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Council Chamber September 25th 1858

Council Met at 7 oclock P.M.

Present the Mayor and councilman Cottrell, Donlap, Durham, English, Greenfield, Geiesendorff, Hadley, Locke, McNabb, Pratt and Vandegrift.

The minutes of the previous meeting were read and approved

PETITION

Mr. Cottrell presented the following

To his honor the Mayor and Common Council of the City of Indianapolis,

Your petitioner would most respectfully ask your honorable body to appoint Jacob J. Bisbing Special policeman for the New Metropolitan Theatre and he will ever pray.

E. T. Sherlock
Manager

On motion of Mr. Cottrell the prayer of the petitioner was granted.

Mr. Vandegrift presented the following

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To His Honor the Mayor

And Members of the City Council

Your petitioner asks you to have the grade Stakes Set on the east Side of Delaware Street from my ware house to the Central Depot, that we may grade our Sidewalk

Central Rail Road Company
Andrew Wallace

From Committees

Report of Judiciary Committee on Peru Rail Road

By Mr. Donlap

At the last regular meeting of the council a motion of enquiry was made by Mr. Fletcher, and refered to the judiciary Committee to ascertain wether the Peru Rail Road Company had complied with the Ordinance of the city in laying the track to correspond with the grade as established by the City authorities by an examination of the records the committee have ascertained that the Peru

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track was laid down by the provision of a general ordinance, in regard to Rail Roads passed March 12th 1849. Styled "an Ordinance in relation to the construction and connection of Rail Roads through the City of Indianapolis: We extract the following from Section 4 of Said Ordinance which reads "that no Such track Shall interfere with or vary from the established grade of any Such Street, and that every Such track Shall be planked and graveled by the Company, making or causing the Same, So as to make as little obstruction to ordinary travel as possible. Now the question arises, what is the established grade, when the profile of the city was made, and the grade established, it was the dirt grade, as it is called by the Engineer, and not the gravel grade, that was adopted by the Council and by an examination of a late Survey of the City Engineer, it is ascertained that the rails laid on the Peru track is one inch above the dirt grade, the Madison and Indianapolis Rail Road is in the Same Situation haveing been laid down under the Same general Ordinance, and in conformity to the dirt grade, if the grade of the city is the gravel grade, we can easily imagine the difficulties that would accrue; as the quanteen of gravel is not laid on in all the Streets with any uniformity, there is diffirance from 3 to fourteen inches, and is liable to be changed at any time, and therefore it would be impossible to lay down a track to be uniform, there is nothing in the ordinance in regard to making or obstructing ditches, the Committee are at a loss to reccommend to the Council the course which Should be adopted in the premises, we therefore ask to be discharged from the farther investigation of the Subject.

Indianapolis September 25th 1858 L. Donlap

On motion of Mr. Durham the report was accepted and the Committee were discharged from the further consideration of the Subject.

From Committee on Streets and Alleys.

By Mr. Cottrell,

The committee on Street and Alleys to whom was referred the bids for grading and graveling Sundry Streets and Sidewalks, have examined the proposals and find the lowest bids as follows First the sidewalk on North Side of Washington Street and National Road, to M.L.Coyner. Second Bluff Road to Thomas Wren, third bouldering gutter on Alabama Street R.A.Looker, fourth Mississippi Street Jeremiah Shea. fifth North Side of New York Street and Sidewalk on South Side. Samuel J. Patterson. Seventh Maryland Street Epraim C.Croas. Sixth Tennessee Street Martin L. Coyner.

Thomas Cottrell)
 Stephen McMabb (Com
 E. Locke)

On motion of Mr. Greenfield the above report was recieved and concured in and the Civil Engineer was instructed to Contract with persons named in the report.

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By Mr. Hadley,

By order of the Common Council of the City of Indianapolis of the Eleventh of September 1858 the undersigned commissioners were directed to report what damages if any will accrue to property owners on Delaware Street between St Clair and St Joseph Streets by opening Said Street to its regular width" Said Commissioners report that on the 21st Inst they met and proceeded to examine the premises, and find that the regular width of Delaware St South of St Clair Street is Ninety 90 feet, and that Said Street as far as opened North of St Clair Street is Sixty (60) feet. On account of the Valuable im all ready made, on Said Street, North of St Clair Street we respectfully recommend that the width of Said Delaware Street, North of St Clair St be established at Sixty feet.

We therefore find that no damages will accrue to property holders on Said Delaware Street, between St Clair and St Joseph Streets by Opening Said Street to the width of Sixty feet, but all of Said property holders will be benefited thereby

Respectfully Submitted
 Adam Knodle)
 E.Browning ()
 D.S.Beatty)Commissioners
 W.Clinton Thompson(
 Adam Gold)

On motion the above report was accepted and the Street Commissioner was ordered to notify the property holders to open the Street

between the points named in the report and if they fail to do so to open the same at their expense.

REPORTS FROM OFFICERS

From the Civil Engineer

The Civil Engineer reports to the City Council 1st That a Culvert with Stone walls covered with good oak plank across Washington Street, on the west Side of Pennsylvania Street cost \$410. The Engineer would remark that in order to obtain a descent for the water, it would be necessary to excavate a ditch to the first alley South of Washington Street, and boulder the same, which will cost \$170 more; and that said ditch will come in contact with the wall and pump. 2d August Richter has finished the rebuilding of the Wall on Pogues

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Run, at Virginia avenue, and the grading and bouldering of the ditches which the Engineer has measured, and the cost thereof amounts to \$483.57 (1724 to 1729)

3d The award of the arbiters in the case between the city and Jeremiah Shea, relating to Louisiana Street, is herewith Submitted to the council.

4th The Engineer has reset the grade Stakes on North Street between Delaware and Alabama Street

5th John B. Stumph is about to commence building the Walls for the Bridge over Pogues Run on Pennsylvania Street, and as the removal of the old Bridge does not form a part of his contract, the Council will please direct the Street Commissioner to remove said old bridge, and to use such parts thereof as may be suitable for Street purposes.

6th The proposals received for grading and graveling the Sidewalk on the South Side of Washington Street, between the canal, and the alley East of West Street, and for building a cistern at the crossing of Pennsylvania and St Clair Street, are herewith Submitted to the Council.

Indianapolis Sept 25th 1858. James Wood

Civil Engineer

On motion By Mr. Vandegrift the report was accepted and

the accounts as named in the report were allowed, and the clerk was ordered to issue warrants upon the Treasury for the amounts, the Street Commissioner was ordered to remove the bridge over Pogues Run on Pennsylvania Street.

From Cheif Fire Engineer To the Hon Mayor and Common
Council of the City of Indianapolis

Gentlemen.

My attention has been directed by Several Gentlemen and property owners on Washington Street, to a piece of property Situated immediately east of Mr. Blackfords new building on the middle of Said property, there are Several old log and frame Shanties which are kept in a bad condition, a match lighted and applied would in all probability distroy a vast amount of valuable property including the entire Post office. I have examined the premises and consider it a nuisance, and as Such, Should be abated, I hope you will refer the matter if you consider it demands attention to a proper committee to ascertain if the city have the power to abate the nuisance I herewith present two bills one for Iron Castings for cisterns, the castings were ordered and made before I came into office. I would here Say that the castings are made too heavy, if any are made I would Suggest that they be made Some lighter the other bill is for repairing the roof of the Hook and Ladder Companys house our

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our Engines are all in good order every thing is moveing
along harmoniously,

Respectfully Submitted

Joseph W. Davis
Cheif Fire Engineer

From the Same

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

Gentlemen.

You are hereby respectfully invited to be present and witness a review of our Fire department, which will take place on the Seventh of October the grounds chosen for the review are immediately South of the union depot, the department will appear on the ground at 3 oclock of Said day, by order of the Fire association.

Joseph W. Davis
Chief Fire Engineer

On motion of Mr Vandegrift the report was recieved and the bills accompanying the report one in Favour of Haselman and Vinton for Castings amounting to \$211.05. and one in favour of C. Zimmerman for repairing the Roof on the Hook and Ladder companys house for \$10.51 were allowed and orders were ordered to be issued for the amounts on the Treasury. And on motion by Mr English, the part of the report concerning the building named therein was refered to the judiciary committee, for examination. (7121 1722 1730).

From the Street Commissioner

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

The undersigned Street Commissioner respectfully Submits the following report

(1720) Jerry Shea	For Hauling 4 Loads plank	\$ 2.00	x
(1719) Thomas Wren.	" Graveling Side walk crossing		
" "	alley on South Street, also for		x
" "	graveling on Virginia Avenue	21.00	x
(1718) Hiram Louis.	For Hauling plank &c	10.00	x
(1717) George Heininger"	6 days work	150	9 00 x
(1716) John Schoup	" 5 " "	150	7 50 x
(1714) Thos Feriter	" Hailing Gravel	6 75	x
(1723) Henry Colestock	" Cash paid out to hands,		
" "	Drayage &c	9 00	x

I have found the timbers on Washington Street bridge on the Canal Sound but must a new floor it will cost about Sixty dollars. I herewith report

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the following names of persons who refuses to pay for cleaning the alley from Washington to Market Street. A. H. Macy \$1.25 James Suain \$1.25 Andrew Wilson \$4.00 for putting up fence at Washington and Tennessee Street

Henry Colestock

Street Commissioner

On motion by Mr Vandegrift the report was recieved and the clerk was ordered to draw orders for the amount.

From Arbitrators.

The undersigned to whom was Submitted the matter in controversy, between the city Council and Jeremiah Shea, about a certain contract for grading, and graveling Louisiana Street, and the North Side of the Sidewalk, of Said Street, between Merdian and Mississioippi Streets met according to agreement, at the office of the City Engineer on Monday the 20th of September, and after being duly qualified, to hear and, examine the matters in Controversy and to make a just award according to the best of their Understanding, as the Statutes provide in Such cases, now Submit the following award to wit.

That the Said Shea be paid by the city the Sum of Four Hundred and twenty dollars, in full for all his profits on work yet to be done under his contract with the city, and that the Contract between the parties be rescinded. We further award that in case the city pay the above award in city Scrip, the amount then to be paid by the City Shall be five hundred and four dollars \$504.

(1746 1747 1748 1749 1750 1751 1752 1753 1754)

We further award to the Said Shea the Sum of one hundred and fifty two dollars and fifty four cents, for work done by him and for which he has not been paid, which amount we understand will be paid by the Terre Haute Rail Road. Company, and in case Said Company Should fail to pay the Said Shea then the Same to be paid by the City.

We further award that Should the City pay the above one Hundred and fifty Two dollars \$152.54. in City Scrip the amount to be So paid Shall be one hundred and ninety dollars and Seventy Cents \$190.70.

Given under our hands the date above written

Thomas Cottrell) Arbitr
T. A. Morris) ators

On motion by Mr Vandegrift the report was accepted and the clerk. was ordered to issue orders to Jeremiah Shea to the amt of Five Hundred and four Dollars, as Set forth in the report of the arbitrators, and on motion of

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Mr Cottrell, the Civil Engineer was instructed to Set the grade Stakes on the North Side of Louisiana Street between Tennessee and Illinnis Street, and the Street Commissioner was instructed to finish the gradeing, and also to fill the gravel pit between Tennessee and Mississippi Street.

On motion of Mr. Durham the following Ordinance was taken up
 An Ordinance to provide for the grading and graveling of
 Spring Street between Ohio and Vermont Street, inclusive of
 the Sidewalks.

Section 1st Be it Ordained by the Common Council of the City
 of Indianapolis, that the whole width with pit gravel to the
 depth of nine inches in the Centre, and Slopeing to five inches
 at each Side, and the Sidewalks to be graded and graveled
 five inches in depth and four feet wide, and that the expense
 of grading and graveling Such Street and Sidewalks as afore
 Said (except So much thereof as is ocupied by the crossings of
 Streets and alleys, be assessed against and collected from the
 owners of the Lots bordering on Said Street, between the limits
 aforesaid, according to the provisions of Sections 66 to 69
 inclusive of the city Charter.

Section 2d The Civil Engineer is hereby directed to Set the prop-
 er 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
 in the city, that Sealed proposals will be recieved by the Com-
 mon Council, at the meeting of the Council to be held on the
 ninth day of October 1858, for the execution of Said work to
 be completed by the 25th day of December 1858.

Section 3d This ordinance Shall take effect and be in force
 from and after its Passage.

On motion of Mr. Durham the ordinance was then read the
 third time, and the question being Shall the ordinance pass,
 which resulted in the affirmative by the following vote.

Ayes Messrs. Cottrell, Dunlap, Durham, English, Greenfield,
 Geiesendorff, Hadley, Locke, McNabb, Pratt and Vandegrift 11.
 Noes None

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On motion of Mr. Locke the following ordinance was taken
 from the table.

An Ordinance to provide for the grading and graveling of
 Indiana Avenue Street, between West Street and Canal inclu-
 sive of the Sidewalks

On motion of Mr. Locke the ordinance was then read the third time and the question being Shall the ordinance pass, which resulted in the negative by the following vote.

Ayes Messre Dunlap, Durham, Greenfield, Geiesendorff, Hadley, Locke, McNabb, Pratt and Vandegrift 9
Noes Messrs Cottrell 1

Defeated not having the required majority of two thirds

Mr. Locke introduced the following

An Ordinance appropriating money for the payment of Sundry Claims against the city of Indianapolis

Which on motion was read a first time and On motion was read a Second time by its title.

RESOLUTIONS

By Mr. Cottrell

Resolved.

That the city Engineer be directed to notify the Union Rail Road Company to open a Suitable culvert under their tracks on the West Side of Delaware Street.

Ayes, Messrs Cottrell, Dunlap, Durham, English, Greenfield, Geiesendorff, Hadley, Locke, McNabb, Pratt and Vandegrift 11.
Noes None. Adopted

By Mr. Cottrell

Resolved.

That the city clerk be directed to draw no orders in favour

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of any parties until they Shall have paid up all taxes that

may be due by them to the city Treasury.

Ayes

Messrs,

Cottrell, Dunlap, Durham, English,

Geiesendorff, Hadley, Locke, McNabb, Pratt, and Vandegrift

10 = Noes. Mr Greenfield = 1 =

= Adopted =

By Mr Geiesendorff,

Resolved.

That Henry Hoffman be permitted to grade and pave the sidewalk in front of his property, on the South Side of Washington Street, between East and Liberty Street, and that the city Engineer be and is hereby directed to Set the proper grade Stakes for the Same.

Ayes.

Messrs,

Cottrell, Dunlap, Durham, English, Green-

field, Geiesendorff, Hadley, Locke, McNabb, Pratt, and Vandegrift. = 11 =

Noes = None

= Adopted =

By Mr English.

Resolved.

That the contract for the improvement of Mayland Street be postponed until next Spring.

Ayes.

Messrs.

Cottrell, English, Hadley, Pratt and Vandegrift = 5 =

Noes

Messrs,

Donlap, Durham, Greenfield, Geiesendorff,

McNabb and Mayor = 6 =

= Not adopted =

By Mr Cottrell

Resolved

That the Chief Fire Engineer be directed to have the well on Virginia avenue repaired in Such manner, as to be Suitable for a public Cistern.

Ayes. Messrs. Cottrell, Dunlap, Durham, Greenfield, Geiesendorff, Hadley, Locke, Mcnabb, Pratt & Vandegrift = 11 =

Noes = None

Adopted



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By Mr. Cottrell,

Resolved

That the City Engineer be directed to give Jerry Shea a final estimate on his contract on Delaware Street between Maryland Street and Pogues Run So Soon as he may have his Contract done to the Satisfaction of the City Engineer.

Ayes Messrs Cottrell, Dunlap, Durham, English, Greenfield, Geiesendorff, Hadley, Locke, McNabb, Pratt and Vandegrift 11.
Noes None Adopted

By Mr. Cottrell,

Resolved,

That the Civil Engineer is hereby instructed to give Thomas Feriter a final Estimate on work done by him on Washington Street, between Alabama and New Jersey Streets, when the work shall have been done or finished to the Satisfaction of the Civil Engineer, and the City Clerk is instructed to issue orders for the payment of the Cities portion upon the Certificate of the Engineer.

Ayes Messrs Cottrell, Donlap, Durham, English, Greenfield, Geiesendorff, Hadley, Locke, McNabb, Pratt and Vandegrift 11.
Noes None

By Mr. Locke,

Resolved

That James Russell be allowed the citys portion of the work done on Indiana Avenue, between West and St Clair Street So Soon as the Engineer Shall be Satisfied that the work is completed in accordance with the Specifications in his office.

Ayes. Messrs, Cottrell, Dunlap, Durham, Greenfield, Geiesendorff, Hadley, Locke, McNabb, Pratt and Vandegrift 10.
Noes None
Adopted (1732 1733 1734 1735 1736 1737 1738)
