

Council Chamber December 29th 1858

Council met at 6½ oclock P.M.

Present his Honor Mayor Maxwell and Councilman Cottrell, Dunlap, English, Fletcher, Greenfield, Geisendorff, Hadley, Locke, McNabb, North and Pratt.

The minutes of the Council held on the eleventh of December were read and approved.

Petitions

By Mr. Cottrell.

To the Common Council of the City of Indianapolis Gentlemen.

We the undersigned resident owners of lots on New Jersey Street, Washington and Ohio Streets petition your honorable body to provide for the lighting Said Street, between Said points with gas according to the general plan of lighting Streets in this city.

Names	No of Feet
George Mendenhall by S.A. Fletcher agent	195
Harvey Bates	195
George Anderson, s Estate by Wm. E. Featherston	195
E.H. Collier	195
John M. Gaston	33
Martin Hug	20
George Long	95
United Bretheren Church	48
Whole no of feet	<u>9.76</u>

On motion by Mr. Cottrell the above petition was referred to Judiciary Committee to report an Ordinance.

Reports from Officers

From Chief Fire Engineer.

To the Honorable Mayor and Common Council of the City of Indianapolis Gentlemen.

Permit me to present condition of our fire department to wit. Since your last meeting the Hook and Ladder Company have disbanded the reason assigned is the failure of your honorable body to make the necessary appropriation to make the last payment on their new wagon, which is now past due. I have locked up the house, and wait instructions from you

Page 383

as to organizing a new company on the night of the 24th inst we have but two Companys in active Service the Marion and No 4 Companys, they both done good work. The Rovers were their but had no machine, the Relief Company or a part of

them had their machine out, but their President remained on the opposite Side of the Street and refused to put his machine to work he informed me that there was a difficulty in the Company among themselves. the No 5 Company were there but not in Sufficient force to get their Engine to work, that Company are divided among themselves, the old members being in favour of good order, retrenchment and reform, and the other party being disposed to be a little wild. The Invincible No 2 failed to come to time in Sufficient force to put and keep their Engine to work, their zeal and energy seems to have been destroyed by the effort of your honorable body, to take from them their Engine Victory, at your last meeting I was instructed by your honorable body to have a well dug on the north Side of Pogue's Run I learned that it would cost over fifty dollars, and upon the advice of some of your members I advertised for bids to be received by you so that it might be done according to law. one bid was handed to me last week to be presented to your body on the 25 inst but the unusual manner of your business on that evening prevented me from making my report, and handing in the bid I had received, I had supposed that Mr. Stumph would hand his bid to me to be presented with my report, so I herewith present the bid I then had, agreeable to your instructions, I have had the well at the Cistern on the Corner of Alabama and St Clair Streets dug three feet deeper at a cost of six dollars, we have some 4 Cisterns that leak badly. Some of them are entirely empty, one at the North end of New Jersey Street, where the fire was on the morning of the 25 inst has bursted in consequence of being filled from Street gutter too full.

There are several instances where Street contractors have dug up the conductors leading from the wells to the Cisterns were that is done and the Cistern is filled entirely full up to the arch, their being no room for expansion the cistern must burst from a clap of thunder or the firing of cannon the new piece of Suction ordered for the Engine Conquerer is at the express office, the cost is thirty six dollars to be paid in eastern currency. I hope you will make the necessary appropriation so that the engine can be put into Service immediately all of which is respectfully Submitted.

Joseph W. Davis
Chief Fire Engineer

On motion the portion of the above report in regard to the the number 2 & 5 Companies were referred to a Select committee consisting of Messrs English, North, Fletcher, Geiesendorff, Locke, and Chief Fire Engineer Jos. W. Davis. The Chief Fire Engineer was also instructed to advertise for new proposals for building well and also for repairing cisterns said to be out of repair in his report from Street Commissioner. Indianapolis December 29th 1858

To the Honorable the Mayor and Common Council of the City of Indianapolis, the undersigned Street Commissioner respectfully Submits the following report.

To Hiram E. Lewis	Hauling river gravel	11.70
2278 To Hill & Stephens	4000 feet of Oak Lumber at 150 per 100 feet	60.00
2283 "	James Catterson for filling mud hole on St Clair Street	25.00
2286 "	Thomas Wren for Hauling gravel in different parts of City	13.65
2287 "	N. Edwards for Raising foot bridge on Canal	5.00
2288 "	Coyner & Smither for making gravel walk across Illinois Street	7.80
2289 "	August Richter for bouldering gutter and filling, the Same on Virginia Avenue	17.00
2290 "	Thomas Cottrell for plank 704, at 150 per Hundred	7.65
2300 "	Thomas Feriter " Hauling gravel	10.00
2291 "	Anthony Miller " Hauling Lumber & foot bridges	4.25
2292 "	Geo Henninger 9 days work at 150 per day	13.50
2293 "	John Schoup 7 $\frac{1}{2}$ do " " 150 " "	11.25
2294 "	Henry Schoup 2 $\frac{1}{2}$ do " " 150 " "	3.75
2295 "	Anthony Schrader 2 " " " 150 " "	3.00
		<u>\$164.85</u>
	Respectfully Submitted	17.00
	Henry Colestock	<u>\$181.85</u>
	Street Commissioner	11.70
		<u>\$193.55</u>
\$193.55 is the correct amt)		
Examined by me Aug 30, 1861(Geo P. Anderson)		

On motion by Mr. Greenfield the above was recieved and the clerk was ordered to issue orders for the amounts named to different persons in the report.

Reports from Committees.

By Mr. Cottrell.

From Committee on Streets and alleys.

1st The Committee on Streets and alleys to whom was referred the petition of George Weaver and others asking the council to provide some means to take the water of Delaware Street, between Madison Avenue and McCarty Street find that by grading and graveling Delaware Street between South and McCarty Streets, has thrown all the water from four Squares of Said Street in front of their property, therefore in view of the bad condition of the Street, at that point we would recommend that the the aforesaid Street, between Madison Avenue and McCarty Street, be graded and gravelled, and we would respectfully recommend the passage of the following ordinance which is herewith Submitted.

2nd We have examined the bids for grading and graveling the Side walk on the South Side of Washington Street, between the Canal and alley in Square Seventy and find M.L. Coyner is the lowest bidder.

Page 385

3rd We have examined the bids for grading and graveling the Sidewalk on the South Side of Washington Street between East and Liberty Streets and find that C.Danmeyer is the lowest bidder excepting the bid of James Russell, whose bid your committee for various reasons would respectfully recommend the Council to reject, and that the Contract be awarded to C.Danmeyer after his bond Shall be accepted by the Council.

4th Your committee are of the opinion that the bids received at the last Meeting of the Common Council for the Construction of varous Street crossings are exorbitant therefore we would recommend the bids be rejected and that the Civil Engineer advertise for new proposals to be recieved at the next regular meeting of the Common Council for the Construction of three Street crossings to be located as ordered by a previous meeting of the Council.

Thomas Cottrell)
 Stephen McNabb (Com.
 Erie Locke)

On motion of Mr.Hadley, the contract for gradeing and graveling the Sidewalk on the South Side of Washington Street between East and Liberty Streets was awarded to C.Danmeyer, the bond for the faithful performance of his contract with F.Danmeyer as Security was presented and approved, and the Civil Engineer was ordered to Set the grade Stakes for the Same.

On motion of Mr.North the Contract for gradeing and graveling the Sidewalk on the South Side of Washington Street, between the Canal and alley in Square Seventy was awarded to M.L.Coyner.

On motion by the Same the Engineer was instructed to advertise for sealed proposals for the construction of Street crossings on Washington and Meridian Streets to be recieved at the next regular meeting of the Common Council.

From Commissioners.

By Mr.Hadley.

To the Council of the City of Indianapolis

The undersigned Commissioners met the 23 Inst and after fully considering the propriety of opening the alley

running through the blocks 142,143,144 & 145, report that it is the opinion of Said Commissioners that Said alley Should be opened, and that no person will be justly entitled to damages therfor, Adam Knodle, David S.Beatty, E. Browning and W.

Page 386

Clinton Thompson. Commissioners.
December 23nd 1858.

On Motion by Mr.Hadley the above report was concured in and the City Marshall was instructed to open the alley.

From the Same.

To the Council of the City of Indianapolis

The undersigned Commissioners, met on the 21st inst and proceeded to examine the premises referred to in the foregoing resolution of the Council, and respectfully report that they do not think any damage will accrue to the property holders in out lot 92 or in the vicinity thereof by making the change of the location of the alley referred to in resolution provided the land to make the alleys comes off the parties who get the benefit of the alley vacated.

Respectfully Submitted
David S.Beatty)
E.Browning ()
Adam Knodle) Commissioner
Adam Gold ()
W.C.Thompson)

On motion by Mr.Hadley the above report was concurred in.

From the Committee on accounts

By Mr.Locke

Mr.President and Gentlemen of the Common Council

Your Committee to whom was referred the petition of Jefferson Springsteen late City Marshall, have had the fact in the case under advisement and find that the ex marshall acted under the authority of the City Council and also that he did as directed by the City Council employ men to protect the votes at the City election held in month of May 1857. Your Committee also find that the Common Council have not authorized the payment of the Service then and there performed in view of these facts, your committee would recmend that upon ex marshall Springsteen producing Satisfactory evidence to the City Clerk that he has Satisfied out of his own private funds the claims of the parties So employed in May 1857- he the City Clerk

Shall be empowered to draw a warrant upon the Treasurer of the City for the Sum of Seven dollars and fifty in favour of the aforesaid J.Springsteen. (2368)

E.Locke)
S.Dunlap (Com.
T.Cottrell)

On motion by Mr.Greenfield the above report was concured in.

Ordinances.

By Mr.Cottrell.

An Ordinance to provide for the grading and graveling of Virginia Avenue, between the donation line and Elk Street, exclusive of the Side walks.

Section 1st Be it ordained by the Common Council of the City of Indianapolis, that the whole width of Virginia Avenue, excluding the Sidewalks, between the donation line and elk Street, Shall be properly graded, and that thirty feet in width of the Centre of Said Virginia Avenue be graveled with coarse gravel taken from the bed of Pleasant run or white river to the depth of Twelve inches in the Centre and Sloping to Eight inches at either edge, and that the expense of grading and graveling Such Street, 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 afore Said according to the provisions of Sections 66, to 69 inclusive of the city charter.

Section 2nd The Civil Engineer is hereby directed to Set the proper grade Stakes, and also 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 on the 8th day of January 1859 for the execution of Said work.

Section 3nd This ordinance Shall take effect and be in force from and after its passage.

On motion of Mr.Cottrell the ordinance was read the first and Second time, and on motion by the Same the rules were Suspended by the following vote.

Mr.Cottrell,Dunlap,English,Fletcher,Greenfield,Geiesendorff, Hadley,Locke,McNabb, and North 10. Noes - None.

The Ordinance was then read the third time and passed by the following vote.

Ayes Mr.Cottrell,Dunlap,English,Fletcher,Greenfield,Geiesendorff

Hadley, Locke, McNabb, and North 10. Noes None.

By Mr. Cottrell.

An Ordinance to provide for the grading and graveling of Deleware Street, between Madison avenue and McCarty Street inclusive of the Sidewalks.

Section 1st Be it ordained by the Common Council of the City of Indianapolis, that the whole width of Deleware Street including the Sidewalks, between Madison Avenue, and McCarty Street, Shall be properly graded, and that thirty feet in width of the Centre of Said deleware Street be graveled with Course gravel to the depth of Fourteen inches in the Centre and Sloping to Six inches at either edge, and that the Sidewalks of Said Street, between the limits named be properly graded and graveled to the depth of Six inches and that the expense of grading and graveling Such Street and Sidewalk, as aforesaid (except So much thereof as is accupied 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.

Section 2nd The Civil Engineer is hereby directed to Set the proper grade Stakes, and also to advertise by publication for ten days in the Indianapolis 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 8th day of January 1859 for the execution of Said work.

Section 3nd This Ordinance Shall take effect and be in force from and after its passage.

On motion by Mr. Cottrell the Ordinance was read the first time, and on motion by the Same the Ordinance was read the Second time.

On motion by Mr. North the Ordinance was amended, to read fourteen inches in the Centre, and Slopeing to eight inches at either edge, instead of twelve inches in the Centre, and Slopeing to eight inches at either edge.

On motion by Mr. Cottrell the rules were Suspended by the following vote.

Ayes Messrs Cottrell, English, Fletcher, Greenfield, Geiesendorff, Hadley, Locke, McNabb, North and Pratt 10. Noes None.

The Ordinance was then read the third time and ordained by

the following vote.

Ayes Messrs Cottrell, English, Fletcher, Greenfield, Geiesendorff, Hadley, Locke, McNabb, North, and Pratt 10.

Noes None.

From the Committee on accounts.

By Mr. Locke.

An Ordinance appropriating money for the payment of Sundry claims against the City of Indianapolis.

Section 1st Be it ordained by the Common Council of the City of Indianapolis, that the following named persons be allowed the amounts, Set appisite their respective names, from any moneys in the treasury not otherwise appropriated, as follows.

2298 W.S.Hubbard	Rent Releif Engine House	\$75.00
2301 Jeffres & Co.	Sundries	36.00
2296 Henry Habenny	Well Digging	6.00
2297 Childers & Wright	Sundries	<u>10.00</u>
	Total.	\$127.00

Section 2nd The City clerk is hereby authorized and directed to issue warrants upon the City Treasury to the persons named, and for the amounts as Set forth Specifically in Section first of this Ordinance.

Section 3nd. This Ordinance to take effect and be in force from and after its passage.

On motion by Mr. Locke the ordinance was read the first time, and on motion the Same was read the Second time on motion by Mr. Locke, and on motion by Mr. Locke the rules were Suspendd by the following vote.

Ayes Messrs Cottrell, Dunlap, English, Fletcher, Greenfield, Geiesendorff, Hadley, Locke, McNabb, North, and Pratt 11.

Noes None.

The Ordinance was then read the third time.

Mr. North moved to Strike out the account of Jeffries and Company, upon which the ayes and noes were demanded. On Motion by Mr Cottrell the following is the vote.

Ayes. Messrs Dunlap, Greenfield, Hadley, and North 4

Noes Messrs Cottrell, English, Fletcher, Geiesendorff, Locke, McNabb, and Pratt 7.

The motion to Strike out account of Jeffries and Company

did not prevail.

The question then being Shall the ordinance pass which resulted in the affirmative by the following vote.

Ayes. Mr. Cottrell, English, Fletcher, Geiesendorff, Locke, McNabb, and Pratt 7.

Noes. Mr. Dunlap, Greenfield, Hadley, and North 4

Mr. Cottrell asked permission to change his vote from aye to no, which made the vote stand as follows, the Council giving him permission to change the vote.

Ayes Messrs English, Fletcher, Geiesendorff, Locke, McNabb and Pratt 6.

Noes Messrs Cottrell, Dunlap, Greenfield, Hadley and North 5

Resolutions

By Mr. Hadley

Resolved, That the Street Commissioner be authorized to construct of good oak Plank a Culvert bridge across Pennsylvania Street over the gutter of North Street.

Ayes. Mr. Cottrell, Dunlap, English, Fletcher, Greenfield, Hadley, McNabb and North 8.

Noes Messrs Locke & Geiesendorff 2. Adopted.

By Mr. North,

Resolved, That the Street Commissioner be instructed to examine the Sidewalk in front of H. Mermons property on Pennsylvania Street and report the best method of repairing the same.

Ayes Messrs Cottrell, Dunlap, English, Fletcher, Greenfield, Geiesendorff, Hadley, Locke, McNabb, North and Pratt, 10.

Noes None. Adopted.

By Mr. Fletcher

Resolved, That three dollars be allowed Frederick Richter for taxes paid by him, being illegally assessed against him in 1857.

(2299) Ayes Messrs Cottrell, Dunlap, English, Fletcher, Greenfield, Geiesendorff, Hadley, Locke, McNabb, and North 10.

Noes None. Adopted.

Page 391

By Mr. Hadley

Resolved, That this Council ratify the appointment of O. H. Kendrick as assistant assessor.

Ayes Messrs. Cottrell, Dunlap, English, Fletcher, Greenfield, Geiesendorff, Hadley, Locke, McNabb, and North 10.

Noes None. Adopted.

By Mr. Greenfield.

Resolved, That John Carlisle be permitted to erect Hay Scales on the north Side of Washington Street, Subject to be removed when directed by the Council.

Ayes Messrs Cottrell, Dunlap, English, Fletcher, Greenfield, Geiesendorff, Hadley, Locke, McNabb and North 10.

Noes None Adopted.

By Mr. Greenfield.

Resolved, That if the Contractor on Side walk, South Side Washington Street west of Canal in Six days is not graveled to make it possible for ladies and children. Shall be re-lettee at the next regular meeting.

Ayes Mr. Cottrell, Dunlap, English, Fletcher, Greenfield, Geiesendorff, Hadley, Locke, McNabb, and North 10. Noes None.

Adopted.

By Mr. Locke.

Resolved That the Civil Engineer be directed to give Messrs Kennedy and Co. an estimate on grade work done on Indiania avenue as Soon as Such work Shall be completed to the Satisfaction of that officer.

Ayes Messrs Cottrell, Dunlap, English, Fletcher, Greenfield, Geiesendorff, Hadley, Locke, McNabb and North 10. Noes None

Adopted.

By Mr. Locke

Resolved That the Mayor be requested to enforce the Ordinance prohibiting persons from riding and driving across the Sidewalks.

On motion the above resolution was laid on the table.

Page 392

By Mr. Fletcher

Resolved That the City Assessor is hereby notified that the Council will expect the City Assessment list at the time required by the City Charter.

Ayes Messrs Cottrell, Dunlap, English, Fletcher, Greenfield, Geiesendorff, Hadley, Locke, McNabb, and North 10.

Noes None. Adopted.

By Mr. Cottrell.

Resolved, That the City Marshall notify the property holders to have all the rubbish removed from the Side walks in the principal Streets of the City.

Ayes Messrs Cottrell, Dunlap, English, Fletcher, Greenfield, Geiesendorff, Hadley, Locke, McNabb and North 10.

Noes None. Adopted.

By Mr. English.

Whereas Mr. William Holliday represents that he has been assessed on personal property which is not now and has not been within the city limits therefore Resolved That the City Treasurer be instructed to make the necessary correction in the assessment against Mr. Holiday.

On Motion by Mr. English the above resolution was referred to the finance Committee.

By Mr. Cottrell,

Resolved That the Civil Engineer be instructed to report to the Common Council a general plan for lighting this City with gas the plan to be so arranged that not more than four Posts Shall be erected on any one Square, running paralel, or at right angles with Washington Street and Indiana Kentucky Massachusetts and Virginia Avenues, to have not less than five or more than Six posts to the Square the plan to be Submitted to the next regular meeting of the City Council for approval.

Ayes. Messrs Cottrell, Dunlap, English, Fletcher, Greenfield, Geiesen

Page 393

dorff, Hadley, Locke, McNabb, North and Pratt 10
Noes, None. Adopted.

By Mr. Cottrell

Resolved That the City Mayor be directed to have a Search warrant issued and given to the Marshall to find property Stolen from the House of the Hook and Ladder Company, and that the Mayor be authorized to give a reward of Twenty dollars for the arrest and conviction of the offender or offenders.

The above resolution was referred to the Committee on the fire department to report at the next meeting of the City Council.

By Mr. Geiesendorff

Resolved That the Chief Fire Engineer be directed to take the Victory Engine now in possession of the number 2 Company and deliver the Same to the rover fire Company No 6, with the appertenances thereunto belonging.

Mr. Cottrell moved to amend the above resolution by Striking out Victory Engine and inserting new Engine of the Releif Company. he afterwards withdrew the above amendment, And on motion by Mr. Greenfield the resolution was offered by Mr. Geiesendorff was referred to the Committee on the Fire Department with Chief Fire Engineer.

By Mr. Fletcher
Resolved

That the Committee on the fire department with the Chief Fire Engineer enquire into the expediency of reorganizing the fire department of the City and report at the earliest day possible.

Mr. North moved to amend by Striking out all the above after the word resolved and insert the following which motion was adopted.

Resolved

That a Select Committee be appointed to Consist of five, one of which Shall be the Chief Fire Engineer for the purpose of enquiring into the expediency and propriety of reorganizing the fire department, procureing Steam

Page 394

Fire Engines, and adopting the pay System in the fire department of the City of Indianapolis.

Ayes Messrs Cottrell, Dunlap, English, Fletcher, Greenfield, Geisendorff, Hadley, Locke, McNabb, & North 10. Noes None.
Adopted.

His Honor Mayor Maxwell appointed the following as that Committee.

Messrs North, English, Fletcher, Geisendorff, & Chief Fire Engineer 5

Miscellaneous business
Motions

On motion by Mr. English, Michael O. Sullivan was allowed a partial estimate on his contract for grading and graveling Liberty Street.

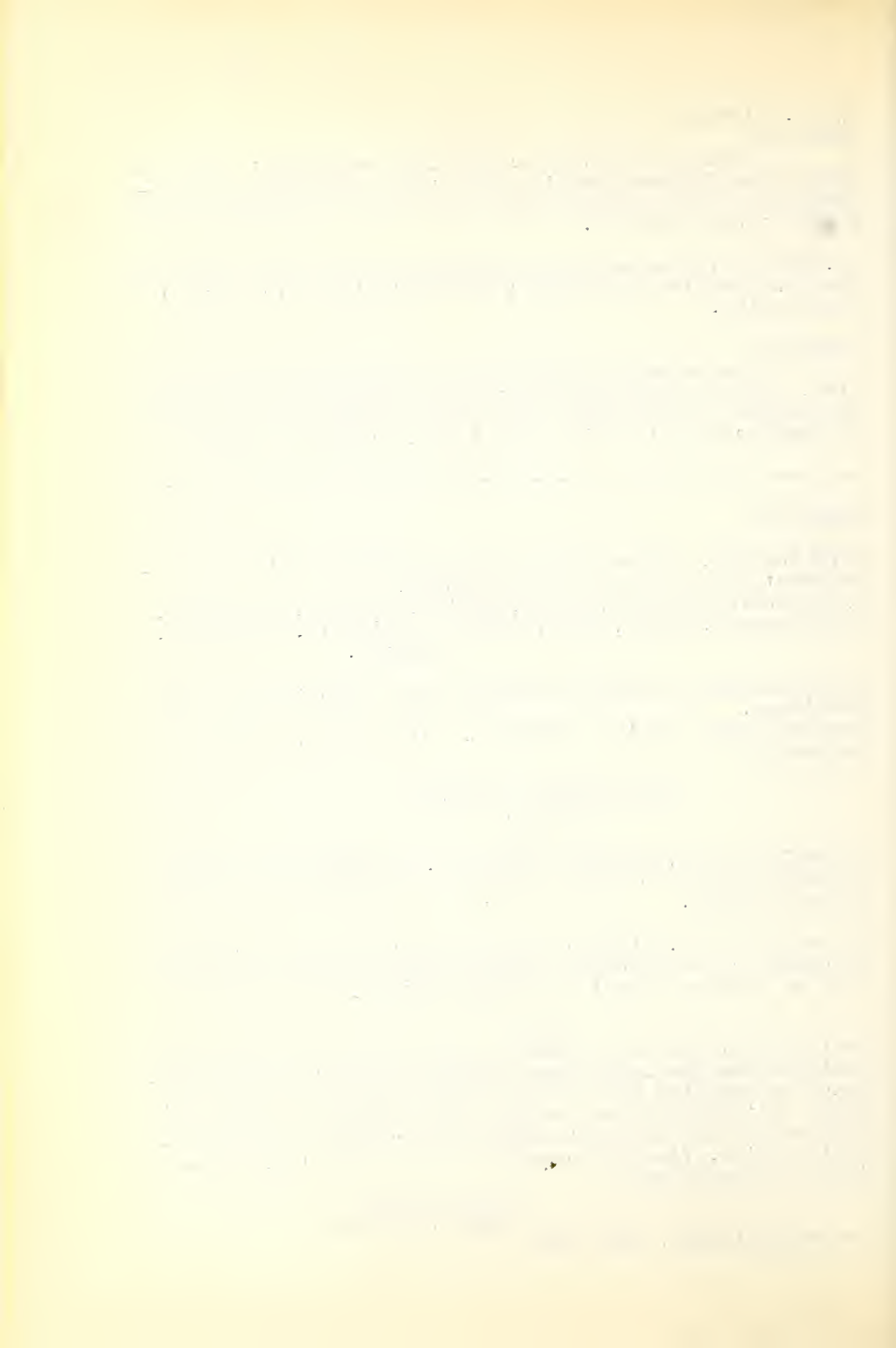
On motion by Mr. Cottrell The City Treasurer was instructed to quash all proceedings against Henry Buscher for work done on Alabama Street by Thomas Feriter.

Bids

To the Mayor and City Council of the City of Indianapolis Gentlemen we the undersigned propose to build a well Situated as pecified by the Chief fire Engineer as follows. Eight feet in the clear across and Six feet of water, and furnish all the material except the Castings at the following price. Viz One Hundred and fifty Six 156. \$ dollars in City Orders.

Joseph Kruger
John P. Childers

Indianapolis Dec. 20th 1858



Mr Greenfield moved to lay the bid on the table upon which the ayes and noes were demanded by Mr.Cottrell, which resulted as follows.

Ayes Messrs Dunlap, Greenfield, Geicsendoff Hadley, Locke, and McNabb 6.

Noes Mr.Cottrell, English, Fletcher, and North 4

Mr.Cottrell then moved that the bid be taken from the table which prevailed, and the Chief Fire Engineer was instructed to advertise for bids for building the well near Pogues Run and also for repairing the Cisterns out of Repair.

Page 395

On motion by Mr.Cottrell the Committee on the fire department was instructed to procure a Statement from Releif Fire Company for the last year, of their Expenses.

Mr.Locke presented an account in favour of Geo. W. Durham for grading and paving the Sidewalks on the East Side of Illinois Street from Washington to Louisiana Street, amounting to \$42.68

Mr.Locke moved that the above s/c be allowed which did not prevail On Motion by Mr.Fletcher the Same was referred to Judiciary Committee.

On motion by Mr.Hadley a precept was ordered to be issued against Robert Talkington in favour of Jeremiah Shea for grading and graveling Vermont Street between Indiana Avenue and California Street for Ten dollars against Lot 32 in out Lot 152.

On motion by Mr. Fletcher
the Council adjourned
attest

John G.Waters
City Clerk

Samuel D.Maxwell
Mayor