

Common Council Chamber
Indianapolis, February 6th 1854

Council met. Present Messrs. Bradshaw, Carlisle, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, McCarty, Nelson, Newcomb, Pitts, Strickland Wingate, and Mayor Scudder

The Treasurers Monthly report was read and ordered to be filed.

The Street Commissioner made his report which was read and ordered to be filed.

The Engineer reported that George D. Pfeifer refuses to accept the contract for making the cistern near the Madison Depot

Ordered that the Engineer advertise and re-let the job

The Engineer also reported that C H Boatright had completed the Bridge across Pogues Run on Meridian Street, and recommended an additional allowance of \$4.75 for extra work

On motion allowed C. H. Boatright \$129.75, and
(21, 22, 23)

Ordered That the Street Commissioner have the necessary filling at each end of said Bridge done.

The following accounts were presented and referred to the Committee on Accounts:

G. M. Darrah -----	\$65.00
Michael O'Harra	65.00
B. Pilbean	23.95

The following accounts were allowed:

24 Elder & Harkness, for Printing	\$71.37
25 H. Lewis, for Labor	15.62
26 E. Davis, Hauling	10.62
27 O. Swear for Drayage	3.35
28 J.P. Childers	14.25
29 John Griswold, for Lumber	42.65
Do Do " " for School House	93.39
30 A. Smith for Labor	4.37
31 D. Cox Messenger Salary	23.75
32 W H Jones, for Market House hooks	3.00
33 Ind. Coal Company	11.50
34 C. & J. Cox, for sundries	49.40
35 Craighead & Browning	16.10
36 A. Gold for sundries furnished N. L F. Co	1.42

Sundry accounts were referred to committee on accounts.

A. A. Loudon's account was presented for \$24.28. Referred to committee on accounts by the following vote:

Ayes. Messrs. Carlisle, Delzell, Durham, Edwards, Karns, Maguire, McCarty, and Nelson - 8

Nays. - Messrs. Bradshaw, Dunlap, Newcomb, Pitts, Strickland, & Wingate. - 6

The committee on Finance to whom the account of N B. Palmer for Bell on O K Bucket Co's House, reported it back and recommended its allowance

37 On Motion allowed \$19.00.

The Judiciary Committee reported back A. G. Porter's account for \$200 without recommendation

Mr. Bradshaw moved to allow	\$150
Mr. Pitts " " "	\$165
Mr. Dunlap " " "	\$100

38 Allowed \$150

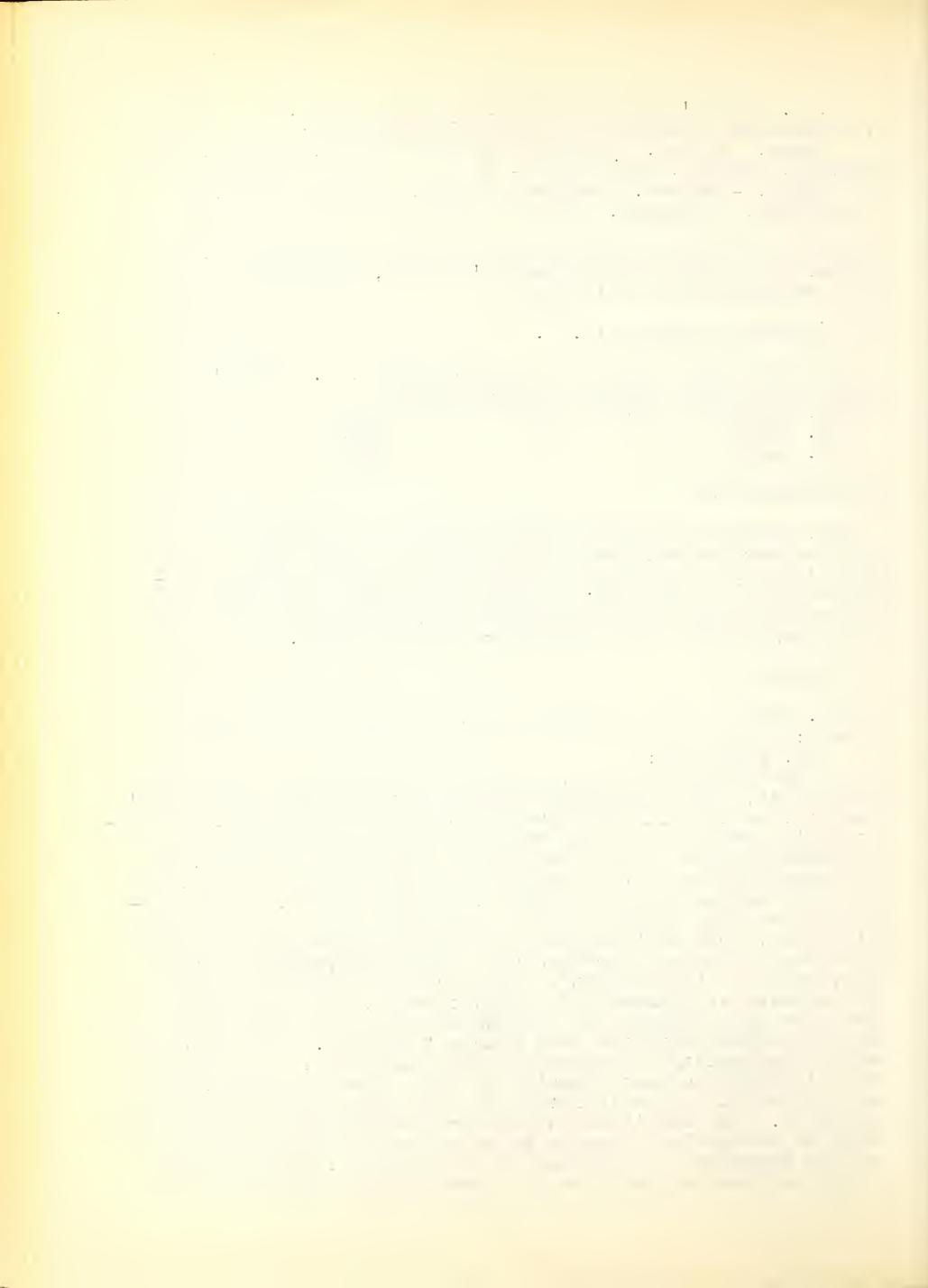
Mr. Newcomb moved that the Assessor be directed to proceed with as much expedition as practicable to make out a full and fair list of all persons and property liable by law to taxation for city purposes; and said Assessor is authorized and directed to apply to the city Attorney for such legal advice as he may need in the performance of his duties.

Adopted

Mr. Maguire from a select committee made the following report:

Mr. President:

The select committee, to whom was referred the resolution adopted at, the anniversary meeting of the Widows and Orphan's Society, asking the City Council to devise some means, if within their power, to aid the said Society to raise the sum of two thousand dollars for the purpose of erecting a building. as an Orphan Asylum on the grounds now owned by the Society, have had the same under consideration, and now report, that entertaining as they do the highest regard for those ladies of our City, who, from Motives the most disinterested and benevolent, have been for some years and are still endeavoring to make provision for the comfort of destitute widows and the education and support of orphans left without means, they take the occasion now presented of expressing the hope that their efforts may be crowned with the most abundant success. The cause in which the Society is engaged is one calculated, in our opinion, to enlist the warmest sympathy of our entire community, aiming as it does at the amelioration of the condition of suffering humanity. The committee however are constrained to report that they do not feel at liberty to recommend an appropriation out of the Treasury at this time for that object. The revenues which will be derived from the taxes of the current year will



probably all be absorbed by the payments which will be necessary to be made for cistern, bridges, and other improvements authorized by the present and previous Council, and by the payments of salaries and other expenditure, and therefore if an appropriation were made there would be nothing in the Treasury with which to meet it. It is presumed moreover that an appropriation out of the revenues collectable under the assessment of 1854 would be in ample time to meet the wants of the Society and the committee apprehend that the object of the present application is to enable the City Council to make provision for an appropriation to be paid after the taxes of 1854, shall have been collected.

The committee, believing that the object for which the Society ask the aid of the Council, is one which interests alike all our fellow citizens, who it is believed will all feel a friendly regard for it when presented to their consideration, and believing that a tax for this purpose would be more cheerfully paid and exert a better influence in the cause if it were sanctioned by a majority of their suffrages, respectfully recommend the adoption of the following resolution:

Resolved, That the judiciary committee are instructed to make provision by which the vote of the citizens of the city may be taken at the approaching election for City Officers for and against an appropriation to aid the Widows and Orphans Asylum Society to erect a building suitable for an Orphan's Asylum on the ground now owned by the Society.

Concurred in and the resolution adopted by the following vote:

Ayes.- Messrs Bradshaw, Carlisle, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, McCarty, Nelson, Newcomb, Pitts, Strickland, and Wingate - 14.

Mr. Edwards presented the following petition:

To the Honorable City Council of Indianapolis:

The undersigned beg leave to submit to your honorable body the following facts in reference to their purchase of the Lot owned by the City in the 2nd Ward, to-wit:

1st On the 25th of November, 1851, a resolution passed the then Common Council of the City of Indianapolis, to dispose of the school lots in the several wards.

2nd The President (also the Councilman of the 2nd Ward) reported on the 1st of November, 1852, the proposition of the undersigned to purchase the lot in the 2nd Ward upon the following terms: They were to pay \$700 in instalments, of \$200 payable either on the 1st or in the March following; and the residue in three yearly instalments with interest from Nov. 1, 1852, Which proposition was accepted by the Common Council, and the President and Secretary ordered to

execute a bond to the undersigned for a deed on behalf of the Council.

The undersigned further state that at the time of the contract, and when the first payment became due the City Council was indebted to the undersigned upon contracts for building bridges to an amount exceeding their first payment and was under the impression that it was agreed by the City Council that such indebtedness was to be applied towards payment of said Lot. But the undersigned further state, that it was always their impression that said first payment was to have been made on the 1st of April following the contract, and not on the 1st day of March as insisted upon by the City Council, and that in pursuance of said impression on or about the 20th of March, they tendered to the City Council the first payment of \$200, but the City Council refused to accept said money, and fulfil the contract on reference to the purchase of said Lot.

The undersigned respectfully submit to the City Council, that they have acted in good faith, and never doubted but the contract, which they regarded as in equity and morals, obligatory upon both parties, would be fully carried out by the City Council. The undersigned are willing to pay all costs and interests that may have accrued on account of said contract.

The undersigned further state that in the suit recently pending in the Marion Circuit Court, it was the opinion of Judge Stephen Major, that the undersigned had an equitable right to a specific performance of the contract before referred to but the undersigned prefer an amicable adjustment of the matter without further costs or trouble.

Respectfully submitted

Joseph McCord
Levi Comegys.

Laid on the table.

Mr. McCarty presented a petition from S. M. Bristor asking to have his taxes reduced

Which was referred to Finance Committee.

On Motion the Council adjourned until tomorrow evening at 6 $\frac{1}{2}$ o'clock,

Attest

C Woodward City Clk pro tem