

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

---

ADJOURNED SESSION.

---

CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS,  
WEDNESDAY, JUNE 3D, 1868, 7½ O'CLOCK, P. M. }

The Common Council met pursuant to adjournment:

Present—His Honor, the Mayor, Daniel Macauley, in the chair,  
and the following members:

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

Absent—Councilmen Burgess and Colley—2.

His Honor, the Mayor, having private business of importance to attend to, was excused by the Council, and Dr. Jameson took the chair.

Business was resumed in the order in which it was left off at last regular meeting, viz:

ORDINANCES ON SECOND READING.

Mr. Seidensticker called up general ordinance No. 142, entitled:

AN ORDINANCE to provide for the compensation of City Officers and Officers and members of the Police Force and Fire Department, for the fiscal year ending May 15th, 1869.

Which was read the second time.

Dr. Woodburn moved that \$1,000 be inserted as compensation for Secret Police service.

Mr. Brown moved to amend by inserting \$500.

Mr. Cottrell moved to amend by striking from the ordinance all that refers to the Secret Police.

The question being on Mr. Cottrell's amendment, the ayes and noes were called.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Henschen, Kappes and Woodburn—8.

Those who voted in the negative were Councilmen Coburn, Goddard, Jameson, Loomis, MacArthur, Schmidt, Seidensticker and Stanton—8.

So the amendment was lost.

The ayes and noes were then demanded on Mr. Brown's amendment.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Jameson, Kappes and Seidensticker—8.

Those who voted in the negative were Councilmen Coburn, Goddard, Henschen, Loomis, MacArthur, Schmidt, Stanton and Woodburn—8.

So the amendment was lost.

The ayes and noes were then demanded on Dr. Woodburn's motion.

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

Those who voted in the negative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Henschen, Jameson, Kappes and Woodburn—9.

So the motion was lost.

Dr. Woodburn moved that the amount be fixed at \$200.

Mr. Loomis moved to lay Dr. Woodburn's motion on the table, and called for the ayes and noes.

Those who voted in the affirmative were Councilmen Goddard, Henschen, Loomis, MacArthur, Schmidt and Seidensticker—6.

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

So the motion to lay on the table was not adopted.

The question then being on Dr. Woodburn's motion to insert \$200, the ayes and noes were called.

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

Those who voted in the negative were Councilmen Coburn, Goddard, Henschen, Jameson, Loomis, MacArthur, Schmidt, Seidensticker and Stanton—9.

So the motion was lost.

Mr. Stanton moved to fix the amount at \$600, and called for the ayes and noes.

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

Those who voted in the negative were Councilmen Brown, Cottrell, Davis, Foster, Geisel, Henschen, Kappes and Woodburn—8.

So the motion was lost.

Mr. Brown renewed the motion making the appropriation \$500, and called for the ayes and noes.

Those who voted in the affirmative were Councilmen Brown, Coburn, Goddard, Jameson, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—10.

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

So the motion appropriating \$500 was adopted.

Mr. Cottrell moved to strike out 2 per cent. and insert  $1\frac{1}{2}$  as the per cent. the Treasurer shall receive on all current taxes collected, and called for the ayes and noes.

The question being on the passage of the motion, those who voted in the affirmative were Councilmen Cottrell, Foster, Geisel and Henschen—4.

Those who voted in the negative were Councilmen Brown, Coburn, Davis, Goddard, Jameson, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—11.

So the motion was lost.

Mr. Cottrell moved that the compensation of hosemen be fixed at \$150 per year in lieu of \$100.

Which motion was adopted.

On motion by Mr. Seidensticker, \$600 additional was appropriated for the payment of Hosemen.

The ordinance was then ordered to be engrossed.

Mr. Brown moved that all ordinances on second reading be taken up and read the second time according to number.

Which motion was adopted.

The following entitled ordinances were then read the second time and ordered to be engrossed :

Special ordinance No. 27—1868, entitled :

AN ORDINANCE to provide for grading and graveling Vine street from Jackson street to Ash street, including the sidewalks.

Special ordinance No. 25—1868, entitled :

AN ORDINANCE to provide for grading and bowldering Virginia Avenue and curbing the outside edges of the sidewalks with white oak plank from the south side of Pogue's Run to the south side of Louisiana street.

Special ordinance No. 31—1868, entitled :

AN ORDINANCE to provide for grading and graveling Wabash street and sidewalks, between Mississippi and Missouri streets.

Special appropriation ordinance No. 28—1868, entitled :

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

Special ordinance No. 41—1868, entitled :

AN ORDINANCE to provide for grading and paving the east sidewalk of Illinois street, between North and First streets.

Special ordinance No. 34—1868, entitled :

AN ORDINANCE to provide for grading and graveling the first alley west of Noble street, running north and south, between Vermont and Lockerbie streets.

## Special ordinance No. 22—1868, entitled :

AN ORDINANCE to provide for paving with brick the sidewalk on the north side of Vermont street, and also curb the outside edge with white oak plank, between Meridian and Pennsylvania streets.

## Special ordinance No. 24—1868, entitled :

AN ORDINANCE to provide for paving with brick the sidewalk on the north side of North street, between Alabama and Delaware streets.

## Special ordinance No. 38—1868, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures, complete to burn gas, except the service pipe, on North street, between Meridian and Illinois streets.

## Special ordinance No. 26—1868, entitled :

AN ORDINANCE to provide for grading and graveling Maple street and sidewalks, between McCarty street and the Corporation line.

## Special ordinance No. 29—1868, entitled :

AN ORDINANCE to provide for grading and graveling the west alley running north and south through Square No. 41.

## Special ordinance No. 33—1868, entitled :

AN ORDINANCE to provide for paving with brick the sidewalk on the north side of Vermont street, between Pennsylvania and Meridian streets.

## Special ordinance No. 32—1868, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Meridian street (or Bluff Road), between McCarty and Morris streets.

## Special ordinance No. 36—1868, entitled :

AN ORDINANCE to provide for curbing the sidewalks on Meridian street, between Pogue Run and the south side of South street.

## Special ordinance No. 37—1868, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Vermont street, between Illinois and Tennessee streets.

## Special appropriation ordinance No. 27—1868, entitled :

AN ORDINANCE appropriating three thousand dollars to the Indiana State Board of Agriculture, specifying the amount and conditions of the within appropriation.

## Special ordinance No. 40—1868, entitled :

AN ORDINANCE to provide for the grading and graveling of Ohio street, between Davidson and Harvey streets, (Corporation line east).

General ordinance No. 139, entitled :

AN ORDINANCE in relation to the duties of the City Clerk.

The following entitled special ordinances were read the second time and indefinitely postponed.

Special ordinance No. 15—1868, entitled :

AN ORDINANCE to re-grade and pave with bowlders Maryland street between Meridian and Delaware streets.

Special ordinance No. 39—1868, entitled :

AN ORDINANCE to provide for grading and graveling Kentucky Avenue, between Missouri and West streets.

Dr. Jameson called up general ordinance No. 138, entitled :

AN ORDINANCE relative to the construction of sewers, prescribing certain rules of proceeding relative thereto, and regulating such other matters as properly pertain thereto.

Which, on motion, was laid on the table.

Mr. Coburn called up general ordinance No. 143, entitled :

AN ORDINANCE to provide for the management and protection of the Fire Alarm Telegraph.

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

#### ORDINANCES ON THIRD READING.

Dr. Woodburn called up general ordinance No. 142, entitled :

AN ORDINANCE to provide for the compensation of City Officers and Officers and members of the Police Force and Fire Department, for the fiscal year ending May 15th, 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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. MacArthur called up special ordinance No. 30—1868, entitled:

AN ORDINANCE to provide for grading, paving and curbing with wood the sidewalk on the west side of Mississippi street, between the first alley north of Market street and Ohio 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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Geisel called up special ordinance No. 28—1868, entitled:

AN ORDINANCE to provide for grading and graveling Lockerbie street and sidewalks, between Liberty and Noble 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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Davis called up general ordinance No. 143, entitled:

AN ORDINANCE providing for the management and protection of the Fire Alarm Telegraph.

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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Cottrell called up special ordinance No. 25—1868, entitled:

AN ORDINANCE to provide for grading and bowldering Virginia Avenue and curbing the outside edges of the sidewalks with White Oak plank, from the south side of Pogue Run to the south side of Louisiana 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, Loomis, MacArthur, Schmidt, Seidensticker and Stanton—14.

Dr. Woodburn voting in the negative.

So the ordinance passed.

Mr. MacArthur called up special ordinance No. 31—1868, entitled :

AN ORDINANCE to provide for grading and graveling Wabash street and sidewalks, between Mississippi and Missouri 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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Davis called up special ordinance No. 38—1868, entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on North street, between Meridian and Illinois 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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Loomis called up general ordinance No. 139, entitled :

AN ORDINANCE in relation to the duties of the City Clerk.

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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Brown called up special ordinance No. 36—1868, entitled :

AN ORDINANCE to provide for curbing the sidewalks on Meridian street, between Pogue Run and the south side of South 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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Foster called up special ordinance No. 18—1868, entitled :

AN ORDINANCE to provide for grading and graveling Kentucky Avenue and sidewalks between Maryland and Missouri 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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Coburn called up special appropriation ordinance No. 28—1868, entitled :

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

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 Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—14.

Councilman Brown voting in the negative.

So the ordinance passed.

Mr. Loomis called up special appropriation ordinance No. 27—1868, entitled :

AN ORDINANCE appropriating three thousand dollars to the Indiana State Board of Agriculture, specifying the amount and conditions of the within appropriation.

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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Brown called up special ordinance No. 38—1868, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Meridian street (or Bluff Road), between McCarty and Morris 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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Dr. Jameson called up special ordinance No. 44—1867, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on East street, between Ohio and Washington 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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

Mr. Davis called up special ordinance No. 37—1868, entitled :

AN ORDINANCE to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe, on Vermont street, between Illinois and Tennessee 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, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the ordinance passed.

By consent the City Clerk made the following report :

INDIANAPOLIS, June 1, 1868.

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

The City Clerk respectfully reports to Council :

1st. The contract and bond of Samuel Lefever, for grading and bowldering Meridian street, between the south side of Pogue's Run and the south side of South street, is presented for your approval.

2d. The contract and bond of Gen. T. A. Morris, for paving and curbing the east sidewalk on Meridian street, between Maryland and Louisiana streets, is also presented for your approval.

3d. First and final estimate allowed Samuel Lefever, for curbing the outside edge of the sidewalk with stone, and bowldering the gutter with stone, on the west side of Alabama street, between Cumberland street and Virginia Avenue.

4th. First and final estimate allowed James Mahoney, for grading and graveling Merrill street and sidewalks, between the east side of West street and the west side of Missouri street.

5th. The contract and bond of Thomas Carr, for grading and graveling Grant street and sidewalks, from West street to the terminus of Grant street.

6th. I would also report that claims have been filed against Thomas Navin, the contractor for building the fence around the Military Ground, as follows, to-wit :

|   |           |            |
|---|-----------|------------|
| Coburn & Jones filed, May 24,                           | - - - - - | \$225 67   |
| Geo. Merritt filed, May 26,                             | - - - - - | 500 00     |
| Builders' and Manufacturers' Association, June 1, 1868, | - - - - - | 800 00     |
|   |           | \$1,525 67 |

Respectfully submitted,

D. M. RANDELL, *City Clerk.*

Which was concurred in, with the exception of that part referring to the estimate of S. Lafever, and the contracts approved.

Also, the following resolution :

*Resolved,* That the foregoing first and final estimate allowed James Mahoney for grading and graveling Merrill street and sidewalks, between the east side of West street and the west side of Missouri street, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

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

Davis, Foster, Geisel, Goddard, Henschen, Jameson, Loomis, MacArthur, Schmidt, Seidensticker, Stanton and Woodburn—15.

No Councilman voting in the negative.

So the resolution passed.

Mr. Loomis offered the following motion :

That the City Clerk be directed to pay the bills filed against Thomas Navin, the contractor for building the fence around the Military Park, in the order in which they have been filed, the materials for building said fence not having been paid for.

Which was adopted.

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

INDIANAPOLIS, June 1, 1868.

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

The Committee on Streets and Alleys, to whom was referred the petition of C. F. Schmidt, praying for the vacation of certain alleys, or parts of alleys, in Roset's subdivision of out-lot 107 of the city of Indianapolis, report that there is no objection on the part of any one whose property adjoins or abuts on the alleys mentioned in the petition, and as the petitioner has declared his willingness to pay the damages which may be assessed for opening a street through said out-lot, we recommend that the prayer of the petitioner be granted upon condition that said vacation shall not take place until the damages which may be assessed for the opening of a street between McCarty and Wyoming streets, through the middle of Roset's subdivision of out-lot 107, as petitioned for by said C. F. Schmidt, have been paid or tendered by said C. F. Schmidt, when the property is assessed by the City Commissioners.

|                  |              |
|------------------|--------------|
| AUSTIN H. BROWN, | } Committee. |
| HENRY COBURN,    |              |
| J. W. DAVIS,     |              |

Which was concurred in.

ORDER FOR VACATION OF ALLEYS IN ROSETT'S SUBDIVISION OF OUT-LOT 107.

Now comes the petitioner, C. F. Schmidt, and shows that he is owner in fee of lots Nos. 39, 40, 41, and 42, and of lots Nos. 49, 50, 51, and 52, of Rosett's subdivision of out-lot 107, in the city of Indianapolis, being all the lots adjoining to, or abutting on the alleys proposed to be vacated, and proves that the notice required by law has been duly published in the Indiana State Journal, which proof is in the following words and figures, to-wit:

VACATION OF ALLEYS.—Notice is hereby given that the undersigned has filed a petition with the Common Council of Indianapolis for the vacation of the alley running north and south from McCarty to Wyoming streets, bounded on the east by lots Nos. 49 and 42, on the west by lots Nos. 50 and 41, of Rosett's subdivision of the northwest part of out-lot 107, in the city of Indianapolis; also, the alley running north and south between McCarty and Wyoming streets, bounded on the west by lots Nos. 39 and 52, and on the east by lots Nos. 40 and 51, in the same subdivision and out-lot; also, so much of the alley running east and west through said out-lot, between McCarty

and Wyoming streets, as lies between the west line of lots 49 and 42, and the west line of lots Nos. 39 and 52, in the same subdivision and out-lot, of which all persons whom it may concern will take due notice.

C. F. SCHMIDT.

STATE OF INDIANA, }  
MARION COUNTY, } ss:

Personally appeared before the undersigned, a Notary Public, Henry A. Loudon, Clerk for Douglass & Conner, publishers of the Weekly Indiana State Journal, a newspaper of general circulation, printed and published in the city of Indianapolis, in the county 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 three (3) weeks successively, the first of which publication was on the second (2d) day of May, 1868, and the last on the fifteenth (15th) day of May, 1868.

HENRY A. LOUDON.

Subscribed and sworn to before me, this 20th day of May, 1868.

ADOLPH SEIDENSTICKER, N. P.

And said petitioner also proves that written notices of the pendency of his petition for vacation had been duly posted in three of the most public places in the neighborhood of, and near to the alleys proposed to be vacated, since the —— day of ——, A. D. 1868, which proof is in the following words and figures, to-wit:

VACATION OF ALLEYS.—Notice is hereby given that the undersigned has filed a petition with the Common Council of Indianapolis for the vacation of the alley running north and south from McCarty to Wyoming streets, bounded on the east by lots Nos. 49 and 42, on the west by lots Nos. 50 and 41, of Rosett's subdivision of the northwest part of out-lot 107, in the city of Indianapolis; also, the alley running north and south between McCarty and Wyoming streets, bounded on the west by lots Nos. 39 and 52, and on the east by lots Nos. 40 and 51, in the same subdivision and out-lot; also, so much of the alley running east and west through said out-lot, between McCarty and Wyoming streets, as lies between the west line of lots 49 and 42, and the west line of lots Nos. 39 and 52, in the same subdivision and out-lot, of which all persons whom it may concern will take due notice.

C. F. SCHMIDT.

STATE OF INDIANA, }  
MARION COUNTY, } ss:

Loreny Schmidt, upon his oath says, that on the 28th day of April, A. D. 1868, he posted copies of the above notice in three of the most public places in the neighborhood of the alleys proposed to be vacated. Witness his hand and seal this 21st day of May 1868.

LORENY SMITH, [L. s.]

Subscribed and sworn to before the undersigned, a Notary Public, this 21st day of May, A. D. 1868.

ADOLPH SEIDENSTICKER, N. P.

And the petitioner, C. F. Schmidt, having proven to the satisfaction of the Common Council his ownership of the premises adjoining to or abutting on said alley, it is therefore,

*Ordered*, That the alley running north and south in Rosett's subdivision of the north-west part of out-lot 107, in the City of Indianapolis, from McCarty to Wyoming streets, bounded on the east by lots No. 40 and 51, and on the west by lots No. 39 and 52 of said subdivision; also, the alley running north and south between McCarty and Wyoming streets, in said subdivision, bounded on the east by lots No. 42 and 49, and on the west by lots No. 41 and 50; also, so much of the alley running east and west, in the same subdivision, and between McCarty and Wyoming streets, as is bounded on the east by the west line of lots No. 42 and 49, and on the west by the west line of lots No. 39 and 52, be, and the same hereby are, vacated: *Provided, however*, That this vacation is not to take effect until the petitioner, C. F. Schmidt, has paid

or tendered all the damages which may be assessed by the City Commissioners for appropriating real estate for the opening of a new street in said subdivision, between Wyoming and McCarty streets, immediately west of the west line of lots No. 39 and 52, in said subdivision and out-lot, and in accordance to a petition for the opening of said street, filed by said C. F. Schmidt, on the 27th day of April, A. D. 1868.

The question being on the adoption of the vacation, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Loomis, MacArthur, Stanton and Woodburn—13.

Councilmen Schmidt and Seidensticker declining to vote.

So the vacation was ordered.

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

INDIANAPOLIS, June 1, 1868.

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

The Committee on Streets and Alleys, to whom was referred the petitions of C. F. Schmidt, and also of S. A. Fletcher, jr., and others, beg leave to report the following resolutions.

AUSTIN H. BROWN,  
*Chairman Committee on Streets and Alleys.*

Which was concurred in

*Resolved,* That the City Clerk be directed to give the requisite notice provided by section 59 of the City Charter, to the City Commissioners appointed to appraise damages and benefits in cases of opening new streets and alleys, and like notice to each of the owners or agents of lots or lands upon or through which a proposed new street is asked to be opened by the petition of C. F. Schmidt, presented to the Common Council on the 27th of April, 1868, viz: a street through Rosett's subdivision of out-lot 107, from McCarty street to Wyoming street, by appropriating lots number fifty-three (53) and thirty-eight (38) in Rosett's subdivision of the north-west quarter of out-lot 107, which, added to the alley now west of said lots, would give a street 52 feet in width—which notice shall set forth the fact that the Commissioners aforesaid will be required to meet, on a day to be named in such notice, for the purpose of examining the real estate proposed to be appropriated for such street, and to appraise the damages and benefits that may be occasioned by the opening of such proposed street.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Davis, Foster, Geisel, Goddard, Henschen, Jameson, Loomis, Stanton and Woodburn—12.

No Councilman voting in the negative.

So the resolution was adopted.

Also, the following resolution :

*Resolved*, That the City Clerk be directed to give the requisite notice prescribed by section 59 of the City Charter, to the Commissioners appointed to appraise damages and benefits in cases of opening streets and alleys, and like notice to each of the owners or agents of lots or lands upon or through which a proposed new street is asked to be opened by the petition of S. A. Fletcher, jr., and others, presented to the Common Council on the 18th of May, 1868, viz: the opening of Dillon street from Harrison street to Bates street through real estate owned by the I. and C. R. R. Co. and H. N. Sullivan, which notice shall set forth the fact that the Commissioners aforesaid will be required to meet, on a day to be named in such notice, for the purpose of examining the real estate proposed to be appropriated for such street, and to appraise the damages and benefits that may be occasioned by the opening of such proposed street.

The question being on the adoption of the resolution, those who voted in the affirmative were Councilmen Brown, Coburn, Cottrell, Foster, Davis, Geisel, Goddard, Henschen, Loomis, MacArthur, Schmidt, Stanton and Woodburn—13.

No Councilman voting in the negative.

So the resolution was adopted.

Dr. Woodburn introduced special ordinance No. 42—1868, entitled :

AN ORDINANCE to provide for grading and graveling Muskingum street, between Vermont and New York streets, including the sidewalks.

Which was read the first time.

Mr. MacArthur offered the following motion :

That the Market Master shall not issue permits for benches for the sale of fresh fish, at the east and west end of the East Market for any sum less than \$5 per annum.

Which was adopted.

On motion, the Council adjourned.

DANIEL MACAULEY, *Mayor*.

ATTEST :

D. M. RANDELL, *City Clerk*.