

Council Chamber April 30th 1859

Persuant to adjournment the Council met this evening at thirty minutes after seven oclock instead of at seven oclock as had been resolved by the previous meeting of the Council on Motion for adjournment. Present his Honor Mayor Maxwell and all the Councilmen:

On motion of Mr. Locke it was resolved by unanimous consent that the first reading of the Ordinance as revised and systematized by H.B.Cotton be continued from the point reached at the last previous session of the Council. Such reading was accordingly resumed and then was read for the first time the following ordinances to wit.

The last seventeen Sections of Ordinance 14 regulating Public Safety convenience comfort &c.

- Ordinance 15. Defining the powers and duties of the board of Health
- " 16 Protecting the public against dangerous Diseases
- " 17 Regulating Cemeteries Prescribing the duties of the Sexton and guarding the sanctity of the Dead
- " 18 Containing regulations as to contracts with the City
- " 19 Providing for a loan for the benefit of the City
- " " H & C. which Ordinance was stricken out by unanimous consent from among the Ordinances now to be published so that what was to be the 20th will stand 19th among them
- " " Regulating the collection of fines imposed on behalf of the City.
- " 19 of fines imposed on behalf of the City.
- " 21 Providing for the levying of the City Tax for the year 1859 but by unanimous consent stricken out and Omitted.
- " " out and Omitted.

Each of said 19 Ordinances was then read separately a second time by the title Whereupon each of the first 13 of said Ordinances which had been read for the first time at previous Sessions was read throughout as amended for the third time and each by separate motion and unanimous consent was ordered to lie upon the Table.

A motion was made that when this Council adjourn it adjourn to meet on Wednesday Evening next at 7½ Oclock which motion was adopted.

On motion by Mr. McNabb James George was granted permission to dig a Well in front of his property on Washington street on condition that he will dig a Sink to carry off the waste water running from said Well which motion was adopted.

Mr. Durham presented the following.
 City of Indianapolis Dr to George W. Durham for Furnishing
 Brick and repairing Pavement at the E. Market House \$700
 which account was allowed and the Clerk was ordered to issue
 an Order for the same to George W. Durham. (2889)

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By Mr. North

Resolved that the City Marshal is hereby empowered with authority and directed to take charge of the "Governors Circle" and keep the Grounds Shrubbery, Fence and Gates in good order, So that Animals are kept out of the enclosure and that no depredations of any kind are committed by any person or persons whatsoever on Said Grounds or the enclosing Fence and Gates. And keep a just account of the expenditures of carrying out these directions and report the same monthly to this Council for approval and payment.

Ayes Mess. Cottrell, Dunlap, Durham, English, Fletcher, Greenfield, Geisendorff, Pratt, Hadley, Locke, McNabb, North, Porter and Vandegrift 14.

Nays, None. The resolution was adopted.

By Mr. English.

Moved that the owner of Lot number 7 in Out Lot No. 63, be permitted to Grade and gravel the Side Walk and boulder the gutter in front of his property, under the direction of the Civil Engineer. Which Motion was adopted.

Mr. Vandegrift Introduced the following

An Ordinance to provide for Grading and Paving with Boulder Stone Washington Street between the East side of Illinois and the East side of Mississippi Streets exclusive of the side Walk.

Section 1. Be it Ordained by the Common Council of the City of Indianapolis That the whole width of Washington street exclusive of the Side walk between the East side of Illinois and the East Side of Mississippi Streets Shall be properly graded and paved with good Boulder Stone according to the specifications to be furnished by the Civil Engineer and under his direction and supervision and approval and the expense of grading and paving such 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 Lots bordering on said Streets between the Limits aforesaid according to 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 Daily Journal and by posting up printed notices in not less than five of the most public places of the city that Sealed proposals will be received by the Common Council at the meeting of the Council to be held on the First regular meeting in June for the execution of said work.

Section 3rd This Ordinance shall take effect and be in force from and after its passage.

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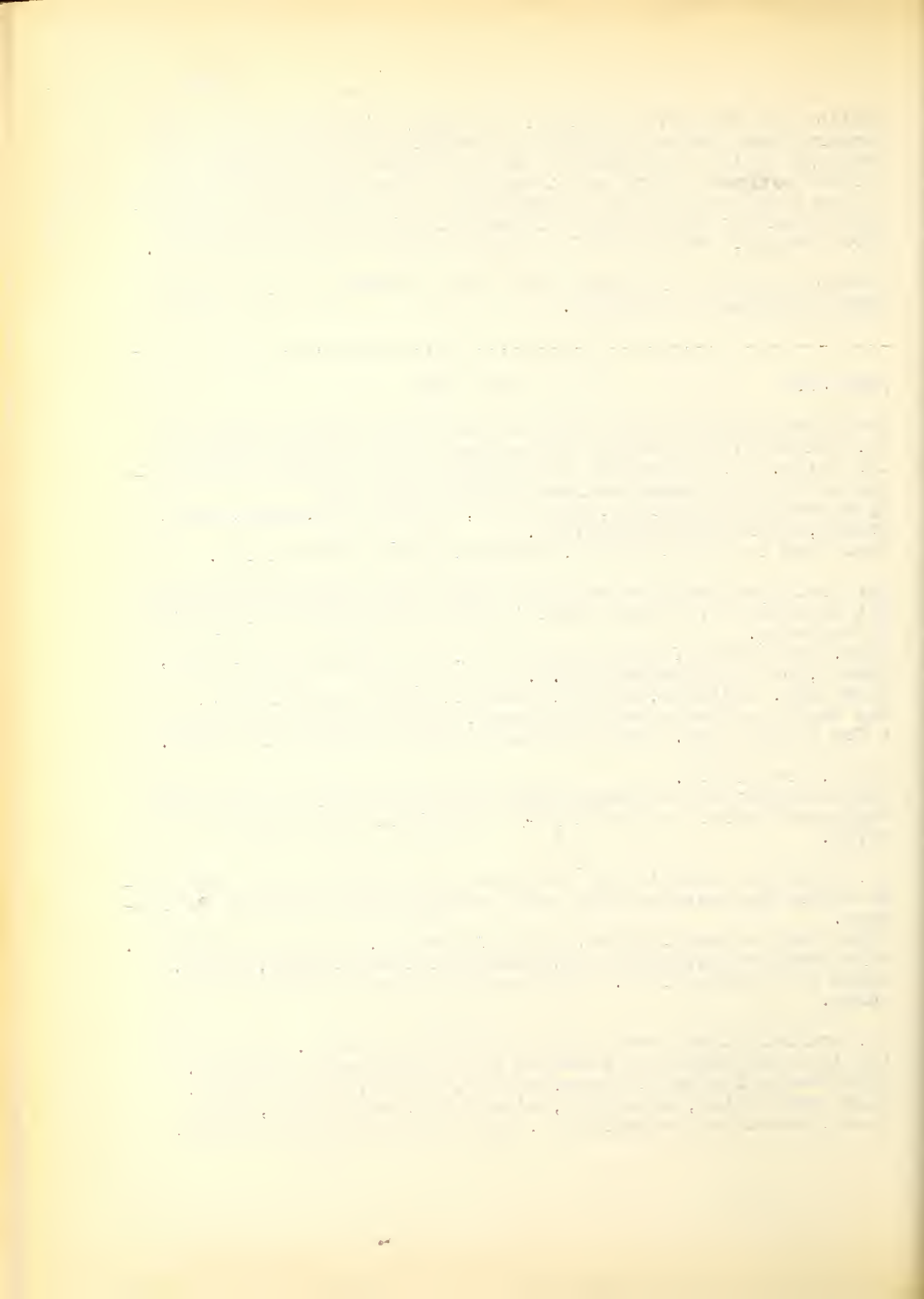
The above Ordinance was read the first time and on Motion by Mr. Vandegrift the the Ordinance was read a second time by its title. Mr. Vandegrift then moved that the Rules be suspended and the Ordinance be read a third time now
Ayes Mess Dunlap, Durham, Greenfield, Geisendorff, Pratt, Locke, McNabb, North and Vandegrift 9.
Noes Mess Cottrell, English, Fletcher, Hadley and Porter 5.

The Ordinance was then read the third time and question being put shall the Ordinance pass, it was not passed the following is the vote.
Ayes. Mess Dunlap, Durham, Greenfield, Geisendorff, Pratt, Locke, McNabb, North and Vandegrift. 9.
Noes Mess. Cottrell, English, Fletcher, Hadley and Porter 5.
The above Ordinance was not passed, having failed to receive a Two thirds vote. The Ordinance was then laid on the table.

By Mr. Greenfield.
Resolved that it is inexpedient for this Council to increase the expenditures of the City by multiplying the number of Wards.

Mr. Cottrell moved to lay the above resolution on the table upon which the Ayes and Noes were demanded which resulted as follows.
Ayes Mess Cottrell, Durham, English, Fletcher, Hadley and Porter 6.
Nays Mess Dunlap, Greenfield, Geisendorff, Pratt, Locke, McNabb, North and Vandegrift 8. The Resolution was not laid on the table.

Mr. Cottrell then moved that the Council adjourn. Upon which the Ayes and Nays were demanded which resulted as follows.
Ayes Messrs Cottrell, Durham, English, Fletcher and Hadley 5.
Nays Mess Dunlap, Greenfield, Geisendorff, Pratt, Locke, McNabb, North, Porter and Vandegrift 9. The Council did not adjourn.



Mr. Porter offered the following amendment to Mr. Greenfield's resolution Strike out after resolved and insert that the question whether new Wards ought to be created is a question under the Charter exclusively for the decision of the people and that it would be disrespectful to the people for this Council whatever may be the opinion on the question to express any opinion on the policy of creating new Wards.

Ayes Mess. Cottrell, Durham, English, Fletcher, Hadley & Porter 6. Noes, Mess Geisendorff, Pratt, Locke, McNabb, North and Vandegrift 8.

The Amendment as offered by Mr. Porter was not adopted.

Mr. Fletcher moved that the Council adjourn upon which the Ayes and noes were demanded which resulted as follows.

Ayes Mess Cottrell, Durham, English, Fletcher, Hadly and Porter. Noes Mess Dunlap, Greenfield, Geisendorff, Pratt, Locke, McNabb, North and Vandegrift 8.

The Council did not adjourn.

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Whereupon Mr. Vandegrift moved the previous question which was Seconded the vote being demanded the main question was then put Shall the resolution pass upon which the Ayes and noes were demanded which resulted as follows.

Ayes Mess Cottrell, Dunlap, Greenfield, Geisendorff, Pratt, Locke, McNabb, North and Vandegrift 9.

Noes Mess English, Fletcher, Hadley and Porter 4.

Mr Cottrell asked leave of the Council to change his vote from aye to noe which made the vote stand as follows.

Ayes Mess Dunlap, Greenfield, Geisendorff, Pratt, Locke, McNabb, North and Vandegrift 8.

Noes Mess English, Fletcher, Hadley, Porter & Cottrell.

The resolution was adopted.

By Mr. Porter

To his Honor the Mayor of the City of Indianapolis I respectfully tender to you and through you to the voters of the Second Ward my resignation of the office of Common Councilman.

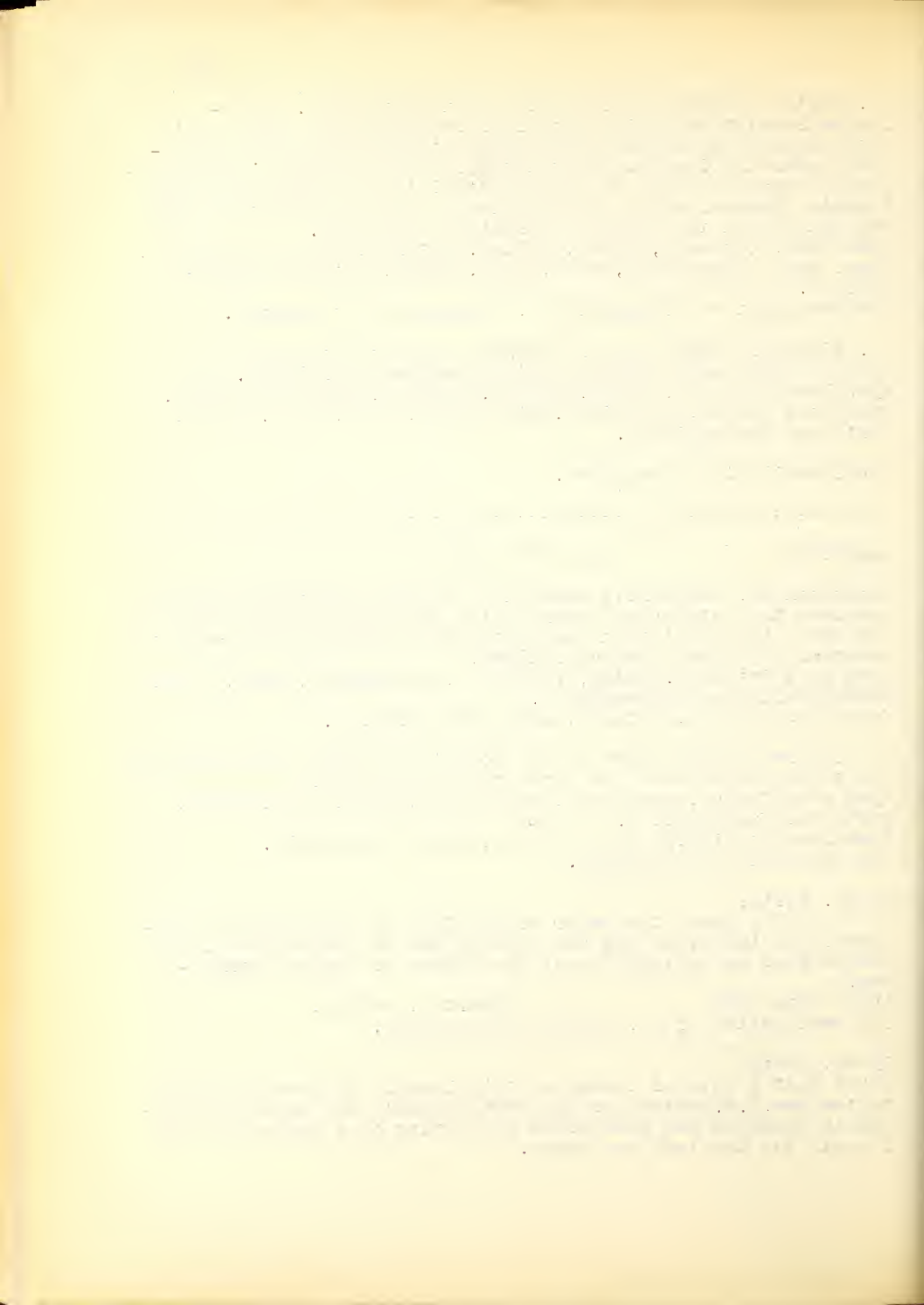
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Albert G. Porter.

The resignation of Mr. Porter was accepted.

By Mr. North

Moved that a vote of thanks of this Council is hereby tendered to the Hon. A. G. Porter for the courteous able and energetic manner in which he has discharged the duties as a member of this Council for the last two years.



Unanimously adopted.

Mr. Fletcher moved that the Council Adjourn upon which the Ayes and Noes were demanded which resulted as follows.
Ayes Mess Cottrell, Durham, English, Fletcher, Hadley, Porter 6
Noes Mess Dunlap, Greenfield, Geisendorff, Pratt, Locke, McNabb, North, and Vandegrift 8.

On motion by Mr. Vandegrift the Council adjourned to meet on the 4th inst at 7½ O'clock P.M.

Attest John G. Waters
City Clerk

Samuel D. Maxwell
Mayor

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