

Regular Meeting

Common Council Chamber
Indianapolis, July 18th, 1853.

Council met. Present Messrs. Bradshaw, Carlisle, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, Nelson, Newcomb, Pitts, Strickland, & Wingate - Councilmen & C. Scudder, Mayor.

The Minutes of the preceeding meeting read and approved.

The Treasurer presented report for the month of June which was read, and approved.

1192. Allowed Henry Spectell, for putting up one butcher stall, etc. \$ 1.50
1191. Allowed Edwards & Copeland Exp. Council Chamber 26.75
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Mr. Vaile's account for hauling 150 loads gravel on Washington street East of Canal for 12 $\frac{1}{2}$ cts per yard amounting to \$18.75,
Was on motion, laid on the table.

Mr. Tilly's acc't for \$5.40 being the amount claimed for hogs sold by the City Marshall under the provisions of an ordinance on that subject was referred to the Committee on accounts.

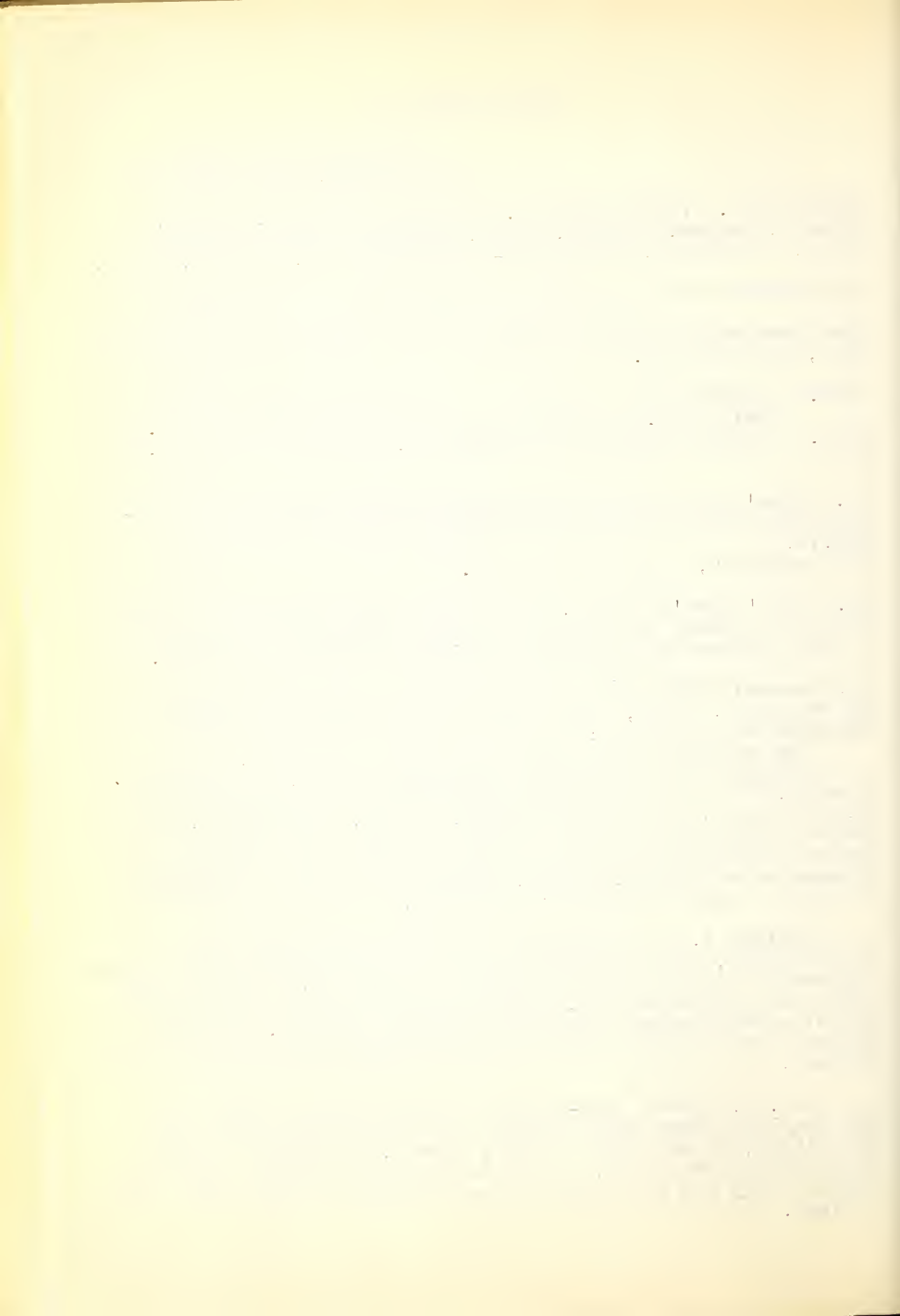
Mr. Newcomb chrm of the Committee on the Judiciary reported an ordinance, which, after being considered and amended, was adopted as follows:

"An ordinance to suppress Vice and Immorality.

Whereas It is represented that idle, lewd, and dissolute persons, of both sexes are in the habit of congregating in public places, and in the streets, fields, and commons, within and adjoining this city, and therein perpetrating act of gross licentiousness and indecency to the great annoyance and scandal of all good citizens, and to the manifest detriment of decency and good morals; therefore,

Section 1. Be it ordained by the Common Council of Indianapolis, That every prostitute who shall be found wandering about the city of Indianapolis or within one mile of the corporate limits thereof, or who shall be guilty of any public act of prostitution, within the limits aforesaid, shall be fined in any sum not less than five dollars nor more than fifty dollars.

Sec. 2. Every male-person over the age of twelve years who shall be found associating or keeping company with any prostitute, in any public place, street, or alley, commons or field within said city, or within one mile thereof, shall be fined in any sum not less than ten dollars nor more than fifty dollars.



Sec. 3. Any person who shall be guilty of any act of public indecency within said city, shall be fined in any sum not less than two dollars nor more than fifty dollars.

Sec. 4. If two or more male persons shall be found at the same time in company with any common prostitute within the limits aforesaid, or if three or more lewd, drunken, or disorderly persons shall be found together in any public place in said city, or within one mile of the corporate limits thereof, they shall be deemed an unlawful assembly, and on a joint or separate prosecution shall be severally liable to a fine of not less than three dollars nor more than fifty dollars.

Sec. 5. It shall be unlawful for any person over the age of twelve years to bathe in the Canal or White River, in any place subject to the view of citizens, within the limits of the city of Indianapolis, or in White River opposite the city limits in the day-time, and every person so offending shall on conviction be fined in any sum not less than two dollars nor more than fifteen dollars.

Sec. 6. It shall be the duty of the City Marshal, and his assistants to arrest without process all persons who shall in his or their presence violate any provision of this ordinance, and take the person so offending, before the Mayor forthwith for trial, and file complaint against such offender; or if such arrest shall be made on Sunday, or in the night-time the officer shall commit such offender to jail, or otherwise keep in custody, until 10 o'clock, the next morning when the trial shall proceed unless continued for good cause; and if the Marshal or his assistant or assistants shall fail to perform the duty required by this section the officer so offending shall be liable to a fine of not less than ten dollars nor more than fifty dollars.

Sec. 7. It shall be lawful for any legal voter or householder of said city, to apprehend, without a breach of the peace, any person in the act of violating this ordinance and cause or require such person to be taken before the Mayor, to be dealt with according to law.

Sec. 8. If any person taken in the act of violating this ordinance shall refuse to go before the Mayor to answer therefor, on the requisition of such person or persons lawfully attempting to convey him or her before the Mayor, every person so refusing shall, on conviction, thereof be fined in any sum not exceeding twenty five dollars.

Sec. 9. This ordinance to be in force from and after its publication as required by the charter.



Ordained and established by the following vote:

Those who voted in the affirmative were: Messrs. Bradshaw, Carlisle, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, Nelson Newcomb, Pitts, Strickland & Wingate - 13

Those who voted in the negative were: None.

Mr. Bradshaw from the committee on Accounts reported the following accounts to be correct and recommend their allowance:

1193. Elder & Harkness Printing bill to June 25	\$48.75
1194. Philip Socks Cleaning grave yard	12.00
1189. Philip Inners for Well etc.	19.80

Which report was received and allowance made.

Mr. Carlisle from the Committee on bridges reported a plan of a bridge 8 feet in width, suitable for foot bridges, spanning the canal on Washington street, with a recommendation that said plan be adopted and that two bridges be contracted for Washington st.

On Motion, Laid on the table.

Mr. Pitts from the Committee on cisterns made a statement relative to the securing the lids on the cisterns by locks, pleased with the suggestion, but did not know whether it could be done.

Mr Dunlap from the Committee on Markets made the following report:

"The committee on Markets to whom was referred the petition of Allen Wilson for extra pay on a contract with the City Council beg leave to report, that they have had the same under consideration, and will lay before the Council the facts as far as have come to their knowledge.

The said Wilson was employed in a written contract to shingle and change the roof of the Eastern Market House, and to elevate the columns of the same at a stipulated price; but after the work had progressed it was deemed advisable by the Council to remove the old columns, and build them up in a more substantial manner, which extra work the said Wilson pronounced would cost \$25. and therefore employed a brickmason to finish the work. The mason on its completion brings in a bill for \$87 against Mr. Wilson, which was deemed extravagant, and consequently the value of the work was left to be settled by referees competent to judge of the worth of it. These referees brought in a verdict of \$52.20/100

In this, it appears, that Mr. Wilson in the subsequent contract erred in his calculations, and was compelled to pay out of his own pocket the last named sum for work done the corporation leaving him minus \$27.20. Consequently the committee are of the opinion the sum of \$27.20 should be refunded

to him for which we respectfully ask the concurrence of the Council.

L. Dunlap,
Geo. W. Pitts, &
Wm Karns. Com.

1195. Allowed, Allen Wilson, extra allowance, \$27.20 .

Mr. Dunlap from the committee on Markets made the following report:

The committee on Markets to whom was referred the petition of the President and Secretary of the County Agricultural Society asking the use and accupation of the Western Market House and grounds owned by the city for the purpose of holding a County Fair on Wednesday and Thursday the 5th & 6th days of October next, and for such time before and after as shall be necessary to erect a fence, and remove the same, have had the subject under consideration, and ask leave to report:

The committee have examined into the propriety of granting the request of the Agricultural Society, with a sincere wish to accommodate that branch of public enterprize, provided it is not incompatible with our duties we owe to the citizens whom we represent.

Owing to the necessity of keeping our markets permanent both as to time and place, and the comfort and convenience of the citizens together with many other important reasons that might be advanced, influence this committee upon mature reflection, to report it is inexpedient to grant the prayer of the petitioner.

L. Dunlap)
Geo. W. Pitts) Com.
Wm Karns)

Which report was concurred in.

Mr. Wm Karns from a committee on that subject reported as follows:

"The Committee to whom was referred a resolution for furnishing a plan and estimate for a house for the Hook and Ladder Company, would" report

"A house will be required Sixty feet long, eleven feet wide, and nine feet high, a substantial frame, weather boarded, and shingled, which will cost including all materials, and work, about (\$225.) two hundred & twenty five dollars.

Wm. Karns,)
George Durham,) Com
E .H. Wingate)

The report was concurred in and on motion by Mr. Pitts, it was



Ordered, That the City Clerk be authorized to advertise and receive proposals for the building of a house for the Hook & Ladder Company.

The bids for the improvement of the North sidewalk on Washington Street between Central Canal and White River were opened and compared and the contract was awarded Michael Shea at the following prices to wit grading 25¢ per cubic yard, and graveling 55¢ per cubic yard.

O. H. Smiths petition praying certain modification of ordinance granting right of way to the "Cleveland, Indianapolis, and Evansville Railroad" was, on motion, laid on the table.

Mr. Maguire offered for adoption the following resolution:

"Resolved, That the City Clerk be and he is hereby instructed to tender to J.L Ketchum the amount of money paid by him for lots Nos. 10, 11 & 12 in Square No 48, in the city of Indianapolis, purchased by said Ketchum at a Sheriffs sale to satisfy an execution in his favor against the City of Indianapolis, together with Six per centum per annum, interest on the same from the date of payment till the time the payment is made and demand a reconveyance of said lots, by a quit claim deed, or in such other form as the City Attorney shall prescribe."

Which was adopted by the following vote:

Those who voted in the affirmative were: Messrs. Bradshaw, Carlisle, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, Nelson, Newcomb, Pitts, Strickland & Wingate - 13.

Mr Nelson offered the following resolution:

"Resolved, That the owners of property on the West side of Meridian street North of the Circle whose fences are on the street, be required to remove them to their own grounds, so as to leave the whole of the ground allotted for the pavement vacant, and that the City Engineer give them the proper lines."

Which was adopted by the following vote:

Those who voted in the affirmative were: Messrs. Bradshaw, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, Nelson, Newcomb, Pitts, Strickland & Wingate - 12.

Those who voted in the negative were: None.

Mr. Delzell offered the following resolution:

"Resolved, That the City Engineer be directed to make the necessary & plan and specification for a bridge across Pagues Run at Noble street; also an estimate of the cost of the same, and report at his earliest convenience."



On Motion by Mr. Edwards,

Laid on the table by the following votes

Those who voted in the affirmative were: Messrs. Dunlap, Edwards, Maguire, Nelson, Newcomb, Pitts, & Strickland - 7.

Those who voted in the negative were: Messrs. Bradshaw, Delzell, Durham, Karns & Wingate - 5.

Mr. Bradshaw offered the following resolution

"Resolved, That the City Clerk be directed to advertise for and receive bids for the grading and filling at the bridge over Pogues' Run on Alabama Street."

On Motion by Mr. Durham,

Laid on the table.

Mr. Bradshaw offered the following resolution:

"Resolved, That the City Engineer be directed to make an estimate of a bridge to be built over Pogues' Run on East Street and report at next meeting."

On Motion by Mr. Karns,

Referred to Committee on bridges.

Mr. Bradshaw offered the following resolution:

"Resolved, That A. Thompson be granted permission to build a cistern under the sidewalk on Delaware street, near the crossing of South street for extinguishing fires and for other purposes."

Adopted by the following vote:

Those who voted in the affirmative were: Messrs. Bradshaw, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, Nelson Newcomb, Pitts, Strickland & Wingate - 12.

Mr. Nelson moved that the resolution directing the Committee on the Fire Department to contract for a lease of ground of D.V. Culley for the Hook & Ladder Company be rescinded.

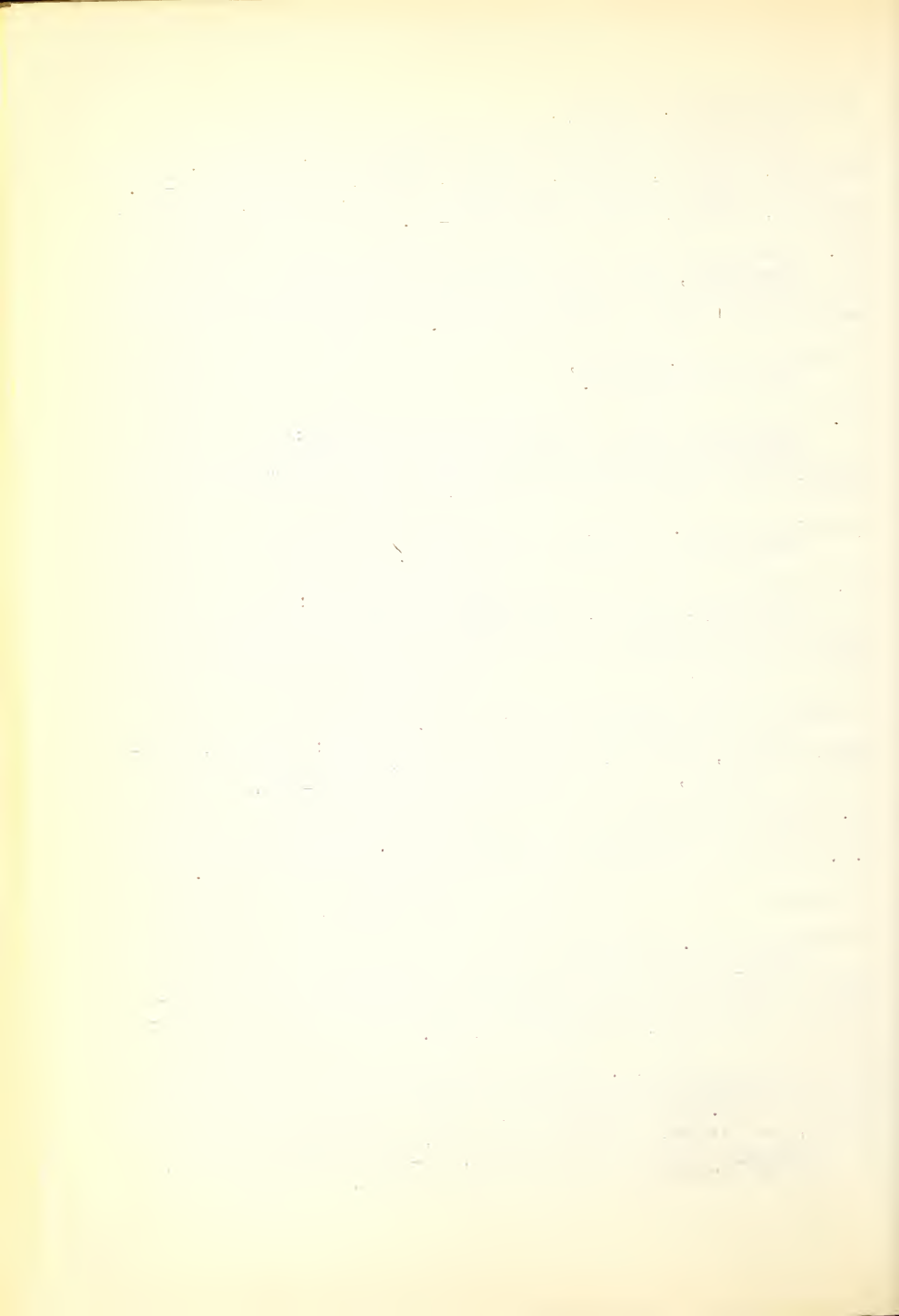
On Motion, Laid on the table for the present.

On Motion by Mr. Newcomb, it was

Ordered, That the Marshal give the street commissioner such assistance as may be necessary to secure the enforcement of a resolution heretofore adopted by this Council relative to Lot No 4, in Square No. 37.

The contract with L.B. Wilson for the grading and graveling of the sidewalk on East side of Pennsylvania street between Washington St. and Michigan St. being violated by said Wilson it was, on motion, declared void and, on motion

Ordered, That the City Clerk, re-advertise said work, and receive proposals for said improvement.



On Motion. The resolution of Mr. Delzell presented at last meeting was taken from the table and read, as follows:

Resolved, That the ordinances hereafter to be passed which are required by law to be published in a newspaper, shall be published in German, in the Volks Blatz, of this city, on the terms proposed in a communication of Julius Boettecher this day submitted to the Council."

On Motion by Mr. Edwards the resolution was amended as follows:

The "Journal," "Sentinel," "Free Democrat," and "Temperance Chart" were added after "Volks Blatz"

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

Those who voted in the affirmative were: Messrs. Newcomb, Pitts, and Wingate - 3.

Those who voted in the negative were: Messrs. Bradshaw, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, Nelson & Strickland. - 9.

So the resolution was not adopted.

On Motion

Adjourned

Caleb Scudder Mayor

Daniel B. Culley
City Clerk.