

Council Chamber January 22 1859

Council Met at 7 oclock P.M.

Present His Honor Mayor Maxwell and Councilman Dunlap, Durham, English, Fletcher, Greenfield, Geiesendorff, Pratt, Hadley, Locke, McNabb, North, Porter and Vandegrift.

The minutes of the previous meeting were read and approved.

His Honor Mayor Maxwell presented a bound volume of the Ordinances of the City of Baltimore to the Council which on motion by Mr. Locke was accepted.

Petitions

By Mr. Pratt.

To the honorable, the Common Council of the City of Indianapolis.

The undersigned do most respectfully petition your honorable body, for a permit to place on the Corners of the Streets, in Suitable locations, Bill Boards for the exhibition of posters, they will be neat in appearance independent of lamp posts, and So placed, as in no instance to incomode passers by.

Most Respectfully
A.P. & A.B. Smith

Indianapolis Dec 29th 1858.

On motion of Mr. Pratt the prayer of the petitioners was granted.

By Mr. Geiesendorff,

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

The members of Rover Fire Company No 6 would most respectfully ask your honorable body to appropriate three hundred and twenty Six dollars to our Company for the purpose of paying our indebtedness, this being the amount of our indebtedness in consideration of which we will deliver up to you our New Engine house, Stove oil &c belonging to Said Company which is worth at least five hundred dollars in cash.

Respectfully yours
George W. Miller
Secretary Rover Fire Co No 6.

On motion of Mr. North the above petition was referred to the Committee on the fire department.

From Committees

From Committee on Streets and alleys

1st The Committee on Streets and alleys have examined the petition for and against improving that part of Alabama Street, lying between the Fort Wayne Road and the donation line, and find that the remonstrance is Signed by Seven resident property holders on Said Street, between the limits aforesaid, representing in all one thousand and twenty Eight and one half feet, which we believe to be a majority of the whole number of feet, between the donation line, and the fort Wayne road, therefore we would reccommend against the passage of an ordinance for grading and graveling the Same, until a majority of the resident property holders Shall petition for Such improvement.

On motion the above was concurred in.

2nd We have examined the bids for making flag Stone crossings on Washington and Meridian Streets, we find that A.F. Richter and Company are the lowest bidders, they propose to build them as follows. the One on Meridian Street on South Side, South Side Washington at \$125 dollars, the crossing on Washington East Side, Side of Meridian Street at 145 dollars, also one near Wright house at \$140 dollars, we would reccommend that the two former crossings be let to Richter & Company also the latter provided that the cost to the city Shall not exceed one hundred dollars.

On motion the above was concured in and contract was ordered to be given to Richter and Company on the above conditions..

3rd Your Committee examined the petition of A.Scott, and others asking the council to change the width of Spring Street from 25 to 30 feet and find that John L.Heoreth owns a very Small lot on the Corner of Vermont & Spring Streets, and refuses to give five feet of the Side of his lot for the purpose of widening Said Street. Your committee are of the opinion that the aforesaid Heoreth is in no wise interested in widening Such Street, but on the contrary we beleieve it will do him a Serious damage. Your committee therefore are of the opinion that those interested in opening Such Street Should purchase the ground owned by Said Hereth before they Shall be entitled to use for a Street.

Thomas Cottrell†
Stephen McNabb (Com.



From Judiciary Committee

By Mr. Porter

The Judiciary Committee respectfully report that William Holiday ought not to be charged on the assessment roll with chattels property which was at the time of the assessment Situate and used, and which is yet Situate and used out of the limits of the City and on his farm.

Alb G.Porter)
L.Dunlap (Committee
J.S.Pratt)

On Motion Concurred in

From Select Committee,
By Mr. English

Indianapolis Jany 22d 1859

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

Your Committee appointed to request the relief Fire Company to remove from their present location and form a union with the Rover Fire Company report, that the Relief Fire refuse to remove.

Respectfully
Jos.K.English)
G.W.Giesendorff(Committee
Stephen McNabb)

On motion the above report was accepted & Committee discharged.

By Mr. Geiesendorff,

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

The following is the report of a committee appointed by your request from Rover Fire Company in regard to forming a union between Said Rover Company and Independent Relief Co No 1. first that each Company relinquish their name and form a new Company under the direction of the City Council. Said Council to give the New Company any name they may see proper, our propisition was rejected, and was on motion of relief Company indefinately postponed.
January 17th 1859

George W. Pitts)
A.J.Burkhart (Committee
G.W.Miller)

On motion the above report was accepted and ordered to be filed.

Reports from Officers

From Civil Engineer

The Civil Engineer reports to the City Council

1st That the Citys portion of the partial estimate allowed John Kennedy and Company for grading and graveling Indiania avenue between the Canal and West Street is \$26.70.
(2384)

On motion by Mr. Porter the above amount was allowed and the Clerk was ordered to issue an order to the parties for the amount.

2nd The Citys part of the estimate allowed Thomas Wren for grading and graveling the Bluff Road. between McCarty and Ray Streets amounts to \$16.00. (2385)

On motion by Mr. Porter the above amount was allowed and the Clerk was ordered to issue an order in favour of Thomas Wrenn for the amount.

3rd Having been instructed to report a general plan for lighting the City with gas, So as not more than four posts Shall be erected on any one Square running parallel or at right angles with Washington Street, and So as Indiania, Kentucky, Massachusetts, and Virginia Avenue, Shall not have less than five nor more than Six posts to the Square. A Map of the city is herewith Submitted, on which are marked Stars in red ink dots for those Lamps which are presently in use red dots for those which have been ordered and are in course of erection; and black dots for those which may be erected under the plan and arrangement Set forth in the instructions. As the map does not exhibit a Subdivision of all the out Lots in the City, the localities of the Lamps, within the city proper and Blackfords, addition are only exhibited on the map, but the lighting of the remaining portions of the City can be carried out on the Same general plan.

On motion the above was referred to the Judiciary Committee with in-

Page 415

January 22nd 1859

Structions to report an Ordinance inserting that three posts Shall be erected on the regular Squares and a requisite number on the diagonals. Mr. English moved that a provision be inserted requireing property holders living on streets light with gas Shall be required to pay

for the Same. Mr. Fletcher moved that the motion of Mr. English be laid upon the table upon which the ayes and noes were demanded which resulted as follows.

Ayes Messrs Dunlap, Durham, Fletcher, Pratt, Hadley, North, and Vandegrift 7.

Noes Messrs English, Greenfield, Giesendorff, Locke, McNabb, and Porter 6.

4th When the Civil Engineer made out the estimate to James Russell for grading and graveling Indiania Avenue, between West and St Clair Streets, he was not aware that there were two alleys adjoining Smiths Crafts lots, the Same not being laid down on the new City Map, nor any plat thereof recorded, and from the alleys not having been vacated for the use of the city, Mr. Craft haveing refused to pay for grading and graveling oppisite Said alleys, the Civil engineer has Since examined his deeds, which Set apart ground for two alleys, he would therefore respectfully reccommend to the Council to allow James Russell \$3.92, as the portion of the estimate for improveing the Avenue oppisite Said Alleys. (2412)

On motion by Mr. Porter the above account was allowed and the Clerk was ordered to issue an order in favour of James Russell for the amount \$3.92.

5th The Civil Engineer having been requested by a member, to report to the Council the two lowest proposals for constructing the crossings on Washington and Meridian Streets, and to present a bond from the lowest bidder, for the faithful performance of the work the two lowest Bids are as follows viz

) Washington Street crossings	\$ 173.00
Theadore Eck	(Meridian Street crossing	158.00
) Washington Street crossing	
	(Meridian	145.00
A. F. Richter & Co) Ditto " at or near	
	(Wright House	140.00
) Meridian Street crossing	125.00

On motion by Mr. Porter the contract was awarded to A. F. Richter & Co. on condition that they would build the crossing at Wright house for the Sum of one hundred dollars, the bond presented by Said Richter was also approved

6th The Civil Engineer advertised for proposals to grade and gravel Virginia Avenue, between Elk Street and the donation line, and herewith Submit to the Council the proposals which have been recieved.

James Wood
Civil Engineer

Indianapolis Jany 22d 1859

From the Street Commissioner

Indianapolis January 22d 1859

To the Honorable the Mayor and Common Council of the City
of Indianapolis,

The undersigned Street Commissioner respectfully
Submits the following report.

Hiram Louis for filling bridge on Pennsylvania Street crossing North also for filling bridge on Illinois Street, also for hauling gravel (2392)

amount		\$ 6.50
2391 J. Smither for filling crossing on		
Mississippi Street		2.50
2390 Anthony Richter for repairing bouldering on		
Virginia Avenue and culvert		5.50
2389 Thomas Feriter for filling bridge abutment at		
East Street		5.00
2388 Henry Rafert 21 Loads Screened gravel		6.30
2387 George Heninger 7 $\frac{1}{2}$ days work at 150 per day		11.25
2386 John Schoup 3 $\frac{1}{2}$ do " " 150 " "		5.25
2385 Henry Colestock Cash paid out for Hauling		
and Lime		4.30
		<u>\$46.60</u>

Henry Colestock
Street Commissioner

On motion by Captain North the above report was recieved and the Clerk was ordered to issue orders to the persons named in the report.

From the Clerk

Reporting Orders outstanding Jany 1st 1859 amounting to thirty Eight thousand Six hundred and thirty Six dollars and Sixty Seven cents \$38,636.67.

On motion by Mr. North the above report was recieved

Page 417

January 22nd 1859

From Treasurer

James M. Jamison In a/c with Treasury



1858	Dec. 1st	Balance in Treasury	\$ 728.90
"	"	31st Tax collected on Duplicate of 1858	3518.85
"	"	Delinquent tax	3664.83
"	"	Treasurers assessment made for 1858	12.85
"	"	Cost Collected	<u>22.40</u>
"	"	Total amount	\$7947.83
"	"	Same Cr	
		By Orders Redeemed to Dec.31st 1858	6651.39
		Balance in Treasury	\$ 1296.44

On motion by Mr. North the above report was recieved.

From the City attorney.

Indianapolis January 22d 1859

To the Common Council
Gentlemen.

At the last meeting of your honorable body a resolution was passed directing the City attorney to examine the contract between the city and the Central Canal Company, in order to determine which party is liable for the cost of bridges over Said Central Canal. I have examined the records of the City, and the Charter of the Canal Company and cannot find even to an allusion to a contract existing between the aforesaid parties. I have also consulted Some of the oldest inhabitants and it is their opinion that Such a contract never existed the general act of internal improvement of 1836 under which the Canal was originally constructed prescribing certain Specifications, under which private individuals townships cities &c may construct bridges over Canals which would imply that during the time the Canal was held by the State the City was compelled to construct all bridges within her limits the Canal was conveyed by the State together with all her rights, privileges appurtenances &c thereunto belonging or appertaining to private individuals, and Shortly after a company was incorporated by the Legislature under the name and Style of the Central Canal manufacturing water works Company, the Canal has changed hands Several times Since the incorporation of the above Company and is now forfeited to the City for delinquent taxes. So that the question, which party is liable for the cost of the Construction of bridges there being no express contract becomes a very Complicated, and difficult one. The majority of the previous owners of the Canal are non residents, and the Canal is now forfeited to the City. So that it is a question of little moment, which of the

original parties was or is liable for the cost of bridges.

Respectfully Submitted
S.V.Morris
City Attorney

On motion the above report was ordered to be filed.

Resolutions

By Mr. English

Resolved, That the members of the Independant Releif Fire Company No 1 be dismissed from the fire department of Indianapolis, and that the Chief Fire Engineer be directed to take the apparatus bell hose and other property now in the hands of Said Company and place them in possession of the Rover fire Company No 6.

Mr. Vandegrift moved that the above resolution be laid upon the table upon which the ayes and Noes were demanded which resulted in laying the resolution on the table.

Ayes. Messrs Dunlap, Durham, Fletcher, Greenfield, Geiesendorff, Pratt, Hadley, Locke, North, Porter, and Vandegrift 11.
Noes Messrs English 1.

By Mr. North

Resolved, That the City Marshall give notice by advertising in the Indianapolis Journal, State Sentinel, and Volksblatt, for Six months, that information of the existence and locality of dead within the City limits, must be left at the office of the City Clerk, to enable the Contractor for removing dead animals, to discharge his duty accordingly.

Ayes Messrs Dunlap, Durham, Fletcher, Greenfield, Geiesendorff, Pratt, Hadley, Locke, McNabb, North and Vandegrift 11
Noes Messrs English and Porter 2.

Adopted

By Mr. Fletcher

Resolved That the City Engineer be directed to give

George H. Cleary an estimate for erecting lamp posts and fixtures on New Jersey Street when the work shall have been done to the Satisfaction of Said Engineer.

Ayes Messrs Donlap, Durham, English, Fletcher, Greenfield, Geiesendorff, Pratt, Hadley, Locke, McNabb, North, Porter and Vandegrift 13 Noes None. Adopted

By Mr. Locke,
Resolved, That the City Clerk be instructed to notify the Gas Company that from and after this date the City will not allow them but Seventeen dollars and fifty cents per annum for each Street lamp furnished with gas.

On motion by Mr. Vandegrift the above resolution was laid upon the table by the following vote.

Ayes Messrs Dunlap, Durham, Fletcher, Pratt, Hadley, McNabb, North, and Vandegrift 8.

Noes Messrs English, Greenfield, Geiesendorff, Locke, and Porter 5. Laid on the table.

Page 421

January 22d 1859

By Mr. Geiesendorff

Resolved, That the assistant Civil Engineer be allowed two Hundred dollars extra for Services rendered the City.

(2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379.)

Ayes Messrs Dunlap, Durham, English, Fletcher, Greenfield, Geiesendorff, Pratt, Hadley, Locke, McNabb, North, Porter, and Vandegrift 13.

Noes None. Adopted.

By Mr. McNabb

Resolved That Thomas Wrenn be directed to make a fill on Ray Street So the water will not Stand thereon.

Ayes Messrs Dunlap, Durham, English, Fletcher, Greenfield, Geiesendorff, Pratt, Hadley, Locke, McNabb, North, Porter, and Vandegrift 13. Noes None. Adopted.

By Mr. North,

Resolved That Valentine Butch be permitted to remove the lamp post, and pipe that now Stands in front of Washington Hall, North Side of Washington Street, to the North East Corner of Washington and Tennessee Street, Said work to be done in a good workmanlike manner and at the expense of Said Butch.

Ayes Messrs Dunlap, Durham, English, Greenfield, Geiesendorff, Pratt, Locke, McNabb, North, Porter, and Vandegrift 11.

Noes. Messrs Fletcher and Hadley 2. Adopted.

By Mr. English.

Indianapolis Jan'y 22d 1859

To his honor the Mayor and members of the Common Council of Indianapolis Gentlemen.

I have appointed Mr. David Small to assist me in making the assessment, and respectfully ask your Concurrence

D.L.Merryman
City Assessor

Resolved,

That the appointment of David Small, as assistant assessor be concurred in, and that two hundred dollars be allowed Mr. Small for his assistance.

On motion by Mr. Porter the resolution was amended to read two dollars per day for each day Said David Small Shall Serve to the first day of May, next, and the two Hundred dollars Stricken out. the resolution was then adopted as amended by the following vote.

Ayes Messrs Dunlap, Durham, English, Fletcher, Greenfield, Gelesendorff, Pratt, Hadley, Locke, McNabb, North, Porter and Vandegrift 13. Noes None. Adopted.

Ordinances Passed -

By Mr. Locke,

From the Committee on accounts

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 oppisite their respective names from any moneys in the Treasury not otherwise appropriated as follows.

2402 Chas. Fisher	Costs	9.67
2409 James Lowden	Coal	4.00
2405 John A. Colestock	Tools	11.00
2410 Alex Metzgar	Tax Refunded	.40
2406 J.B. Peñine	Books & Stationary	14.60
2403 Sprengel Thoms & Company	Furniture	24.00
2407 Trustees Grand Lodge Hall Rent to April 1st		
	1859	183.75
2408 Jacob Wirtz	Removing Nuisances	33.66
2394 James M. Jameson	Percentage col Taxes	1147.31
2401 Ind Journal Company	Printing	363.28
2398 James M. Jameson	Postage	10.00
2404 N. Simon	Fire department	37.40
2413 C. Bernheimer	Poll Tax Refunded	.50
2399 James M. Jameson	Firemans certificates Redeemed	50.42
2395 do do	Fevel for Treasurers office	99.80
		<u>\$1899.79</u>

		1899.79
2393 Jas M. Jamison	Int paid on Orders	167.92
2397 do do do	Costs paid W.J. Wallace	12.32
2396 T.A. Goodwin	Printing	2.00
	Total amount	\$ 2082.03

Section 2d 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.

The Ordinance was read the first time, and on motion by Mr. Locke, the Ordinance was read a Second time by its title. Mr. Locke then moved that the rules be Suspended, and the Ordinance be read a third time now. the rules were Suspended by the following vote.

Ayes Messrs. Dunlap, Durham, English, Fletcher, Greenfield, Geiesendorff, Pratt, Hadley, Locke, McNabb and Vandegrift 12.
Noes None

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

Ayes Messrs Dunlap, Durham, English, Fletcher, Greenfield, Geiesendorff, Pratt, Hadley, Locke, McNabb, North and Vandegrift 12. Noes None. passed

Miscellaneous business

By Mr. Fletcher.

Hall of Fire Association January 18th 1859

To the Honorable Common Council of the City of Indianapolis Gentlemen,
At a Stated meeting held by the Fire association of this city January 18th 1859, the following resolution was adopted.

Resolved, That the Secretary of this association be instructed to ask Common Council to employ Some person to remove the mud from off the public Cisterns and to

cause them to be placed in Such condition that they may be available in case of fire.

Very Respectfully
John Cooper
Secy Fire association

On motion by Mr. Fletcher the Street Commissioner was instructed to clean dirt from top of Cisterns.

By Mr. Geiesendorff,

A Statement from Rover Fire Company No 6 of amount paid out by Said Company from April 7th 1858 to Jany 10th 1859 amount \$215.23.

By Mr. North.

A Statement from Independant Releif Fire Company No 1 of their Condition of Said Company from March 1st 1858 to Jany 3d 1859.

On motion the above reports were recieved and the Clerk was ordered to file the Same with the papers belonging to the City.

By Mr. Fletcher.

A Statement from William Wilkenson in regard to his assessment for the year 1858 which on motion was referred to the finance Committee.

A Deed or certificate was presented to the Council from George W. Harlan for lot numbered three in Square Sixty four Sold to him by A.F.Shortridge former City Treasurer for thirteen dollars and Eighty five cents, Said lot was sold as the property of Susan Walpole, for amount of taxes and cost for the year 1852, which on motion was referred to the finance Committee.

On motion by Mr. Fletcher the City Treasurer was instructed to make a division of the property on the City duplicate between J.H.Davidson and Winston P. Noble.

On motion of Mr. Porter the claim of Martin L. Coyner against

Page 425

January 22d 1859

Ira Davis for grading and graveling Meridian Street between New York and North Street was referred to the finance Committee.

On Motion by Mr. Porter the Sum of fifty cents was refunded to Mathias Backstahler for Poll tax assessed against him he being over Fifty years of age. (2414)

By Mr. Dunlap,

From Judiciary Committee reported that the claim referred to Said Committee in favour of Geo. W. Durham for paving and

grading the Side walk on the East Side of Illinois Street, between Washington and Maryland was correct, and on motion by the Same the clerk was ordered to issue an Order for the amount Forty two dollars and Sixty Eight Cents, \$42.68, for work done in front of the property occupied by Mrs. Willson and for which She refused to pay.

By Mr. North an account in favour of John E. Fondray for Jail expenses from June 8th 1858 to Nov 16th 1858 amounting to Seven Hundred and Sixty five dollars and Eighty five cents \$765.85 which on motion was referred to the Committee on accounts.

By Mr. Fletcher

From Select Committee appointed to examine into the expediency of Changeing the present alley, between Lots 16 & 17 in Square ninety Eight 98 So as to run between Lot fourteen and fifteen, in Square Ninety Eight, Washington Hall Subdivision Report favourable to the change provided the ground for the alley comes off of lot fifteen.

On motion by Mr. Fletcher the report was concurred in and the clerk was ordered to give the required notice to the Commissioners.

Bids presented to Council for grading and graveling Virginia Avenue between the donation line and Elk Street.

Jas Catterson	Grading 15	Graveling	65
Andrew Stewart	" 14	" "	64
Thomas Wren	" 17	" "	110
M.O.Sullivan	" 15	" "	80
M.L.Coyner	" 20	" "	100

Page 426

January 22d 1859

Bids for building well near Pogues Run.

A.T.Richter	8 foot well	\$115	6 foot well	at \$100.00
H.Habennie	" " "	150	6 " "	" 125.00
John P.Children	" " "	120	6 " "	" 90.00
R.A.Looker	" " "	129	6 " "	" 89.00
Wm Richter	" " "	135	6 " "	" 125.00

Mr. Locke presented an account in favour of Stephen Smith for posting bills amounting to Eight dollars and fifty which on motion by Mr. Locke was allowed and the clerk was ordered to issue an order for the amount. (2411)

On motion the bids for the improvement of Virginia Avenue between Elk Street and the donation line, and for digging

well near Pogues Run were referred to the Committee on Streets and alleys and Civil and Chief Fire Engineer to award Contracts to the lowest responsible bidder.

And on motion the Council adjourned.

Samuel D. Maxwell
Mayor

Attest
John G. Waters
City Clerk

Page 427 BLANK
