Durham, north part.....	9	.....	58	70	0	7 00
Isaac Tholman, south part.....	1	.....	58	32	0	3 20
Hannah Ellis, middle part.....	1	.....	58	40	0	4 00
W. J. H. Robinson, middle part.....	1	.....	58	38	0	3 80
Carl A. Benmaster, north part.....	1	.....	58	100	0	10 00
Jannet M'Ouat, part.....	.....	.....	53	119	10	11 98¼
Silas T. Bowen, south part.....	9	.....	.....	40	0	4 00
Gotlieb Krug, north part.....	9	.....	.....	37	8	3 78½
Common Council.....	.....	.....	.....	.....	.....	18 50
						140 00

I certify the above Estimate correct, and made in accordance with an order of the Common Council.

JAMES WOOD, *Civil Engineer.*

Indianapolis, November 16th, 1863.

First and Final Estimate allowed H. Timmerman, for Grading the Alley running east and west between lots 3 and 4, in out-lot 48, made at 4½ cents per lineal foot.

OWNERS' NAMES.	Lot.	Out-Lot.	Feet.		Assessment.
			Feet.	Inches.	
John G. Hereth.....	3	48	187	5¾	\$8 44
Moritz Kaufman.....	4	48	187	5¾	8 44
					\$16 88

I certify the foregoing Estimate correct, and made in accordance with an order of the Common Council.

JAMES WOOD, *Civil Engineer.*

INDIANAPOLIS, November 16, 1863.

By Mr. Brown—Sealed Proposals :

To clean all the bouldered Streets and Alleys, as per advertisement: Andrew Stewart, \$29 per square for the Streets, and \$17 per square for the Alleys, security, James Stewart. Daniel Mahoney, at \$29 50 per square for the Streets; and \$20 per square for the Alleys; security William Courtney. H. Timmermann, at \$35 per square, for the Streets, and \$20 per square for the Alleys; security, William Cook.

To build the wood-work of the bridge over the Cincinnati R. R., at the crossing of Noble street: Bennet Brooks, at \$875; security, Benjamin Pottage. Levi Comegys, at \$890; security, E. T. Sinker. Peter Routier, at \$900; no security.

Which, on motion, was referred to the Committee on Streets and Alleys, and the Committee on Bridges.

From the City Clerk—Report :

INDIANAPOLIS, November 16, 1863.

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

Gentlemen :—I herewith present my report for the quarter commencing August 13th, 1863, and ending November 12th, 1863, to-wit:

RECEIPTS.

To bal. in treasury, Aug. 12, 1863.....		\$3,149 29
Current taxes collected.....	\$1,562 55	
Delinquent taxes collected,.....	2,173 34	
Licenses.....	1,479 36	
Market rents.....	71 06	5,286 31
Total receipts, &c.....		\$8,485 60

DISBURSEMENTS.

Orders outstanding Aug. 12, 1863,.....	\$27,208 16
Orders issued from Aug. 12, 1863, to Nov. 12, 1863 :	
For Street Improvements.....	\$8,892 34
Fire Department.....	4,905 10
Police Department.....	4,470 03
Street Repairs.....	3,933 36
Bridges.....	2,965 00
Gas.....	2,891 12
Salaries.....	2,317 00
Specific.....	1,895 22
Jail expenses.....	1,430 10
Printing.....	598 38
Rent.....	500 00
Books and Stationery.....	243 85
House of Refuge.....	140 30
Per centage.....	102 65
Interest paid on Orders.....	69 50
Markets.....	54 95
Soldiers' bounty.....	20 00
Cemetery.....	15 25
	<hr/>
	\$35,444 15
Total Orders outstanding and disbursements for quarter.....	\$62,652 31
Balance in treasury last quarter and receipts for pre- sent quarter.....	\$8,435 60
	<hr/>
Balance of Orders outstanding Nov. 12th, 1863,.....	\$54,216 75

I would also report the number and amount of Licenses received for the quarter ending November 12th, 1863, as follows, to-wit :

For Vehicles, 27 licenses, amounting to.....	\$310 00
Markets, 14 licenses, amounting to.....	63 00
General licenses, 70, amounting to.....	605 00
Dog licenses, 723, amounting to.....	629 50

Total amount of licenses for quarter..... \$1,607 50

Also, that an affidavit has been filed with me by Joseph Kruger, for the collection of assessment for street improvement, against Samuel Hetzelgesser, and ask that precept be ordered thereon.

Respectfully submitted,

C. S. BUTTERFIELD, *City Clerk.*

On motion of Mr. Allen, the report was accepted and approved, and the Clerk authorized and directed to issue the precept.

From the City Treasurer—Report :

INDIANAPOLIS, November 16, 1863.

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

The City Treasurer respectfully reports the following receipts and disbursements from Aug. 12th to Nov. 12th, 1863, to-wit :

RECEIPTS.

Balance from last report.....		\$3,149 29
Current taxes collected.....	\$1,562 55	
Delinquent taxes collected.....	2,173 34	
Licenses collected by Clerk.....	1,479 36	
Market rents by Market Master.....	71 06	
	<hr/>	5,286 31
		<hr/> <hr/>
		\$8,435 60

DISBURSEMENTS.

On account of Street Improvements.....	\$593 32	
Fire Department.....	548 48	
Police Department.....	1,153 17	
Salary.....	515 00	
Specific.....	377 65	
Taxes refunded.....	6 44	
Town Clock.....	12 50	
Elections.....	5 00	
Rent.....	500 00	
Printing.....	472 88	
Interest paid on Orders.....	69 50	
Jail expenses.....	527 60	
Street repairs.....	790 00	
Soldiers' bounty.....	10 00	
	<hr/>	\$5,581 54
Balance to next report.....		2,854 06
		<hr/> <hr/>
		\$8,435 60

JOSEPH K. ENGLISH, *City Treasurer.*

Which, on motion of Mr. Allen, was accepted and approved.

From the Chief Fire Engineer—Report :

INDIANAPOLIS, November 16th, 1863.

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

Gentlemen—The following is the expenses of the Fire Department for the quarter ending November 15th, 1863, including all except the building of cisterns :

To three months pay to men employed, including the

Chief.....	\$3,110 74
Feed.....	329 85
Fuel.....	78 50
Blacksmithing and repairs.....	53 75
Lumber for stalls and sidewalks.....	40 57
Drugs and oil.....	8 22
One horse.....	126 00
Exchange of bell and freight.....	253 34
Harness and repairs.....	35 00
Bedding.....	126 85
Sundries.....	15 35
<hr/>	
Total.....	\$4,178 17

I would furthermore state that, in my opinion, the new cistern on Meridian street, near the Circle, is not safe to drive unto with our steam engines, and would respectfully ask that a committee of your body be directed to examine the same.

Respectfully submitted,

CHARLES RICHMANN, *Chief Fire Engineer.*

On motion of Mr. Allen, so much of the report as relates to the expense of the Fire Department for the quarter, was concurred in; and so much as relates to the cistern on Circle street, was referred to the Committee on Cisterns.

From the Market Master—Report:

Quarterly report of John J. Wenner, Market Master for the City of Indianapolis, for the quarter ending November 12, 1863:

RECEIPTS.

One stall, No. 24 East Market House, sold to Puttim & Holdem,.....	\$16 66
One stall, No. 16 East Market House, sold to Mr. Houpt,..	5 00
Butter confiscated during the quarter.....	9 40
<hr/>	
Total.....	\$31 06

EXPENDITURES.

To H. Coburn, for lumber.....	\$4 75
Hauling dirt.....	5 00
<hr/>	
Total.....	\$9 75

There were two arrests made during the quarter.

The West Market House is in good condition.

The pavement and roof of the East Market House are in a bad condition.

Respectfully submitted,

J. J. WENNER, *Market Master.*

Which, on motion, was accepted and approved, and ordered to be spread upon the minutes.

From the Sexton—Report:

Report of the Sexton for the month ending November 9th, 1863.

NO. OF INTERMENTS.

Under 1 year.....	14
1 to 5 years.....	14
5 to 10 years.....	2
10 to 20 years.....	4
20 to 30 years.....	18
30 to 40 years.....	7
40 to 50 years.....	4
50 to 60 years.....	3
60 to 70 years.....	1
70 to 80 years.....	2
80 to 90 years.....	1
Total.....	65
From the country.....	6

G. W. ALRED, *Sexton.*

Which, on motion, was accepted and approved, and ordered to be spread upon the minutes.

Mr. Emerson, Chairman Committee on Bridges, asked and obtained leave to make the following report:

INDIANAPOLIS, November 16th, 1863.

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

We, your Committee on Bridges, would recommend that the contract for building the wood work of the bridge over the Cincinnati railroad track, at its crossing with Noble street, be awarded to Bennet Brooks, he being the lowest bidder.

R. B. EMERSON, } *Committee.*
J. STAUB, }

Which, on motion, was concurred in, and the contract awarded.

Mr. Emerson, Chairman Committee on Bridges, also asked and obtained leave to make the following minority report:

Mr. President—The undersigned, Chairman of the Committee on Bridges, respectfully reports, that he has examined the proposals for the construction of a bridge over the Canal, at the intersection of McCarty street, and find Levi Comegys to be the best bidder, and would recommend that the contract for building the same be awarded to him, upon the terms following, to wit: provided the property holders on said street will properly fill said street on each side of the proposed bridge, so as to render the same passable; and, provided also, that said filling be done before any work is commenced on said bridge.

Respectfully,

R. B. EMERSON, *Chairman.*

The question being on concurring in the report.

Mr. Emerson demanded the ayes and noes.

Those who voted in the affirmative, were Councilmen Blake, Emerson, S. A. Fletcher, Jr., Glazier, Haughey and Thompson—6.

Those who voted in the negative, were Councilmen Allen, Brown, Cook, Coburn, Jameson, McNabb and Staub—7.

So the report was not concurred in.

On motion of Mr. S. A. Fletcher, Jr., the following ordinance was taken up on the third reading :

AN ORDINANCE to provide for grading and bouldering the alley running north and south through square 63, between Washington street, and the first alley south of said street.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the whole width of the alley above named be properly graded, and bouldered and that the expense of grading and bouldering such alley and sidewalk, as aforesaid, (except so much thereof as is occupied by the crossings of streets and alleys,) be assessed against, and collected from, the owners of the lots bordering on said street, between the limits aforesaid, according to the provisions of sections 66 to 69, inclusive, of the City Charter.

SEC. 2. The Civil Engineer is hereby directed to set the proper stakes and also to advertise by publication for ten days in the Indianapolis Daily Journal, and by posting up printed notices in not less than five of the most public places in the city, that sealed proposals will be received by the Common Council, at the meeting of the Council to be held on the 7th day of December, 1863, for the execution of said work.

SEC. 3. This ordinance shall take effect and be in force from and after its passage.

Ordained and established this 16th day of November, 1863.

JOHN CAVEN, *Mayor.*

Attest :

C. S. BUTTERFIELD, *City Clerk.*

The question being, shall the ordinance pass? those who voted in the affirmative, were Messrs. Allen, Brown, Blake, Cook, Coburn, Emerson, S. A. Fletcher, Jr., Glazier, Haughey, Jameson, McNabb, Staub and Thompson—13. Noes, none.

So the ordinance was passed.

On motion of Mr. Haughey, the regular order of business was suspended to take up resolutions and motions.

By Mr. Allen :

Resolved, That T. L. Roberts be allowed the privilege of run-

ning a steam carriage on the streets of this city, according to his plan as set forth in his petition to this Council.

The question being, shall the resolution pass? those who voted in the affirmative, were Messrs. Allen, Blake, Cook, Coburn, Emerson, S. A. Fletcher, Jr., Glazier, Haughey, Jameson, Staub and Thompson.—11.

Those who voted in the negative were Messrs. Brown and McNabb.—2.

So the resolution passed.

By Mr. Brown—Motion:

That the Street Commissioner be directed to dig a ditch so as to carry the storm water from Madison Avenue and Railroad Avenue to the pond east of the Indianapolis & Madison Railroad track, south of Madison Avenue; the same to be done under the direction of the Engineer.

Which motion was adopted.

By Dr. Thompson—Motion:

That the Civil Engineer be instructed to re-advertise for proposals for furnishing and erecting lamp posts and fixtures on Illinois street, between the north side of North street and the north side of St. Clair streets, as no bid has been made on the last advertisement.

Which motion was adopted.

By Mr. Brown—Motion:

That the Civil Engineer be instructed to re-advertise for proposals for paving and curbing the west sidewalk of Delaware street, between Washington street and the Union railway track.

Which motion was adopted.

By Mr. Haughey—Motion:

That the City Marshal be directed to repair the fence around the Governor's Circle.

Which motion was adopted.

By Mr. Staub—Motion:

That the Street Commissioner be directed to notify the Bellefontaine Railroad Company to make the necessary crossing between Davidson street and the Peru Railroad track.

Which motion was adopted.

By Mr. Haughey—Motion:

That the Committee on Revision of Ordinances be instructed to report an ordinance to prevent depredations on school property.

Which motion was adopted.

On motion of Mr. Brown, the regular order of business was resumed, and the Street Railroad Ordinance taken up.

Mr. S. A. Fletcher, Jr. moved to amend by inserting after the words "1st day of January, 1864," in line 142, sec. 14, these words :

"At least two miles of which shall be completed during the year 1864."

Which amendment was adopted.

Mr. Brown withdrew the amendment proposed to section 15, which was pending at the meeting of the Council held November 2d, 1863.

Mr. Brown moved to amend by striking out the word "Stockholder" in line 155, and insert the word "Director."

Which amendment was adopted.

Dr. Jameson moved to amend section 15 by adding the following:

"The Company shall boulder the space between the rails of the track, and also shall pave, boulder, or otherwise improve (as the street may be) two feet on the outside of each rail, so as at all times to correspond with the street outside, and keep the same, together with all bridges at the crossings of the gutters, in good repair, to the satisfaction of the City Council, and in case of the failure of said company to do the same, the City Council shall have the right to prevent the use of such track by removing the rails therefrom."

Which amendment was adopted.

Mr. Allen moved to amend section 15, line 147, by striking out the word "fifty" and inserting the word "thirty."

Which amendment was adopted.

Dr. W. Clinton Thompson, moved to amend by striking out lines numbered 140, 141, 142, 143, 144, 145 and 146, and insert in lieu thereof the following :

"SEC. 14. This charter is granted and the rights and privileges herein conferred are subject to the following conditions and qualifications, to wit: that said company shall have two miles of said road fully completed and equipped, and cars running upon the same by the 4th day of July, 1864, unless the Common Council of said city shall grant to said company a further extension of time, and on failure of said company to have two miles of the same completed by the said 4th day of July, 1864, all rights and privileges herein granted, and all work done upon said road, shall be forfeited, and revert to the City of Indianapolis, provided that if said company is delayed by the order or injunction from any court, the time of such delay shall be given them after said 4th day of July, 1864, for the completion of said two miles of road as above provided."

Mr. Brown moved to lay Dr. Thompson's amendment upon the table.

The question being upon laying the amendment upon the table, Messrs. Allen and McNabb demanded the ayes and noes.

Those who voted in the affirmative, were Messrs. Brown, Blake, S. A. Fletcher, Jr., Glazier, Haughey and McNabb—6.

Those who voted in the negative, were Messrs. Allen, Cook, Coburn, Emerson, Jameson, Staub and Thompson—7.

So the amendment was not laid upon the table.

The previous question being called for, Dr. Thompson's amendment was adopted.

Dr. Jameson moved to amend by adding to section 10 the following:

"The Common Council reserves the right to define what shall constitute a line or route, in accordance with the rates and usages of railways in other cities."

Which amendment was adopted.

Dr. Jameson moved to amend by adding to Section 8 the following:

"The right of way granted by this ordinance shall not in any manner preclude any future grant of a right to any person, or company, or corporation to lay all necessary pipes for watering the city or any part of it, or the city from constructing any sewer, or subject the city to any damage in consequence thereof."

Which amendment was adopted.

Mr. Brown moved to amend Section 15 by striking out the words "or part of line;" and also by striking out the word "three" and inserting the word "two."

Which amendments were adopted.

On motion of Mr. Brown, the further consideration of the ordinance was postponed.

Mr. Coburn offered the following resolution:

Resolved, That at the next meeting the Council receive bids from the different Street Railroad Companies as to the amount of road they will guarantee to build within one, two, four and ten years.

Mr. Brown offered the following as a substitute for Mr. Coburn's resolution:

Resolved, That in the event of the passage of the ordinance pending, the "Indianapolis Street Railroad Company" shall signify to this Council, within ten days from the passage of said ordinance, their acceptance or non-acceptance of the charter granted to them.

The question being on the passage of the substitute, those who voted in the affirmative, were Messrs. Brown, Blake, S. A. Fletcher, Jr., Glazier, Haughey and McNabb.—6.

Those who voted in the negative were Messrs. Allen, Cook, Coburn, Emerson, Jameson, Staub and Thompson—7.

So the substitute was not adopted.

The question now being on the passage of the resolution, offered by Mr. Coburn, those who voted in the affirmative were Messrs. Allen, Blake, Cook, Coburn, S. A. Fletcher, Jr., Haughey, Jameson, Staub and Thompson—9.

Those who voted in the negative were Messrs. Brown, Emerson, Glazier and McNabb—4.

So the resolution was passed.

On motion of Mr. Haughey the Clerk was directed to have the Street Railroad Ordinance printed, with all its amendments.

By Mr. Brown—Motion:

That when the Council adjourn, it adjourn to meet on Monday evening next, the 23d inst., at half-past seven o'clock.

Which motion was adopted.

On motion of Dr. Thompson, the Council adjourned.

JOHN CAVEN, *Mayor*.

ATTEST:

C. S. BUTTERFIELD, *City Clerk*.