

May 29th 1858

Council Chamber
May 29th 1858

Council met at 7 $\frac{1}{2}$ P.M. Present the Mayor and councilman Messrs Cottrell, Donlap, Porter, Vandegrift, Pratt, English, Geiesendorff, Greenfield, Locke and North. The minutes of the previous meeting were read and adopted.

Mr. Porter presented the following
Mr. President

The judiciary committee to whom was refered the petition of sundry persons praying that measures may be taken to Compel the Indianapolis and Bellfontaine Rail Road Company to fill up an excavation made by them on the street on which their track is situate, between the Peru Rail Road switch and Chesnut street, represent that they are advised and believe that the west thirty feet of said supposed street is the private property of said Indianapolis and Bellfontaine Rail Road Company, and that the East thirty feet is a public street.

The Committee further state that said Rail Road Company has improperly made a large excavation in said street in getting out gravel from a pit adjacent thereto, and that they ought to be required to fill up the place thus excavated. But they represent that said excavation was made by said company when few houses had been built upon the line of said street, and probably in ignorance of the fact that they were encroaching upon the same.

The Committee therefore recommend that a reasonable time be given to said Company to restore said street to the condition in which it was before said excavation was made, and that said Company be required, under suitable penalties, to do the same within such time.

Albert G. Porter)
Jacob S. Pratt (Com

May 29th 1858

Mr. Porter moved that Judiciary committee be instructed to report an ordinance providing that the Indianapolis, Pittsburgh and Cleveland Rail Road Company correct the evils complained of in three months, which motion prevailed.

The following accounts were allowed on motion of Mr. Locke Chairman of Committee on accounts

Ind. Journal Company	Printing	\$146.68
John F. Ramsey	Table	1.75

Hartman & Northway	White Washing	\$ 5.00
Thos Markham	Rep Railing	1.50
Wm.Moffitt	Pens	1.30
Hanneman & Duzan	Glass	5.85
Ind State Sentinel	Printing	4.50
Ind State Sentinel	Rent	36.00
A.D.Rose	Scrubbing	1.50
H.A.Fletcher	Matting	42.45
Jacob Lindley	W.Cooler & Fen	9.80
	Total Amount	<u>253.33</u>

Mr. Locke presented an account in favour of George Marvell for \$24. On motion of Mr. North it was referred to Committee on account.

Mr. Locke asked further time to report on Odd Fellows Hall Trustees demand for rent which was granted.

The civil Engineer made the following report

In compliance with the order of Council, the undersigned reports that he has made an estimate of grading and gravelling on Virginia avenue between south and McCarty street performed by Martin L. Coyner, and that the city proper

Page 88

May 29th 1858

tion of said estimate for school lots and for streets and alleys is one hundred and forty two dollars and eighty cents \$142.80.

Indianapolis May 29th 1858

James Wood Civil Engineer

Acompanying the above report the agreement and bond of William Richter for building a Stone Culvert across Virginia avenue was presented, amount of bond one hundred and fifty Dollars, and the amt named to be due M.L.Coyner was allowed.

On Motion of Mr.Porter The Clerk was ordered to issue orders in favour of M.L.Coyner to the amount of one hundred and forty two dollars and Eighty cents as stated in civil Engineers report. \$142.80.

Mr.Cottrell presented the following petition

Indianapolis May 25th 1858

To the Honorable Common Council of Indianapolis

The undersigned your petitioners would represent to your honorable body, that as by a late ordinance a ditch was cut on East side of East st. and an embankment thrown across a ravine that crosses said street, and the said ditch is not cut deep enough to draw all the water out, leaving a pond on the upper side of said embankment to the injury of the property on which it stands and may become detrimental to the health of the surrounding neighborhood, and the ditch on the east side of East street being some three feet deep prevents the property holders on the east side of the street oppisite the ditch from having access to their property on that side, causing them great inconvenience.

Your petitioners therefore would pray your honorable body to devise some means to remedy the above named evils, and we would respectfully suggest the following, first direct that the ditch be dug deep enough to drain, or fill up the bed of the ravine. Secondly that the ditch be covered at least as far as the property is improved opposite the ditch.

Names

H.Menkadink
J.Marsee
J.L.Marsee

Names

F.Richter
W.Richter
A.Breeninger

Page 89

May 29th 1858

Wm Menkadink
S.M.Stevens
W.S.Wright
Court.E.Whitset
W.W.Loucks
J.W.Reled

O.W.Johnson
John P.Children
Cornelious Loucks
Henry Kemper
D.E.Gilmore
Wm Menkedinck

On motion by Mr.Porter that the petition be laid on the Table which did not prevail.

Mr.Cottrell moved that the petition be reffered to a select committee Consisting of Messrs Porter,Geiesendorf and Greenfield, which prevailed.

Mr. North presented the following petition

Indianapolis 29th May 1858

To the Honorable Mayor)
& city Council of the city(
of Indianapolis)

Gentlemen the undersigned would respectfully ask your honorable body to grant him the privealadge of numbering with a uniform system all the houses, within the corporate limits of the city, and would also if the above be granted, at what point the numbering shall commence.

The undersigned would not ask your Honorable body to become responsible as incurring a debt against the city, but he will take the property holders at his own risk, and obligate himself in this petition to regularly number all houses at the rate of Twenty five cents for each number, the number to be painted on tin or zinc, the plate to be first painted white, and the figures to be $1\frac{1}{2}$ inches in size and painted with black. Hoping that your honorable body will grant the petition

I remain gentlemen yours
A.C.Howard

On motion by Mr.Porter the above petition was referred to the Committee on streets and alleys.

Page 90

May 29th 1858

Resolutions

By Mr.Pratt

Resolved that the street Commissioner be directed to open the gutters on the south west side of the Circle between Meridian and Market street.

Adopted, Ayes Messrs Cottrell, English, Greenfield, Geiesendorff, Locke, North, Porter, Pratt and Vandegrift 9.

Noes None.

By Mr. Geiesendorff

Resolved, That the street commissioner be directed to notify the owner of the property on the North west Corner of Washington and Tennessee street to fill his celler on a line with the side walk on Washington street. Adopted.

Ayes Messrs Cottrell, Donlap, English, Greenfield, Geiesendorff, Locke, North, Porter, Pratt and Vandegrift 10.

Noes None.

By Mr. Cottrell

Resolved That the committee on streets and alleys, with the City Engineer be instructed to examine the grade on Noble street in order to ascertain wether the grade of said street can be so changed as to cross the I & C.R.R. with a suitable bridge.

Adopted.

Ayes Messrs Cottrell, Dunlap, English, Greenfield, Geiesendorff, Locke, North, Porter, Pratt and Vandegrift 10.
Noes None.

Page 91

May 29th 1858

By Mr. Porter,
Resolved That E. Locke be authorized to grade and gravel at his own expense, the side walk in front of and bordering on his property on Vermont street, at such time as it may suit his convenience, and the civil Engineer is hereby instructed to set the proper grade stakes. Adopted.
Ayes Messrs Cottrell, Dunlap, English, Greenfield, Geiesendorff, Locke, North, Porter, Pratt & Vandegrift 10.
Noes None.

By Mr. North
Resolved That the street commissioner be directed to open the alley running north from North street between Deleware and Alabama street on Out Block No 3. Adopted
Ayes Messrs Cottrell, English, Greenfield, Geiesendorff, Locke, North, Porter, Pratt & Vandegrift 8
Noes None

By Mr. Vandegrift
Resolved That the Mayor of the city tender the hospitality of the city to the National division of the sons of temperance, who are about to meet in this city. Adopted.
Ayes Messrs Cottrell, Dunlap, English, Greenfield, Geiesendorff, Locke, North, Porter, Pratt and Vandegrift 10
Noes None.

Page 92

May 29th 1858

By Mr. Cottrell
Resolved

That the select committee consisting of Messrs Porter, Geiesendorff and Greenfield be instructed to report for or against 2 Culverts one across Virginia Avenue at the crossing of south street, and one across New Jersey street on Virginia Avenue. Adopted

Ayes Cottrell, Dunlap, Greenfield, Locke, North 5
 Noes Messrs Geiesendorf and Porter 2

By Mr. Locke.
 Resolved

That the city attorney be and is hereby instructed to compile and classify all ordinances passed by the City Council up to the first day of and that they be allowed such Compensation for said service as shall be deemed sufficient by this Council, and the City Clerk be directed to furnish a copy of all ordinance now in force. Adopted
 Ayes Messrs Cottrell, English, Greenfield, Geiesendorff, Locke, North, Porter, Pratt and Vandegrift 9.
 Noes None.

By Mr. Porter
 Resolved

That the street Commissioner be directed immediately to open the gutters on Pennsylvania Street south of North street. Adopted.
 Ayes Messrs Cottrell, English, Greenfield, Geiesendorff, Locke, North, Porter, Pratt & Vandegrift 9
 Noes None.

 Page 93

May 29th 1858

By Mr. Cottrell
 Resolved.

That the street commissioner be instructed to have a suitable foot bridge built over Virginia river on Merrill street.
 Ayes Messrs Cottrell, English, Greenfield, Geiesendorff, Locke, North, Porter, Pratt and Vandegrift 9
 Noes None.

By Mr. North
 Resolved

That the committee on streets and alleys together with the Civil Engineer make an estimate of the bouldering of the whole width of Washington st except the gutters, between the East side of Meridian and the West side of Illinois street and report at the next regular meeting

Adopted

Ayes Messrs Cottrell, English, Greenfield, Geiesendorff, Locke, Porter, Pratt and Vandegrift 9

Noes None

By Mr. English

Error

Resolved

That the sum of two thousand dollars be appropriated to purchase a new Engine for the Marion Fire Company No. 1.

Mr. Vandegrift moved that the sum of Fifteen hundred be appropriated to the releief Company No. 1.

Mr. Porter Moved the resolution be laid on the table which did not prevail.

Mr. Cottrell Moved that the Hook and Ladder Company be allowed five hundred Dollars which motion did not prevail, the question being upon the resolution as amended by Mr. Vandegrift resulted as follows.

Ayes Messrs Cottrell, English, Locke, North, Porter, Pratt & Vandegrift 7.

Noes Messrs Donlap, Greenfield & Geiesendorff 3

* See ahead - Page 93

Page 94

May 29th 1858

By Mr. English

*See page 93, Error

Resolved

That the sum of fifteen hundred dollars be appropriated to Western company No. 4, to pay the balance due on their Engine and suction hose. Adopted.

Ayes Messrs English, Greenfield, Locke, North, Pratt & Vandegrift 7.

Noes Messrs Cottrell, Donlap & Porter 3

By Mr. English

Resolved

That the street Commissioner be directed to open the gutter on the East side of Alabama street between Market and Ohio streets. Adopted

Ayes Messrs Cottrell, English, Greenfield, Geiesendorff, Locke, North, Porter, Pratt and Vandegrift 9

Noes None.

By Mr. Vandegrift

Resolved

That the street commissioner be directed to have the dirt on the lot west of the west Market house levelled off. Adopted

Ayes Messrs English, Cottrell, Dunlap, Greenfield, Geiesendorff, Locke, North, Porter, Pratt and Vandegrift 10.
Noes None.

Page 95

May 29th 1858

By Mr. Greenfield
Resolved

That the mayor be authorized to lease on the best terms practible for one year the bar on the East side of White river in front of the ground purchased for the burial of Dead Animals - the lesser to be empowered to remove the gravel from said bar during the term of his lease.

Mr. Porter offered the following amendment.

Before leaseing the same the mayor shall advertise for three days in the Indianapolis Journal daily that he is authorized to & will lease the the said bar, which was adopted by the following vote

Ayes Messrs Cottrell, English, Greenfield, Geiesendorff, Locke, North, Porter, Pratt and Vandegrift 9
Noes None

The question being upon the adoption of the resolution as amended resulted as follows.

Ayes Messrs Cottrell, English, Greenfield, Geiesendorff, Locke, North, Porter, Pratt and Vandegrift 9
Noes None

By Mr. English
Resolved -

That the sum of fifteen hundred \$(1500) dollars be appropriated to Western fire Company No.4, to pay the balance due on their Engine and suction hose.

Mr. Vandegrift moved that the sum of Fifteen hundred be appropriated to the relief Company No.1. as an amendment to Mr. English resolution.

Mr. Porter moved that the resolution be laid on the table, which did not prevail.

Mr. Cottrell moved that the Hook and Ladder company be allowed Five hundred dollars, which motion did not prevail, the question being upon the resolution as amended By Mr. Vandegrift resulted as follows

Ayes Messrs English, Greenfield, Geiesendorff, Locke, North, Pratt, and Vandegrift 7

Noes Messrs Cottrell, Donlap and Porter 3. Adopted.

May 29th 1858

By Mr. English

Resolved That the sum of two thousand \$2000, be appropriated to purchase a new Engine for the Marion Company No.1. Adopted

Ayes Messrs Cottrell, English, Locke, North, Porter, Pratt and Vandegrift 7 -

Noes Messrs Donlap, Greenfield and Geiesendorff 3

Mr. English Presented the following resolution

Resolved,

That the Mayor of the city be authorized and directed to execute in the name of the city under the corporate seal thereof the following Contract or agreement between the city of Indianapolis and Frederick Herbst in relation to hauling of & burying dead animals.

Mr. North moved that the name of Frederick Herbst be stricken out and Jacob Wirtz be inserted, which motion prevailed.

Mr. English moved that the resolution be laid on the table which did not prevail.

Mr. English then moved that the resolution and contract be referred to Committee on the Judiciary, which motion did not prevail.

Mr. Cottrell moved that it be reconsidered which motion prevailed.

Mr. North moved that the resolution be referred to the Judiciary Committee with instructions to report contract with Jacob Wirtz at one hundred and twenty dollars per annum, which motion prevailed.

Mr. Greenfield Presented the following

Resolved, That C.A. Elliott be permitted to grade and gravel Maryland Street and side walks in front of his property at his own expense.

May 29th 1858

under the direction of the Civil Engineer
Which on motion of Mr. Cottrell was laid on the table.

On Motion by Mr. North, The ordinance providing for the

grading and paving of the gutters on Illinois street between the North side of Maryland st and the culverts under the Union Rail Way Company Tracks, be taken from the table having passed a first and Second reading. Mr. North moved that it be read a third time now which did not prevail by the following vote.

Ayes Messrs Cottrell, English, Greenfield, Geiesendorf, Locke, North, Porter, Pratt & Vandegrift 9. Noes None.

Mr. North presented the following ordinance

An ordinance to provide for the additional graveling of South street between Pennsylvania and Delaware street.

Whereas An ordinance was ordained and Established April 10th 1858 to provide for the grading and graveling of above described streets and sidewalks.

And, Whereas, The property holders on said street desire that said street shall be gravelled to the width of sixty feet in the centre thereof instead of twenty as provided in said ordinance.

Therefore Sec. 1.

Be it ordained by the Common Council of the city of Indianapolis, that sixty feet of the Centre of said street be properly gravelled with pit gravel to the additional depth of six inches at the edges, and that the expense of the additional graveling of such street, aforesaid (Except) so much thereof (as is occupied by streets and crossings) be assessed against and collected from the owners of lots bordering on said street, between the limits aforesaid according to the provisions of section 66 to

Page 98

May 29th 1858

69 inclusive of the city charter.

Section 2. The Civil Engineer is hereby instructed to set the proper grade stakes, and also to advertise by publication successively for ten days in the Indianapolis daily Journal, and for one week in the Indiana Volksblatt 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 their next regular meeting for the execution of the said work.

Sec 3. This ordinance shall take effect from and after its passage

Read a first time when

On Motion by Mr. North Read a second time by its title.

Mr. North moved that the ordinance be referred to Judiciary Committee, which motion prevailed.

Mr. Porter chairman of the Judiciary Committee made the following report.

The Judiciary Committee to whom was referred an ordinance entitled an ordinance regulating the sale of fish, and asked to strike out all after the enacting clause and insert the following amendment.

That every stall or stand and the space owned, used or occupied by any person for the purpose of exposing fish for sale shall be kept clean under the penalty of five dollars.

Sec. 2 It shall not be lawful for any person engaged in the sale of fish to throw, place or deposit any spoiled fish or the head or entrails of any fish in any street, alley lane, or vacant lot in the city under the penalty of five dollars for each and every offence.

Section 3 This ordinance shall take effect, and be in full force from and after its publication for two weeks successively in the Indianapolis Daily Journal.

Page 99

May 29th 1858

Which was adopted by the following vote
Ayes Messrs Cottrell, Donlap, Greenfield, Geiesendorff, Locke, North, Porter, Pratt and Vandegrift 9.
Noes Messrs English.

The ordinance was then read a third time and resulted in the negative by the following Vote,
Noes Messrs Greenfield, Geiesendorf, Locke, North, Pratt and Vandegrift 6 -
Ayes Messrs Cottrell, Dunlap, English and Porter 4. -

On Motion by Mr. English

The ordinance providing for the grading and gravelling of Washington street and paving north side walk between Alabama and New Jersey streets, was taken from the table, and read a second time, and the rules were suspended by the following vote.

Ayes Messrs Cottrell, English, Locke, Greenfield, Geiesendorff, North, Porter, Pratt & Vandegrift 10.
 Noes None.

On Motion of Mr. Cottrell the ordinance was referred to the Judiciary Committee

Mr. Locke Presented the following ordinance

An ordinance to provide for the grading and gravelling of Indiana Avenue and the North sidewalk thereof between the East side of West street and st Clair street.

Which was read a first and second time and on Motion was laid on the Table.

Mr. Locke presented affidavit from Samuel J. Patterson, stating that Nathan Edwards was indebted to him to the amount of Twenty Eight dollars and sixty two cents as certified to by D.B.Hosbrook City Engineer, for grading and gravelling side walks of Market street between Mississipp and Missouri streets, and the Clerk was ordered to issue a pre-

 Page 100

May 29th 1858

cept for the Same.

On motion Council adjourned.

Attest

John G. Waters
 City Clerk

Samuel D. Maxwell
 Mayor