

Common Council Chamber
April 17th, 1854. -

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

The minutes of the preceeding meeting read and approved.

The account of L.B. Wilson for hauling 27 loads of loam at 35 cents per load to the West Market House, amounting to \$9.45 was not allowed, after some little discussion.

The following accounts were received, and allowed.

152. Hiram Lewis,	Labor of hauling	\$13.75
153. Robert Talkington	" " "	5.00
162. Patrick Sullivan	"	8.75
163. James Buchanan	Hall rent of Invincible Fire Co.	2.00
164. Joseph Langbein	Rent of Engine House to 18 day of March, 1854.	18.00

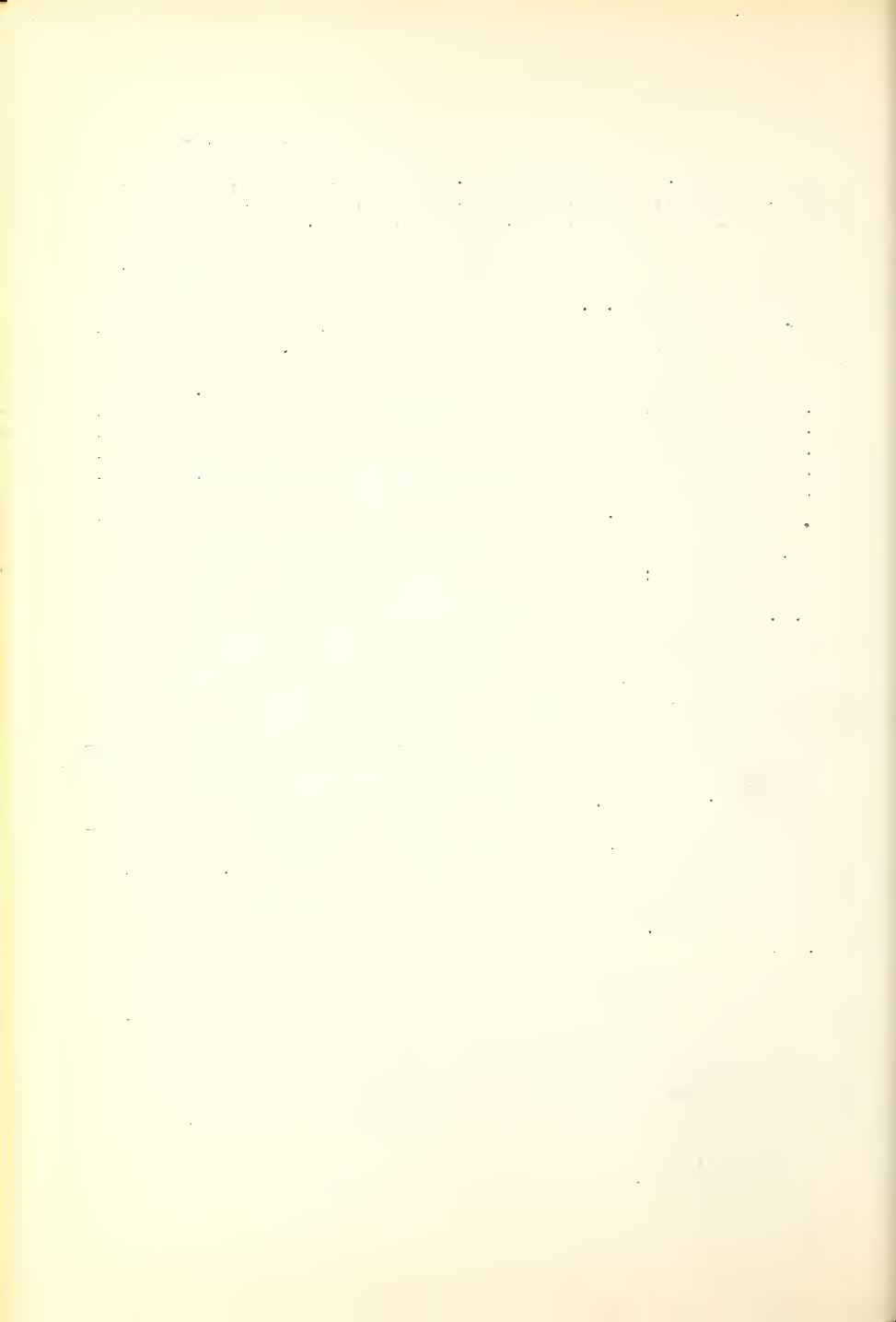
Mr. Maguire from the judiciary committee presented the following report:

The judiciary committee to whom was referred the petition of L.D. Wilson, praying the Council to order the collection of money due him on Engineers estimate for labor performed by him on East sidewalk of Pennsylvania Street between Michigan and Washington streets, report that it appears that on the 7th day of March, 1853, the Common Council adopted an order directing the Commissioners of streets to notify the property holders on the east side of Pennsylvania street, between Michigan & Washington streets to grade and gravel or pave their sidewalks within ten days and that the City Engineer set the stakes therefor immediately; and if not graded and graveled or paved at the expiration of ten days to advertise for bids for said improvement to be graveled. Proposals were afterwards received for the work and the contract was awarded to Lorenzo D. Wilson, to whom an estimate was made on the 30th day of January 1854 by the Civil Engineer for the whole of the work done by him amounting to \$86.95 of which all seems to have been paid except \$18.30.

The work appears to have been done under the authority granted by the 8th Section of the Old Act of Incorporation.

The committee recommend that the City Attorney take the facts and the law of the case into consideration, and if he shall be of the opinion that the claims can be collected, he be requested to proceed to the collection of the same.

On Motion,
Concurred in.



Mr. Dunlap from the judiciary committee made the following report:

The judiciary committee report the following ordinance according to instructions:

An ordinance to vacate certain alleys & street therein named.

Be it ordained by the Common Council of Indianapolis, That all alleys heretofore laid out in Block No. ninety seven (97) by Austin W. Morris, be and are hereby declared vacated; also, a street which was laid out by the aforesaid Morris beginning at or near the intersection of Meridian Street with Louisiana street and running from thence in a curved line in the direction of the Madison Depot through said Block No. ninety seven (97) be declared vacated.

On Motion the rules were suspended and the ordinance read a first, second and third time, and adopted by the following vote:

Ayes: Messrs. Bradshaw, Dunlap, Delzell, Durham, Edwards Karns, Maguire, Nelson, Newcomb, Pitts & Strickland - 11.
Noes: None.

Mr. Newcomb presented the following communication:

To the Common Council of Indianapolis: Gentlemen:

The enclosed proposition from Wm S. Hubbard, Esqr. to the Independent Relief Fire Company No. 1, was received at our last regular meeting March 25th, and accepted by the company provided it meets the approbation of the Common Council.

Very Respectfully

Brynn K. Elliott Secy of

the Independent Relief Fire Co No. 1.

Indianapolis April 10, 1854.

To the Relief Fire Company No. 1: I hereby offer to lease the building you now occupy to your Company for their use, for a period of two years from 15th December next at an annual rent of two Hundred Dollars: Provided, the adjoining buildings are not consumed by fire during that period thereby making it important to me to obtain possession of the premises for the purpose of building thereon.

Respectfully

Wm T. Hubbard.

On Motion, Laid on the table for the present.

\$55 Mr. Durham presented a lease signed by David Sibold for 22 feet of lot No. 6. in Square No. 60 in the city of Indianapolis bounded as follows: commencing 20 feet from south west corner of said lot and running north 22 feet on New Jersey street thence East 67½ feet, thence South 22 feet, thence West 67½ feet. to the place of beginning. Said lease to extend for twenty years from 17th day of April, A.D. 1854.

On Motion it was

Ordered, That the said lease be recorded in Recorders office of Marion County after the Signature of D. Sibold wife be obtained.

On Motion by Mr. Durham, it was

Ordered, That the Civil Engineer procure plan and specifications of Engine House for Invincible fire Company No. 2.

Mr. Edwards from a select committee on that subject presented the following report:

The committee to whom was referred the investigation of the alleged misconduct of the firemen of the city, and especially of the Marion Fire Company on the occasion of the burning of the Engine House of that Company, report that they have had that matter under consideration and ascertained that the facts are substantially as follows: The Marion Company as soon as possible after the alarm was raised, put their apparatus into service, and for a short time worked well and effectively, but then "stopted" and put up their engine, and when desired to work by the fire Engineer some of the members refused, others consented reluctantly, while others again worked well, and expressed a decided disapprobation of the conduct of their fellow members in refusing to assist. The Invincible company although late in getting into service, worked well and so far as your committee could ascertain manifested no disposition to avoid their duty. The Relief Company was on the ground with their apparatus ready for service, but owing to the distance of the cistern at which they were stationed from the fire and the extreme difficulty of forcing a stream so far they were requested by the Engineer to keep their force in reserve until required. The Western Company did not reach the fire at all, being informed that it was extinguished, and that there would be no need of their service.

Your Committee further state that many persons members of the several companies upon the ground, were standing about the fire during the whole time that it lasted crying for the building to burn, that it was out, etc., and making sport of the efforts made by the other firemen and the Engineer to have it extinguished, and that many citizens encouraged them in their conduct by clamoring to the same purpose, and refusing when requested to assist the firemen, disposed to work, in their efforts. After the building had been sometime burning by the urgency of the Engineer, the Marion Company or a considerable number began again to work effectively on the fire and in a short time extinguished it. During a part of the time that the Marion failed to work the Invincible Company was playing on the fire, and continued for some minutes after the Marion recommenced, and until, at the request of the officer in command they were allowed by the Engineer to go home. These two were the only ones that

actually went into service on the occasion. In regard to the misconduct of the Marion company in refusing for a considerable time to work upon their own enginehouse, it has been variously attributed to a difficulty between the Captain and the Chief Engineer, to a general indisposition of its members to prevent the destruction of the house on account of its recent occupation as a pest house, and to the conduct of citizens of respectability and influence who are reported to have clamored for the burning of the building and to have encouraged the delinquent firemen in their misconduct. The committee have been unable to ascertain satisfactorily to what source the difficulty can be traced, but think that all the causes spoken of aided in it, there appears to have been a misunderstanding between some of the officers in consequence of which the Marion Engine was improperly and illegally ordered out of service by her Commander, but the Committee are satisfied that this alone would not have produced the action for which the company are censured. The most important influence was the feeling against the house in consequence of its recent use as a hospital, and this was not confined to Marion Company alone, nor did it extend to all that company. Many of the members of it worked well and constantly except when ordered to stop, and many members of other companies were as noisy and anxious for the destruction of the house as any of the Marion men.

The committee are satisfied that much of the bad feeling is owing to the conduct of the citizens. It could not but be expected that unreflecting careless young men and boys should be influenced by the opinions and actions of the crowd about them and especially if the crowd be composed of respectable well-proven citizens under all the circumstances the behavior of the citizens is equally culpable as some members of companies. The entire innocence of many members of the Marion, who never failed or refused to work, nor encouraged the action of their associates. The subsequent good conduct of the company on the same evening in extinguishing the fire, and the impossibility at the time of ascertaining with any certainty the guilty members so as to discriminate between them and those members who are free from blame, that all should not be included in the same censure. The Committee recommend that the Council take no further action in the matter.

Wm H. Karns)
 N. Edwards) Com.
 W. A. Bradshaw)

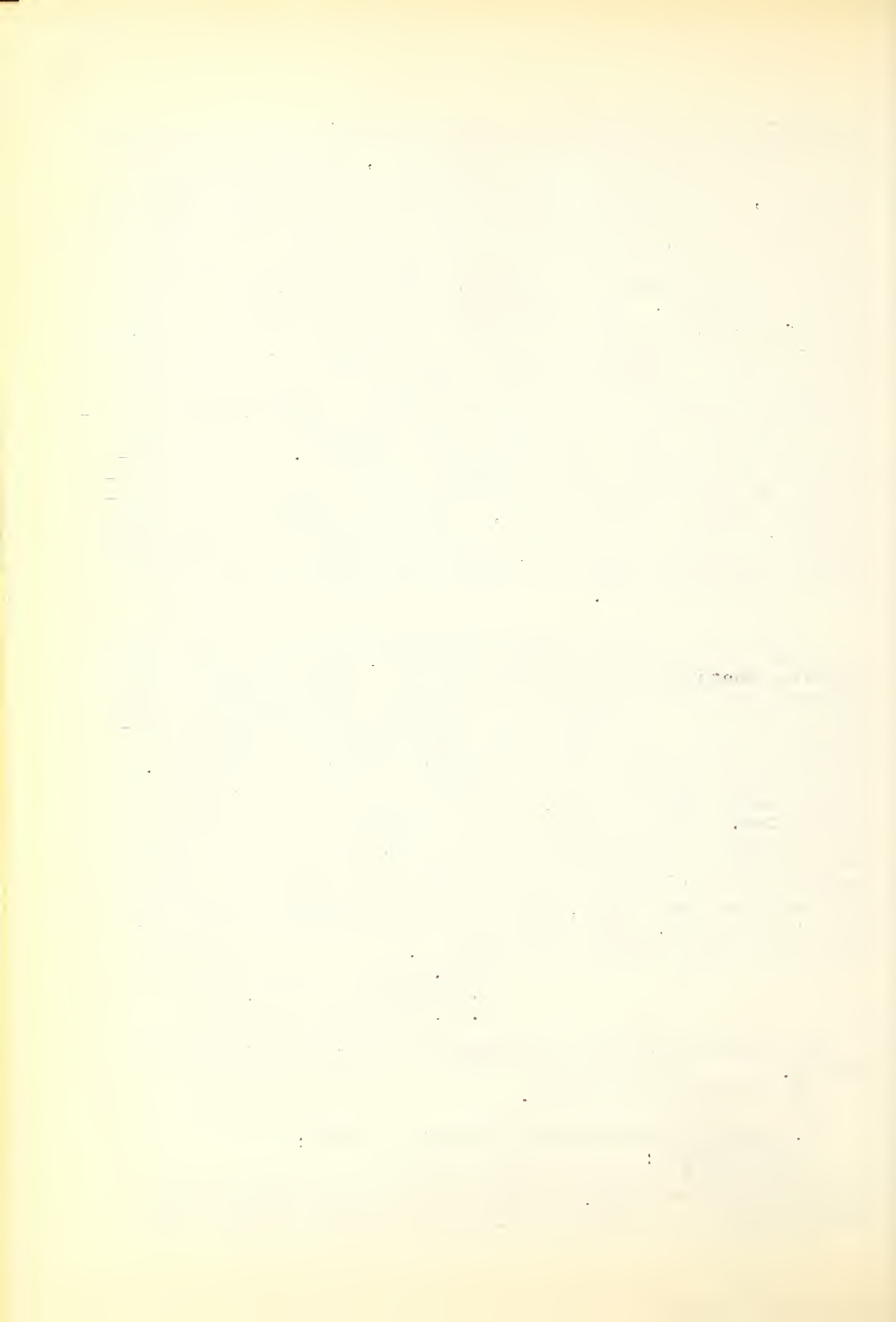
Mr Dunlap moved that the report be received and entered of record.

Which Motion prevailed.

Mr. Maguire presented the following report:

Mr President:

The select committee consisting of the members of the second and third wards, to whom was referred sometime ago the proceedings of a meeting of citizens residing on East side of



Meridian Street and North of North Street, asking permission to grade that part of Meridian Street according to their own notion, have had under consideration the whole subject of the difficulties growing out of the attempt to grade said street, and now report as follows:

It appears by an examination of the record, that on the 28th of March, 1853 a petition was presented to the predecessors of the present Council praying the Council to order the Street and sidewalk on Meridian Street between Circle Street and the Donation line to be graded and graveled. The petition purported to represent 5,121 feet which was determined by the old Council to be two-thirds of the whole number of feet and its prayer was granted, and the Engineer was ordered to set the grade stakes, and furnish the City Clerk with an estimate of the Cost of the work. Proposals to perform the work having been advertised for and received, the contract was, on the 11th of July awarded to Jeremiah Shea.

After the work had been sometime in progress it was discovered that the grade established by the Civil Engineer caused a deep fill on the northern end of the street, which seems to have been unexpected to the petitioners, who alleged that the improvement, instead of being advantageous to their property was in fact highly injurious, and they, therefore, petitioned the Council to authorize a new survey with a view to the reduction of the grade. The petition was granted and the Engineer was directed to reduce the grade as much as possible compatible with the proper drainage of the city. The Engineer accordingly made a resurvey of the ground and reported that the grade would be reduced seven inches and that the Council promptly authorized this to be done. This, however, proved to be unsatisfactory to the citizens concerned, who, therefore, held a meeting, and adopted the proceedings above alluded to which were referred to your Committee.

The purport of the petition is that the citizens interested be permitted to grade the street as they think proper, without regard to the grade established by the Civil Engineer. Whilst we had every disposition to accommodate the petitioners and relieve them of what they regarded as a burden, and whilst we were anxious to arrange matters so that the contractor might receive the amount of his estimates for work done we were fearful of the consequences of establishing the precedent of permitting any portion of the citizens to set aside the grade established by the city authorities, and grade to suit themselves. The committee feared that if this were permitted in one case it might be asked for in others, and this be the cause of endless confusion. Thus the matter stood during the winter.

On the approach of spring, the weather becoming suitable for progressing with the work the committee still anxious to do every thing in their power to compromise the difficulties, secure the payment of the amount due the contractor, and have the improvement South of North street completed; renewed the

negotiations with some of the citizens interested, and have determined in view of the whole subject to permit the citizens affected by the improvement to take for their own use the dirt and gravel which have been thrown upon the street, and leave the street as if no improvement had been authorized to have been made. That the citizens interested immediately to pay or secure the payment of all the expense which has accrued on account of the contract. Your committee, therefore, recommend the adoption of the following resolution:

Douglass Maguire, Ch'n.

Resolved, That on condition that the citizens living on Meridian street, North of North Street shall immediately pay or secure to be paid the whole of their proportion of the work done on Meridian street, under the contract with Jeremiah Shea, they shall be permitted to take and use the dirt and gravel placed on said street, north of North Street, and leave that part of Meridian Street as if no contract had been made for its improvement.

On Motion by Mr Delzell,
Laid on the table till next meeting.

Mr. Edwards moved that a select committee of three were appointed to confer with the contractors relative to contract on Meridian street; which motion prevailed.

Messrs. Edwards, Strickland, & Wingate were appointed said Committee:

Mr. Pitts moved that the vote ordering of record the committee relative to the burning of the marion Engine House be reconsidered; for the purpose of referring said report again to said committee.

Which Motion did not prevail.

On Motion by Mr Newcomb the rules were suspended.

Mr Maguire offered the following ordinance:

An ordinance to define and establish the boundaries of wards of the city of Indianapolis:

Section 1. Be it ordained by the Common Council of Indianapolis, That the city of Indianapolis shall be divided into seven wards, as follows, viz: All that part of said city bounded on the south by Washington Street, on the west by Alabama Street and the Ft. Wayne State Road, and on the North and East by the donation line, shall constitute the first ward; and that part of said city bounded on the South by Washington street, on the West by Meridian and Circle streets running east of the Governors Circle, and a line dividing outlots numbered one hundred & seventy one and one hundred and seventy-two, on the North of the donation line, and on the East by the Ft. Wayne State road and Alabama street, shall constitute the second Ward; all that part of said city bounded on the South by Washington Street on

the West by Mississippi street, and the line dividing outlots numbered one hundred and sixty eight, and one hundred and sixty nine, on the North by the Donation line, and on the East by the Western boundary of the Second Ward shall constitute the Third Ward; all that part of said city bounded on the South by Washington street, on the West by White river and the donation line and on the east by the Western boundary line of the Third Ward shall constitute the fourth Ward; all that part of said city bounded on the North by Washington street on the West by White river, on the South by the donation line, and on the East by the Bluff State road & Illinois street, shall constitute the fifth Ward; all that part of said city bounded on the North by Washington Street, on the West by Illinois street and the Bluff State Road, on the South of the donation line, and on the East by Madison state road, and Delaware Street, shall constitute the Sixth Ward; all that part of said city bounded on the North by Washington Street, on the West by Delaware street & Madison State road, and on the South and East by by the donation lines shall constitute the seventh ward, each of said wards running to the centre of the Street bounding the same.

Sec. 2. This ordinance to be in force from and after its passage and publication in the paper designated to publish the ordinances of the city.

On Motion the rules were suspended and the ordinance read a first, second & third time, and adopted by the following vote:
 Ayes. Messrs. Bradshaw, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, Nelson, Newcomb, Pitts & Strickland - 11
 Noes: None.

Mr Newcomb offered the following ordinance:

An ordinance relative to the salaries of City Officers and providing for the payment of the same.

Section 1. Be it ordained by the Common Council of Indianapolis, That there shall be allowed to the Several officers of the city of Indianapolis hereinafter mentioned the following annual salaries to be paid quarterly on first Monday of August, November, January, & May, during their continuance in office that is to say:

To the Mayor, five hundred dollars;

To the Marshal four hundred dollars, and three hundred dollars additional for his deputy while he employs one.

To the City Clerk four hundred dollars, and such further sum as may be allowed him, by the School Trustees, for services performed by him under their direction.

To the Civil Engineer five hundred dollars

To the Street Commissioner three hundred fifty dollars.

To the Clerk of each Market, one hundred dollars.

To the Sexton of the Public Grave Yard fifty dollars.

Sec. 2. No other fees or perquisites shall be paid to any of said officers out of the city treasury, nor shall the city be liable to the Mayor or Marshal for any fees in suits before the Mayor in which the city is a party, and the acceptance of the salary hereby provided said officers shall operate as a release to the city of any claim for fees in any such cases.

Sec. 3. If any officer of this city shall vacate his office before the expiration of the term for which he was elected, his salary shall cease from the date of such vacancy, and his successor shall draw pay from the date of his induction into office.

Sec. 4. This ordinance shall take effect and be in force from and after the 1st day of May A.D. 1854; and all other ordinances relative to the salaries of the aforesaid officers, shall stand repealed from the day last aforesaid.

On Motion the rules were suspended, the ordinance read a first, second, time.

Mr. Bradshaw moved to lay it on the table, which motion did not prevail.

Mr. Bradshaw moved to strike out \$400 as City Clerk salary and insert \$500, which motion did not prevail

Mr. Bradshaw, moved to strike out \$400 as Mayors salary and insert \$500; which motion did not prevail.

The ordinance was read a third time and adopted by the following vote:

Ayes: Messrs. Dunlap, Delzell, Durham, Edwards, Kerns, Maguire, Nelson, Newcomb & Strickland - 9.

Noes: Messrs. Bradshaw & Pitts - 2.

On Motion the finance committee were directed to make settlement with the Treasury.

On Motion Mr Maguire was added to said committee.

Mr Nelson presented the following petition:

To the Common Council of Indianapolis:

The undersigned owners of real estate on Washington street between Illinois and Tennessee streets petition your honorable body to order six gas posts, to be erected, three on each side of said Washington Street, and cause lights to be burned in said posts, together with one additional light, in the post already erected at the North East corner of Masonic Hall, and cause the cost of said posts and burners to be taxed on our property rateably, that is to say for three posts & three burners on the property on the South side, and three posts and three burners on the property of the North

side of said street.

Masonic Hall by Wm Sheets agt	63 feet
Wm Sheets	65 "
James Blake	149 "
Charles Mayer	35½ "
Pierson & Cottrell	18½ "
M. Rech	16 "
Thomas Buist	18½ "
Weaver & Williams	18½ "
Valentine Butch	18 "
John P. Meikel	18 "
Ph. Woemer	16 "
George McQuat	59 "
D. V. Culley Adm'r Gillespies estate	19½ "
Hervey Bates	110 "
<u>Total feet</u>	<u>624.½</u>

On Motion

Referred to Judiciary Committee with instruction to report an ordinance, granting the prayer of the petitioners.

On Motion it was

Ordered, That the Civil Engineer report the probable expense of said gas posts, burners, etc.

Mr. Maguire presented a resolution, in blank, which being filled up was adopted as follows:

Resolved, That the following persons be appointed Inspectors and Judges to superintend the city election as required by law.

For the 1st Ward. Wm Wallace, Inspector, Samuel Delzell, & D. S. Beaty, Judges.

2d Ward. H.P. Coburn, Inspector, John Wilkins & H.W. Ellsworth, Judges.

3d Ward. H. Griffith, Inspector, C.C. Campbell, & A. Lingenfelter Judges.

4th Ward. Judge Perkins, Inspector, H.S. Rockey & Samuel M. Douglass, Judges.

5th Ward. George Espy, Inspector, J.H. Roll & B.R. Sulgrove, Judges.

6th Ward. Jacob Fidler Inspector, John F Ramsey & I.H. Vagin, Judges.

7th Ward. Judge Stevens, Inspector, Wm L. Wingate & Wm Montague, Judges.

Ayes. Messrs. Bradshaw, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, Nelson, Newcomb, Pitts, Strickland - 11

Noes: None.

Mr Maguire offered the following resolution:

Whereas, In the opinion of this Council the interests of the city require the election of a City Attorney, therefore,

Resolved, That a poll be opened at the City election on the 1st Tuesday of May for the election of a City Attorney to serve for one year from the day of election.

Which was adopted by the following vote:

Ayes: Messrs. Bradshaw, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, Nelson, Newcomb, Pitts & Strickland. 11.

Noes. None.

On Motion by Mr Maguire, it was

Ordered, That the polls for annual election be opened at the several ward school houses.

On Motion by Mr Durham it was

Ordered, That the Civil Engineer furnish Anthony Lowman with estimate of work done on Market Street.

Mr. Bradshaw presented the following petition:

To the Common Council of Indianapolis:

The undersigned a resident of the 7th Ward in said city very respectfully represents to your honorable body, that a petition signed by himself and about two hundred other residents of the 1st and 7th Wards of said city praying for a bridge over Pogues Run on Noble Street, was presented to your honorable body on the 6th of July, 1852, by Mr Buchanan, then Councilmen for the 7th Ward. Said petition was referred to the Committee on streets and alleys since which no time no measures have been taken to comply with the prayer of the petitioners. In view of the importance of such a bridge to meet the urgent necessities of a large number of tax paying citizens, and the fact that without one Noble street is almost useless as a public thoroughfare, the undersigned respectfully calls the attention of your honorable body to the prayer of said petitioners, and hopes that it will receive the consideration at your hands which the interests and convenience of many good citizens so imperatively require. And the undersigned begs further to represent to your honorable body that, in common with his co-petitioners he thinks great injustice has been done in the premises inasmuch as a petition for a bridge over said Pogues Run on Market Street has been complied with, and proposals for the work have been published by the Civil Engineer; although, the necessity for such a bridge is not by far so urgent as for one on Noble street, there being but few persons at present needing its accommodation.

The undersigned also takes this occasion to represent to your honorable body that the channel of Pogues Run west of the bridge on Washington Street, should be immediately straightened, in order to save Noble street south of said bridge from farther abrasion by the water as it now runs. If permitted in its present course it will require a large expenditure to restore Noble street to its proper grade, and hence the undersigned asks that the Civil Engineer be directed to examine the channel of Pogues Run as above mentioned, and report at an early day to your honorable body what steps are necessary to secure the object in view; and your petitioner as in duty bound will ever pray.

April 3d 1854.

Chas. M. Cady

On Motion by Mr. Bradshaw

Referred To the Civil Engineer.

Mr Newcomb moved that when the Council adjourns it adjourns to meet on Saturday evening next; which motion prevailed.

The following report of the Civil Engineer was read:

The undersigned respectfully reports to the Common Council, that the track of the Indianapolis and Lafayette Railroad at crossing of Market Street, is three feet seven inches higher than the established grade of the street.

The petitions of the property owners on the North side of Washington Street, between Tennessee and Illinois streets, praying for the grading and paving of sidewalk and gutter, have been examined by the undersigned, and found to contain the signatures of resident owners of over two thirds of the whole line of the lots bordering on said street.

James Wood, Civil Engineer.

On Motion by Mr Pitts, the prayer of the petitioners was granted, &

Ordered, That the Civil Engineer advertise for proposals for said work, and report them to this Council.

The undersigned, reports that the bridge erected over Pogues Run on East Street is finished agreeable to the specification, and to his satisfaction; and that 50 cubic yards of extra filling has been put at the end of the bridge by Mr Comegys, which is worth nine dollars, which the Council will please allow.

April 19, 1854

James Wood Civil Engineer

On Motion

Allowed Levi Comegys \$275 for said bridge & \$9 for extra filling \$284.00

On Motion Adjourned to meet on Saturday evening.

Attest:

Daniel B. Culley,
City Clerk.

Adjourned Meeting. -

Common Council Chamber,
Saturday evening, April 22d, 1854.

Council met. Present Messrs. Bradshaw, Dunlap Delzell, Durham, Edwards, Karns, Maguire, McCarty, Nelson, Pitts, & Strickland - Councilmen, & C. Scudder, Mayor. 10

The minutes of the preceeding meeting read and approved.

The following accounts were presented and allowed:

165)		
to)	James Wood, as Civil Engineer from 1st Janry 1853	
173)	to May 1st	\$ 90.00
174)		
to)	N. B. Taylor as City Attorney " 1st May, 1853	
183)	to 1st May 1854	250.00
184.	Staats & English, glazing & glass for Marion Engine house	2.85
185.	James Kennedy, roofing and carpenter work M. E. House	15.00
186.	J. S. Dunlop, Jr. Treasurers Office rent. 1st May '54.	50.00
		<hr/> \$407.85

Henry S. Kello's acct was on Motion, referred to the committee on accounts.

The Finance Committee asked for futher time to settle with the Treasurer. granted.

The following communication was read:

The undersigned respectfully calls the attention of the Council to the phraseology of the petition of property holders in Square No. 54, on the North side of Washington street, between Illinois and Tennessee streets, praying that a certain portion of the sidewalk on the said street between the points named be graded and paved at the expense of the respective owners. The question is can the prayer of the