

Common Council Chamber
February 20. 1854

Council met. Present Messrs. Bradshaw, Carlisle, Dunlap, Delzell, Durham, Edwards. Karns, Maguire, Nelson. Newcomb & Pitts, Councilmen.

The minutes of the preceding meetings were read and approved.

The City Clerk presented the following report:		
May 1st 1853.	Indebtedness General Fund	\$95.30
Febry 1854.	Orders issued to date, & interest	14,732.61
	Am't interest pd. by Treasurer.	81.57
		<u>\$14,909.48</u>
Receipts: as per Treasurers Monthly report.		8,073.07
		<u>6,836.41</u>
Street scrip outstanding		1,705.11
Febry 1854	Orders Outstanding	<u>\$5,133.30</u>
Amount of taxes assessed on Duplicate 22,449.59		
" "	" collections to February 1st	
1854		6,450.00
Amount uncollected on Duplicate.		<u>\$15,999.59</u>
Febry 1st 1854	Town Clock receipts	1027.18
	Orders issued	1000.00
	Tr. Per Centage	<u>18.64</u> 1018.64
		8.54

The city is also liable for the following amounts specified.

Amount of appropriation for House and Lot for Invincible Fire Company	\$1,000.00
To Levi Comegys for contract for bridge across Pogue's Run on East street.	275.00
To Carey H. Boatright for bridge across canal on North street	350.00
Bal due G.D. Phifer on cisterns	141.00
Bal due M. Shea, st. improvement	97.57
Appropriation to Fire Companies	1475.00

Also, the following in undefined amounts:

- Six cisterns located but not contracted for.
- Cistern at Madison Depot contract ordered but not made.
- Am't of Meridian street improvement now in dispute.
- Due Locomotive & Volksblatt for publishing ordinances.
- Due for improvement of Market, Ohio, & New Jersey streets not completed.
- Bal due L.D. Wilson on Pennsylvania street.
- And sundry small jobs ordered to be done by Street Commissioner for which bills have not been presented.

School Fund.

May 1st 1853. Amt in Treasury for which no orders were

	issued at that time	\$ 135.35
Receipts:	From State	2006.61
	Delinquents of 1852	181.30
	H.P. Coburn from Dist. Treas.	110.99
	Jas. Sulgrove " " E.W.	38.38
	Duplicate of 1853	<u>2985.00</u>
		\$5457.63
Amount of orders drawn:		<u>5839.42</u>
		\$381.79

Am't of tax assessed on Duplicate	10,572.87
" " " collected.	<u>2,985.00</u>
" " " uncollected.	\$7,587.87

Respectfully submitted
Daniel B. Culley, City Clk

42.	Allowed, Richard Berry, Labor	3.50
43.	" Hiram Lewis, Labor	11.25
	A. Haugh & Co's Bill for repairs to a plow \$1.05, was, On Motion by Mr Newcomb, laid on the table.	
	A. Haugh's & Co's Bill for repairs of Hook & Ladder wagon, and ladder was, on motion referred to committee on accounts.	
44.	Allowed, J. & J. Bradshaw for two brooms & candles -	\$ 4.55
45.	Hannaman & Dugan, Invincible Fire Co.	1.60
	E H. Wrights & Co's bill for 9.10 for articles furnished Invincible Fire Company was, on Motion, referred to com- mittee on accounts.	
	Philip Ennis bill for repairing well at Market House amounting to \$7.00 was on Motion, directed to be handed the Street Commissioner for explanation.	
S.F. 68.	Allowed M. Smock & W.G. Wright, the sum of	\$14 -
46.	Allowed H.F. West & Co Bill Sundries	25.50
47.	" Chas. Richmond, Invincible Fire Co. Exp -	18.50
48.	" A.B. Colville, Standard Bal. 44 & freight 75	44.75
		<u>\$ 123.75</u>

Mr. Newcomb from the Judiciary Committee presented the following report:

The Judiciary Committee to whom was referred a resolution of the Council inquiring at what period of the year at which in the opinion of the committee, the value of the property in said city should be assessed for taxation, respectfully report:

That each tax payer should be assessed with the amount of personal property belonging to him on the first day of January, that real estate should be assessed in the name of the person owning it at the time of the assessment, and though the Statute is not very clear on the point, the undersigned are of opinion that real estate should be assessed at the value on the 1st day of January.

H.C. Newcomb, Chm.

On Motion the said report was concurred in.



Mr. Newcomb from the committee on the judiciary reported the following ordinance:

1 An ordinance relative to Telegraph poles within the city
2 of Indianapolis:

3 Section 1st Be it ordained by the Common Council of
4 Indianapolis,
5 That hereafter no Telegraph poles shall be erected in any
6 of the streets or
7 alleys in this city except such as may be neatly hewed or
8 planed, and painted,
9 and either of a square or octagonal form. The same to be
10 done to the satis-
11 faction of the Civil Engineer.

12 Sec. 2. Any person who shall erect in the places afore-
13 said any
14 Telegraph poles other than such as are above provided for,
15 and any
16 person who shall procure the same to be done, shall be
17 fined in the
18 sum of three dollars for each pole so erected.

19 Sec 3. This ordinance shall be in force from and after
20 its
21 passage.

Mr. Pitts moved to strike out the word three where it occurs in the 11th line, carried.

Mr. Pitts then moved to fill the blank with the word "twenty" which motion prevailed.

Mr. Nelson moved that the vote filling the blank be reconsidered, which motion prevailed.

Several suggested "ten" as the amount to fill said blank.

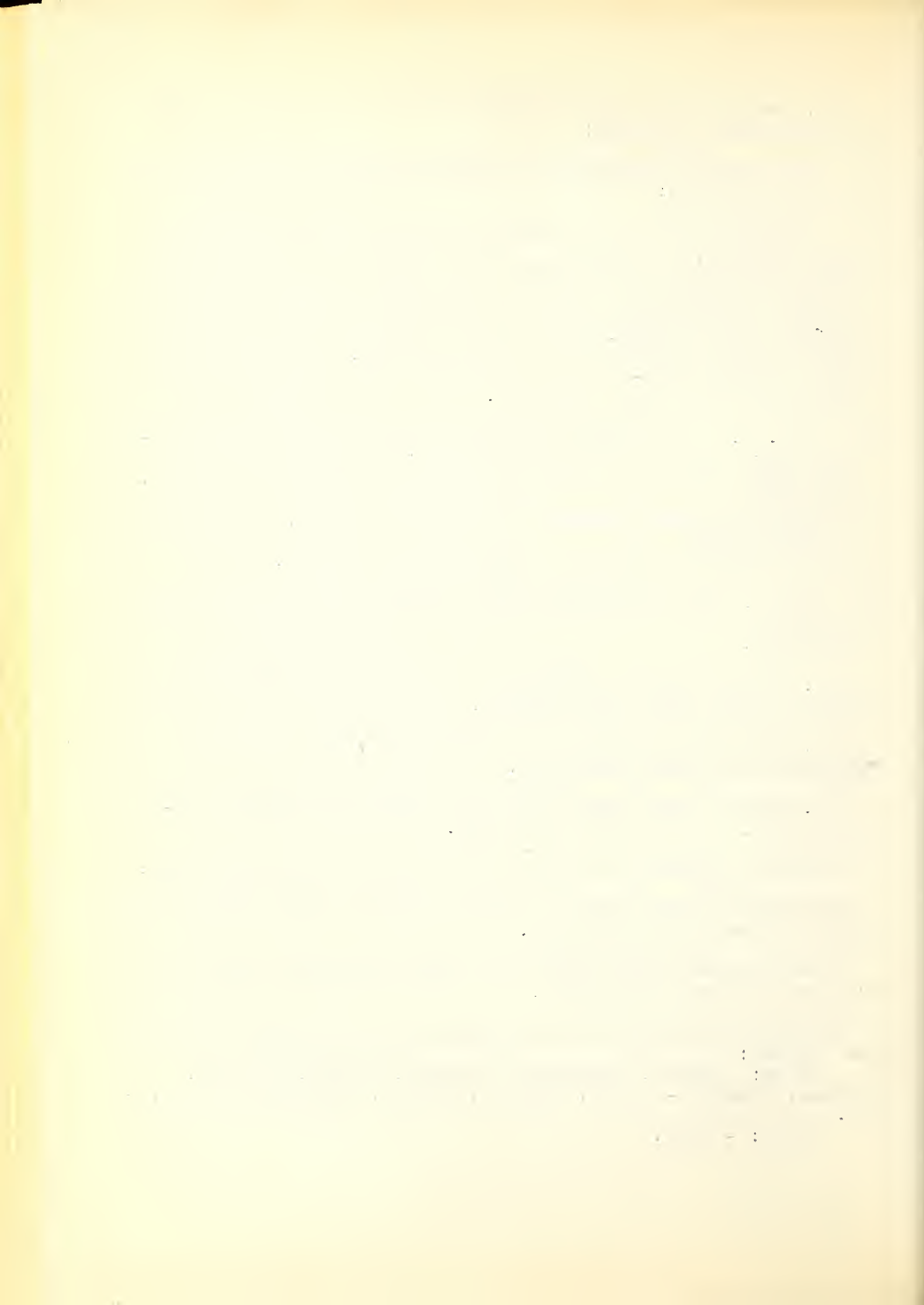
Mr Dunlap moved that the blank be filled with fifteen (15), which motion did not prevail.

The question being "shall the blank be filled with ten" resulted in the affirmative.

The vote being upon the passage of the ordinance resulted as follows:

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

Noes: - None.



Mr Newcomb from the Judiciary committee presented the following report:

The judiciary committee to whom was referred the resolution of the Council relative to Omnibus, etc., have had the same under consideration and report the following ordinance.

An Ordinance for the regulation of Omnibuses and other vehicles kept for hire, and to preserve peace and good order at railroad stations.

Section 1. Be it ordained by the Common Council of Indianapolis, That every owner of one or more omnibuses, Hackney coaches, drays, carts, wagons, and all other vehicles kept for the transportation of passengers, freight, or other articles to or from points within this city for hire or pay, before the same are used, shall present to the Mayor a statement in writing designating his or her name and residence and the kind of vehicle intended to be used.

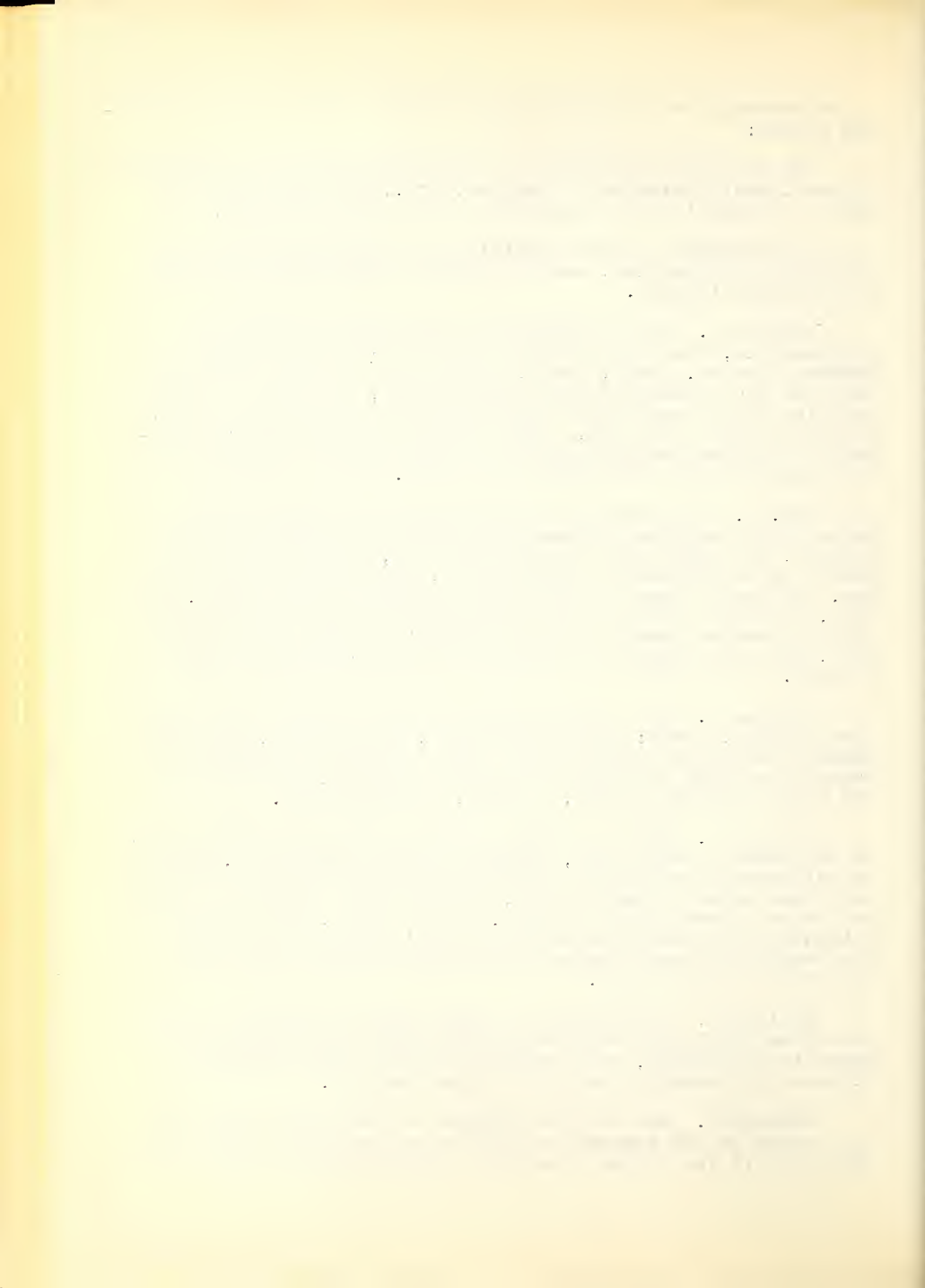
Sec. 2. That upon the receipt of such statement the Mayor shall register the same in a book to be kept for that purpose, and keep such statement on file, and designate the number to be affixed to such vehicle, proceeding from number one, and shall issue a certificate thereof to such owner, and also, a license authorizing such person to use such vehicle for the purpose named in such statement for the term of one year, upon the payment of the sum herein required for such license.

Section 3. The following sums shall be paid yearly for such license, towit: for each omnibus, ten dollars, for each Haukney Coach five dollars, for each two horse carriage or wagon other than hackney coaches five dollars, and for every one horse carriage, wagon, or dray, three dollars.

Section 4. Each transfer of such vehicle and each change of residence of the owner, within two days thereafter, shall be notified in writing to the Mayor who shall register the same in a book named in Section two, and keep said notice on file and issue a certificate thereof, to the owner, and in case of a transfer the pruchaser of such vehicle shall be entitled to the benefit of such license during the residue of the time for which it was issued.

Section 5. The owners of every vehicle embraced in this ordinance shall forthwith cause the number designated by the Mayor to be affixed, and preserved in plain and prominent figures on a conspicuous part of such vehicle.

Section 6. And for the purpose of preserving peace and good order at the several railroad stations for passengers in this city it is further ordained, that the officer exercising



the power of a police officer at the Union Depot under the appointment or sanction of the Common Council, or, in the absence of the City Marshal or his deputy, shall have and he is hereby invested with authority to prescribe the place where each omnibus or other carriage, engaged in carrying passengers to or from said Depot, shall be located, while remaining thereat; to keep the Streets bordering thereon open sufficiently for the passage of persons and carriages; and the driver of every such omnibus or other carriage shall conform to the directions of such officer in the particulars aforesaid; and the powers herein conferred upon said officer are conferred upon the Superintendent of each railroad passenger station in this city, at which no police officer of the city is present.

Section 7. Any person who shall violate any regulation herein ordained, or who shall carry on the business for which a license is above required, without first procuring such license shall be fined in any sum not less than five dollars nor more than thirty (30) dollars.

Section 8. It shall be unlawful for any person at any railroad station for passenger in this city, at a time when passengers are arriving and departing therefrom to use toward any other person or persons, any angry, abusive or threatening language, or to utter in the hearing of any other persons any lewd or filthy words or discourse, And any person offending against the provisions of this Section shall on conviction thereof be fined in any sum not exceeding twenty dollars.

Section 9. It shall be unlawful for any person engaged in Transporting passengers for hire within this city in any vehicle embraced in this ordinance, to demand or receive as compensation therefor more than twenty five cents for each passenger to any part of the city; and any person offending against the provisions of this section shall on conviction thereof be fined tenfold the amount of the excess so demanded or received, and it shall be a part of the judgment that the license for such vehicle shall be forfeited

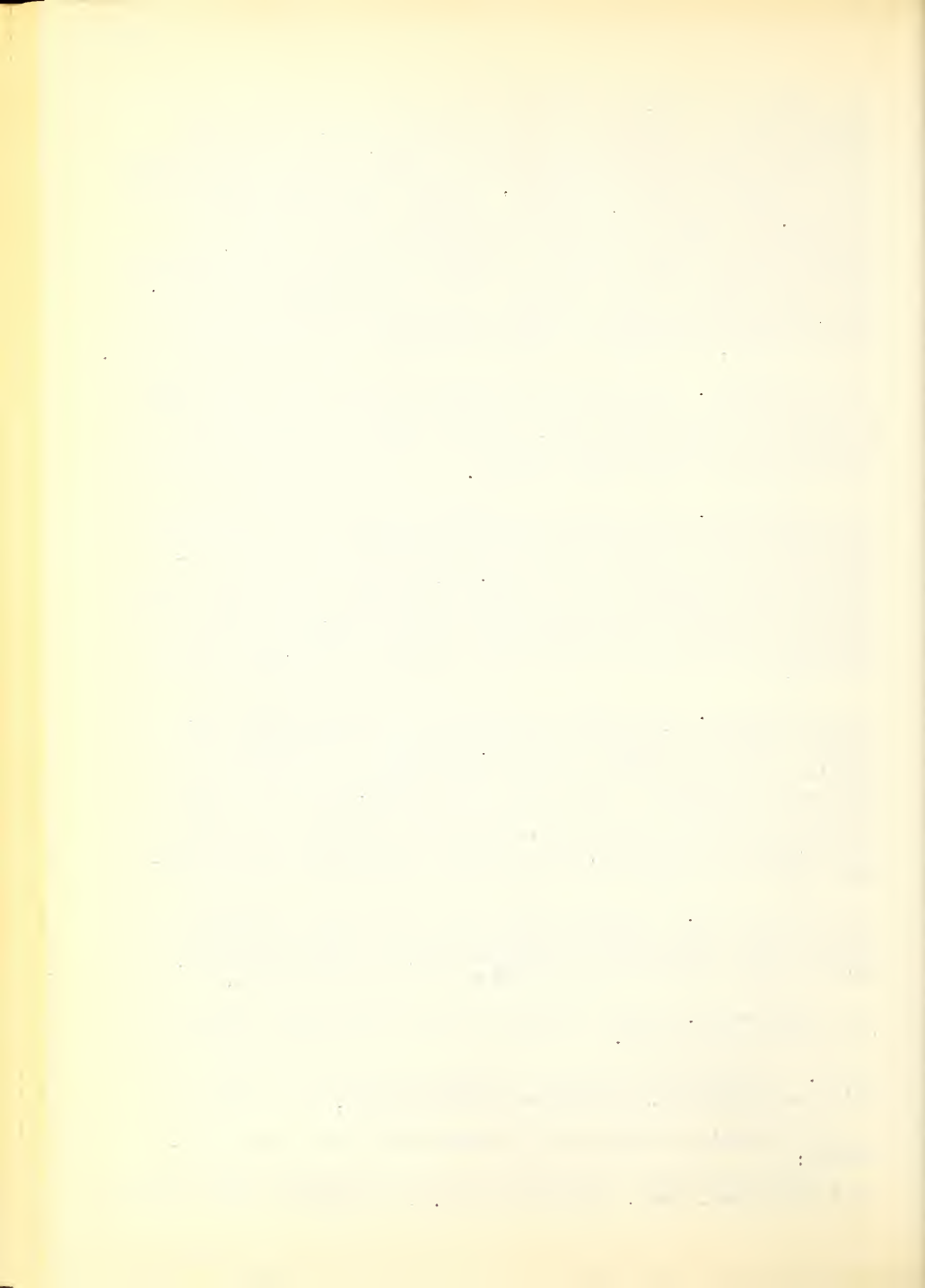
Section 10. The City Marshal and all other officers of the city police shall arrest with or without process and bring before the Mayor all persons who, in their presence, shall violate any of the provisions of this ordinance.

Section 11. This ordinance shall be in force from and after its publication.

Mr. Delzell moved that the ordinance lay on the table until next meeting, for futher consideration.

The following report was presented from the Finance Committee:

The committee on Finance to whom was referred the petition of Wm Sullivan, Esqr. as agent for M.A. Dougherty asking that the



assessment be reduced on thirty acres of the donation lands on the Eastern part of Out Lot No. 99, which is appraised at \$5400., have given consideration to the subject, and respectfully report that in their opinion said assessment ought not to be reduced the present appraisement being at the rate of one hundred and eighty dollars per acre, they deem it, to say the least, low enough for any of the donation lands, east of White River.

D.H. Strickland

On Motion, concurred in.

Mr. Bradshaw from the committee on claims, reported back the following bills;

49.	Thomas Buchanan Relief Fire Company	3.00
50.	Craighead & Browning do.	18.09
51.	J. K Sharpe & Co. do	13.38
52.	A Graydon & Son Gas -	3.65
53.	Thomas Buchananan Marion Fire Co.	13.00
54.	Jos. W. Little Invincible Fire Co. (Wood)	3 75

H. R. Gaston's bill for \$43. for Sundry items against Relief Fire Company was on Motion, laid on the table further information being considered necessary.

55. A. Graydon & Son's acc't against the Relief Fire Company for \$9.27/100, was read, when,

Mr Newcomb moved that it be allowed saved the items procured on the 28th day of January 1854. Which Motion did not prevail.

On Motion the account was allowed.

The account of the Relief Fire Company asking an allowance of \$21.25 as the amount due them for Messengers services was, on Motion, not allowed.

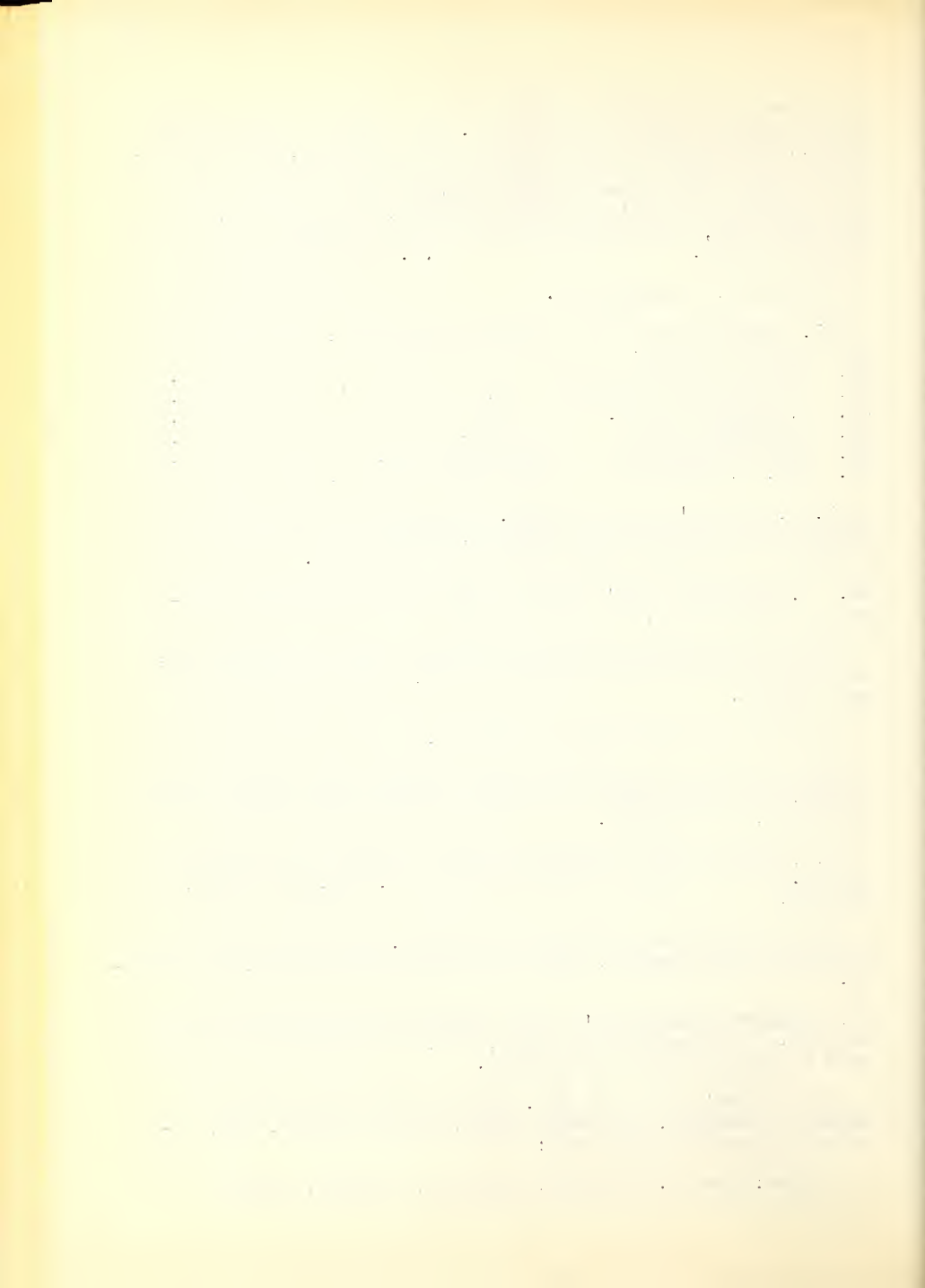
R.L. McQuats Bill against Western Liberties Fire Company for \$1.85 for articles furnished Jan'y 28, was, on Motion, not allowed.

Drum & Andersons account for 60 Bush. Coal furnished Western Liberties Fire Company. Jan'y 23 & 27, was on Motion, not allowed.

56. Craighead & Browning's bill against the Western Liberties Fire Co. for Sundries furnished, was, on Motion not allowed, save \$1 20/100 which was allowed.

A H Louden's bill for \$24.28½ for work done during the Months of January, February, March, April of 1852, was, allowed by the following vote:

Ayes: Messrs. Bradshaw, Carlisle, Delzell, Durham,



Edwards, Karns, Maguire & Nelson - 8
Noes: Messrs Dunlap, Newcomb, & Pitts. - 3.

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

The undersigned, select committee to whom was referred the petition of James C. Yohn and others, in regard to the case of Small Pox in the Old Council Chamber, have had the same under consideration, and now report as follows:

On the evening of the 13th day of January the Council was convened by the Mayor, for the purpose of making provision for a case of Small Pox, reported to be in our city. After being assembled, the members of the Council were informed that an individual infected with the Small Pox, had been brought into the city the night previously, and had been during the day traveling about the Street endangering the lives and health of our citizens, having been refused admittance into all the places to which he had made application, and that the best that could be done had been to put him in the Old Council Chamber in the Governors Circle. The Council, on this statement of facts, immediately adopted a resolution, as the records will show, directing the Marshal to procure, if possible, a suitable place for the individual having the infectious disease, and to have him confined there, nursed and provided for at the expense of the city. This was all that could be done, and it was done promptly. The city Marshal, as he afterwards informed the Council, made every possible effort, but without success, to procure a room more remote from the centre of population. He found one or two places deemed suitable, which might have been rented for other purposes, but their use for the occupancy of the afflicted individual was positively refused. The city officers were, therefore, absolutely shut up to the necessity of permitting him to remain where he was, or of turning him into the streets to perish with cold and to spread the disease all over the city. To guard all persons from coming in contact with the disease, a flag was placed at the door giving warning of its existence, and an athletic man not liable to take the infection was hired to stay with the sick man day and night to take care of him, and prevent all approach to him except by the physician who had charge of him.

Such is, briefly, a history of the circumstances attending the case of small pox referred to in the petition. The petitioners and all others, who, without being aware of the facts, have found fault with the Council on account of the location of the sick man in the Old Council Chamber, need not to be reminded of what we presume they already know, that it is always much easier to find fault with what is done than to remedy the evil complained of. The Council did not regard the house on the Circle as a proper place for a pest house, nor



did they mean to convert it into a pest house, what was done was wholly unavoidable, without disregarding the claims of humanity and manifesting a reckless indifference to the spread of a loathsome disease; and we are happy to be enabled to say that we believe no person caught the disease from the individual in question after he went into the place where he was confined.

It may be proper also to mention, as a part of the history of this case, that the subject of the disease was brought here from a distant neighborhood, dropt in the streets on one of the coldest nights in January, and left to take care of himself as he best could. The blame of the whole matter properly rests with those who, regardless alike of the life of the subject of the disease, and the health and safety of our citizens, clandestinely and under cover of the night brought hither the individual with the small pox developed upon him and left him in our streets.

The committee would conclude this report by remarking, that, while it is a source of regret that the occurrence referred to by the petitioners happened, and while it is to be regretted that no provision has been made for the reception of persons laboring under the influence of noxious diseases, they are well satisfied that no blame can justly attach to the Council for their action in reference to the case under consideration.

All of which is respectfully submitted.

D. Maguire)
L. Dunlap) Com.
G. Durham)

On Motion,
Said report was concurred in.

On Motion
The Council adjourned to meet again on Wednesday next.

Daniel B. Culley
City Clerk