

Adjourned Meeting

Monday Evening, Jany. 10, 1852

Council met. Present Messrs Louden, Delzell, Buchanan, Fidler, Pitts and Culley.

Minutes of the regular meeting read and approved.

On Motion by Mr. Louden

The Council proceeded to the selection of three Trustees for Common Schools under the provisions of the General School Law. Messrs H.P. Coburn, Calvin Fletcher and H.F. West were selected.

The following paper from Albert S. White was read and ordered to be entered with the minutes.

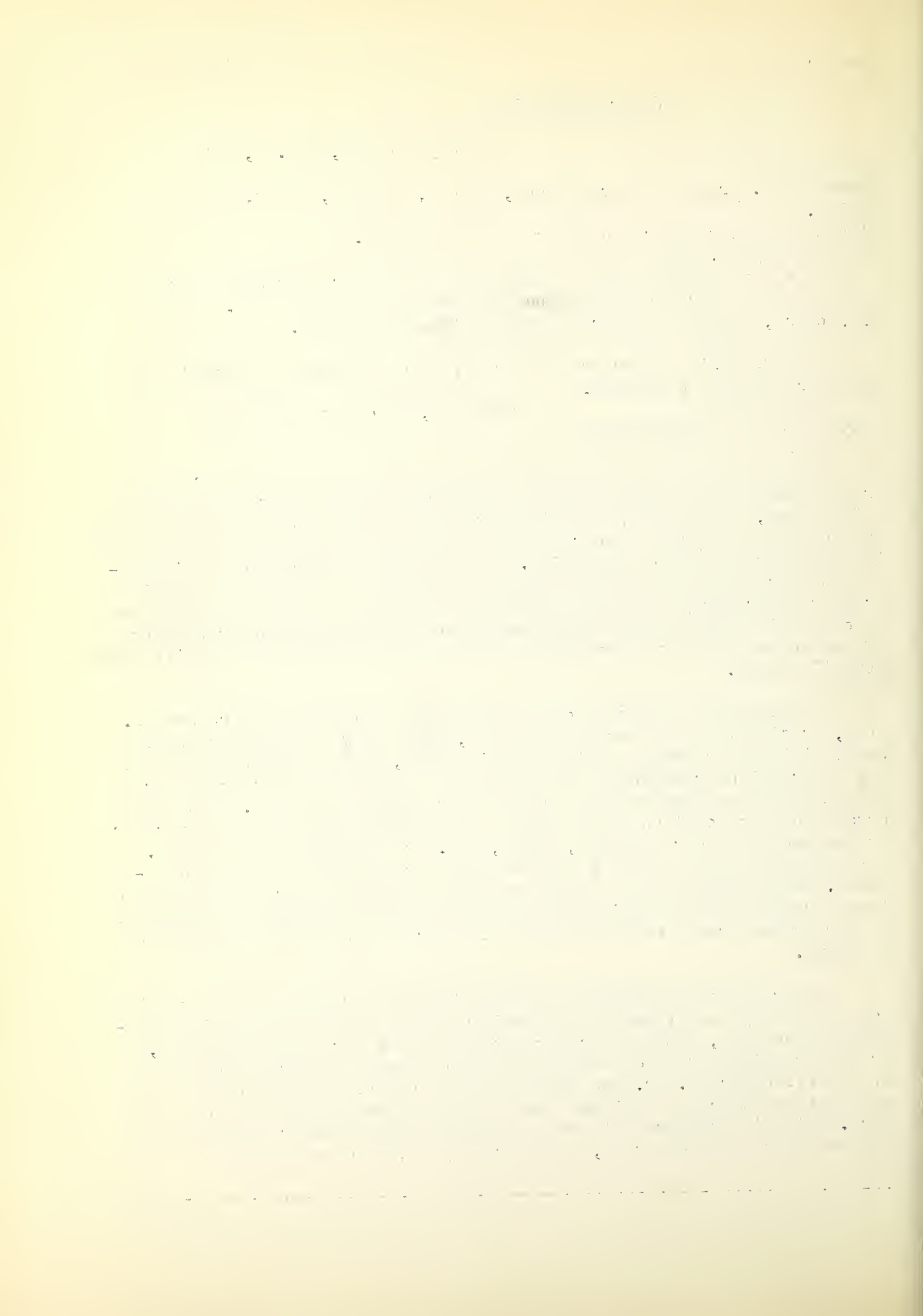
Lafayette, December 20th 1852

City Council of Indianapolis:

When the Council voted down the proposition to exclude our company from occupying the North half of Louisiana Street on our way to the Union track, it virtually affected our right by the resolution which they passed but at the same time requested or directed the Terre Haute Company to give us room in the south side. You recollect I expressed my willingness to pursue the last named track if we could do so without objection from or controversy with the Terre Haute Company and I said at the same time that if these circumstances compelled us to occupy the ground North of the Terre Haute track we could not do so until we had first given the Council notice.

I have now to inform the Council that I immediately addressed Mr. Rose, President of the Terre Haute Road, asking his consent for us to switch into their track at Mississippi Street, unless he chose to adopt the alternative presented by the Council of removing their track far enough South to allow ours to occupy their present position. This last arrangement he declines because that Track is laid straight to the river bridge and all their turnouts, shops, etc. are adapted to it as laid. The change he says would be attended with great inconvenience and expense. And he adds that he can by no means consent to our switching into their track at Mississippi Street on account of the danger of collisions as our trains from the North cannot be observed when Block 89 shall be built up.

Under these circumstances we cannot avail ourselves of the right of way granted by the Council and sanctioned I am sure by the public sentiment of the town, without a controversy with the Terre Haute Company, or else running our line alongside of and North of their present track to Tennessee street. Mr. Rose consents that we shall place the two tracks as close together as possible so as only to leave two feet between the cars. This will require but the occupancy of some five or six feet North of the centre of the Street, & will really save the confusion



and danger which the occupancy of a single track by two companies would produce. The Council did not intend to throw us into the attitude of litigation with the Terre Haute Company nor compel us to await the result of any such controversy. We have thirty or forty new cars to get on to our track from the Madison and Bellfontaine Roads, and the exchange of commerce require that we, like all the other roads should have a speedy connection with the Union Track, and the Council surely will not blame us for arriving there on ground sanctioned by them although they would have preferred a track further South.

Capt. T.A.Morris will no doubt give fair and impartial professional Council as to the mechanical difficulties in the way of removing the Terre Haute Track, or the practicable operation of a double track west of Tennessee street, as it already exists east.

I have given this notice in accordance with my promise although the resolution of the Council affirming our right was passed posterior to my promise.

Very Respectfully Yours,
A.S.White, Prest. L & I.R.R.Co.

Mr. Wm. Sheets presented the following remonstrance - read and ordered to be entered with the minutes:-

"To the City Council of Indianapolis:

The undersigned being the owner of Block No. 89 in said city, fronting 420 feet on Louisiana Street, hereby remonstrates against permission being granted to the Indianapolis & Lafayette Railroad Company to occupy any part of said street fronting said property, in grading, laying down, and maintaining the track of said road.

Respectfully, Wm. Sheets

Indianapolis, January 10, 1853"

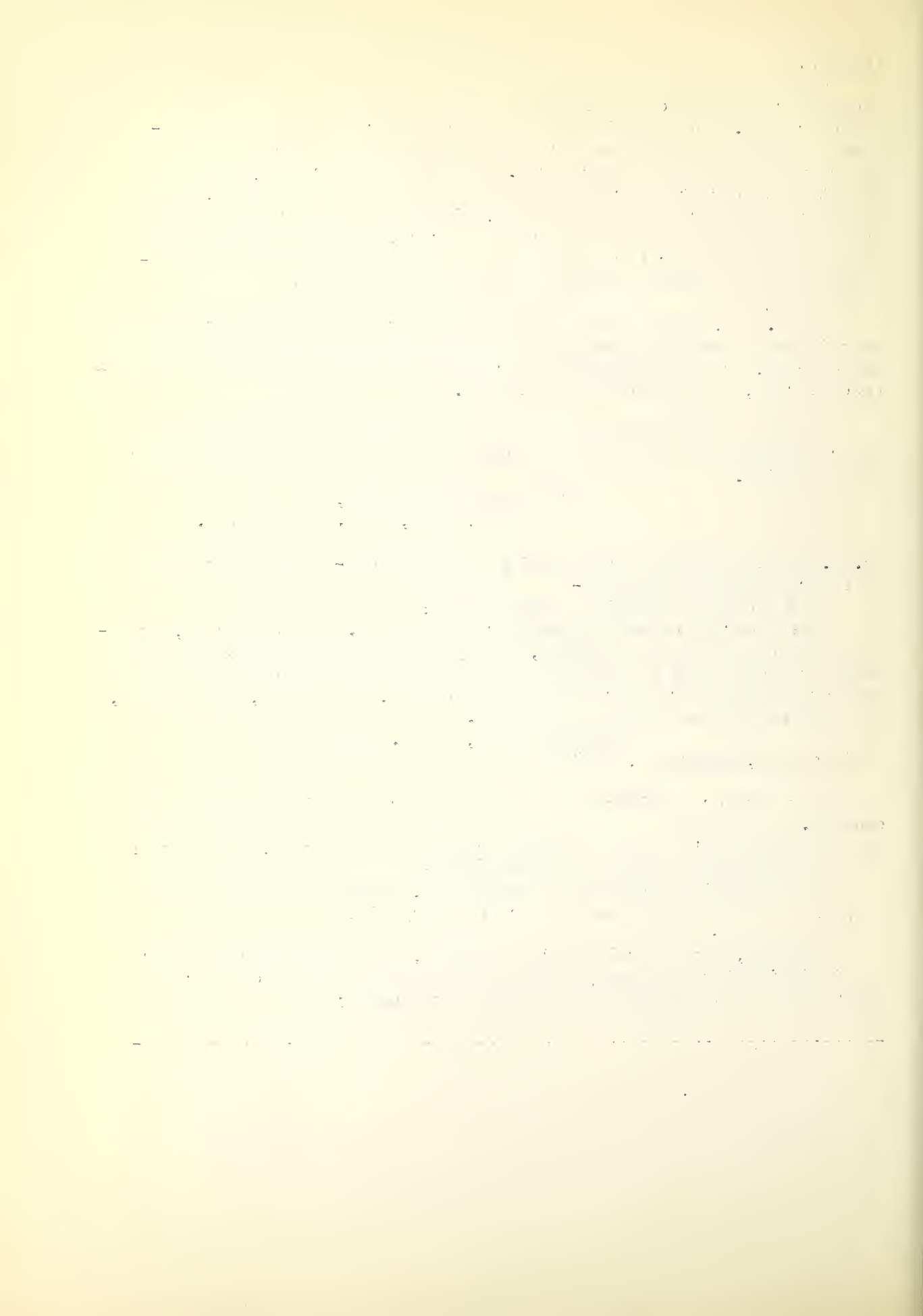
The further consideration of this matter was laid over till Friday evening.

The City Attorney's reply to certain resolutions was read, as follows:

"To the City Council of Indianapolis:

The following preamble and resolution, passed by your honorable body have been handed to me by your Secretary viz:

Whereas, The Central Railroad Company, the Lawrenceburg & Upper Mississippi Railroad Company and the Terre Haute & Richmond Railroad Company have not complied with the city ordinances;



Resolved, That the City Attorney be and is hereby instructed to examine the ordinances under which the above named Railroads come into the city proper and by what right, if any, they have to use the Streets within the same; and report the same to the City Council at the next meeting."

The only conditions precedent to the right of the Lawrenceburg & Upper Mississippi Railroad Company, and the Indiana Central Railway Company to lay their respective tracks through the Streets named in the ordinances is that the former shall have made it appear satisfactory to the City Council that they have procured a sufficient quantity of grounds, fronting on Louisiana Street to make the same 80 feet in width, and shall have proceeded publicly, to open and grade the same to said width of 80 feet east of East street and that the latter shall have made it appear Satisfactorily to the City Council they have procured a sufficient quantity of ground south of Maryland Street fronting thereon, to make said street 80 feet in width, and shall have proceeded publicly to open and grade the same to the said width of 80 feet of East Street.

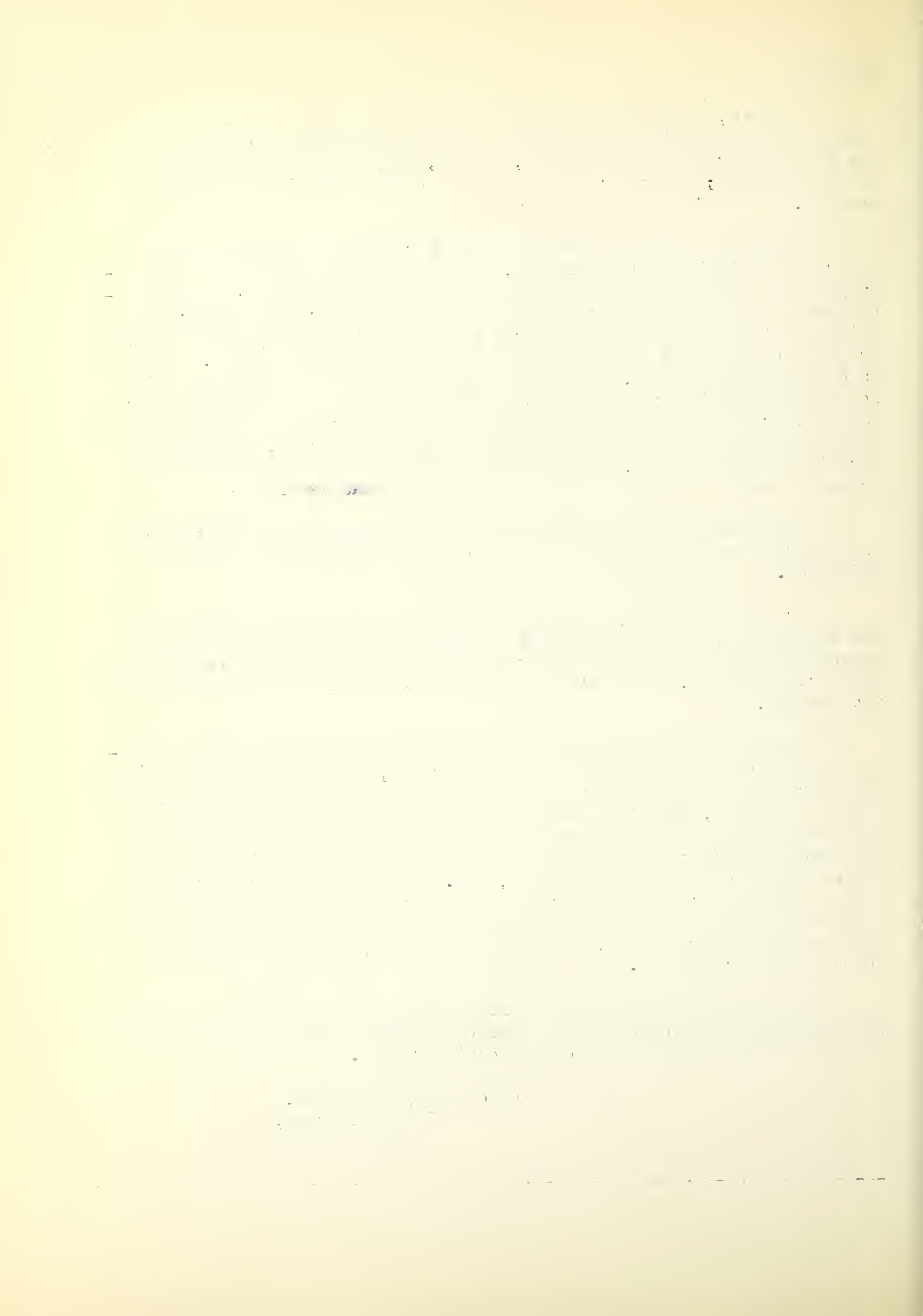
These conditions are contained in the second section respectively of the ordinances in relation to the occupation of streets by said Railroads.

For a breach of any others of the provisions of said ordinances the remedy is by an action of debt prosecuted in the name of the City Council except the provisions in relation to the rate of speed at which the cars shall run, for a breach of which the remedy is by an action for the penalty.

Section 5 of the ordinance "in relation to the Terre Haute & Richmond Railroad Company occupy Louisiana Street", provides that so soon as an order of the Board of Directors of the Railroad Company assenting to these conditions, (meaning the preceeding Section of the ordinance) is made and a certified copy filed with the Secretary of the City Council the foregoing order granting the use of said Street and privileges as stated shall be considered in force, etc. The filing of such certified copy of such order of said Board is of course a condition to be complied with before said Company could have the right to lay the Track of their Road upon Louisiana street, or be entitled to any of the privileges named in the ordinances.

The same Sections provides that a failure of the Company to comply with the condition named above in the ordinance or any one of them, shall forfeit all rights and privileges therein granted.

Respectfully Submitted,
Albert G. Porter,
City Attorney"



The Secretary announced the acceptance on the part of the Terre Haute & Richmond Railroad Company of the ordinance relative to the occupancy of Louisiana Street.

Mr. Buchanan of the 7th Ward offered the following:

"Resolved That the City Attorney immediately commence proper legal proceedings against the Indiana Central Railway Company for a violation of "an ordinance in relation to the occupation of Maryland Street by the Indiana Central Railway Company". Adopted.

Allowed J.B. Fidler & Co. for chairs etc. furnished City Schools	8.35
" M. Smock repairing pump at Youngermans Corner	.75

On Motion Adjourned to meet Friday Evening.

Attest:-

David V. Culley, President

Daniel B. Culley, Secy C.C.

City Council Chamber
Friday January 14, 1853

Adjourned Meeting

Council met pursuant to adjournment. Present Messrs Delzell, Loudon, Buchanan, Fidler, Pitts, Greer & Culley.
Minutes of the preceding meeting read and approved.

The President announced the object of the meeting to be to consider the question of the occupancy of Louisiana street between Mississippi Street & Tennessee by the Lafayette and Indianapolis Railroad Company.

The City Engineer presented the following report:

"The following resolutions were passed by the City Council on the 13th of December last, in relation to the Railroad track on Louisiana Street, viz:

'That the Terre Haute and Richmond Railroad Company be requested to remove or adjust their track running along Louisiana Street so far as to allow the Lafayette & Indianapolis Railroad Company to enter the Union Track at the nearest practicable point by running on the South side or half of said Louisiana Street not farther North than the Track now occupied by the Terre Haute and Richmond Railroad Company.'

'That in the opinion of the Council the said Lafayette and Indianapolis Railroad Company are authorized by the ordinance heretofore passed to connect with the Union track at the nearest practicable point on South side of Louisiana Street: Provided The curve of entrance shall not extend beyond the East side of Mississippi Street.'

'That the City Engineer be requested to meet with the several engineers of the Terre Haute and Richmond and the Lafayette & Indianapolis Railroad Companies in adjusting the tracks of said road under the fore-