

Common Council Chamber  
July 3 1854

The Council met at 2 o'clock P M. Present the Mayor and all the Councilmen except Messrs Avery, Graydon, Keeley and Truxsess. The Treasurers monthly report was received and on motion was referred to the Mayor, City Clerk and the Committee on accounts for examination.

A report was received from the Civil Engineer stating his refusal to award the contract for grading the gutter on the North side of Washington Street between Illinois and Tennessee Streets to Vanoney & Lohman at 24 cents per cubic yard, and at Hamlins price 17 cents per superficial foot for paving unless all the property owners would agree to pay their respective proportions. Upon the reading of which - Mr. Maguire moved that the Engineer award the contract to the best bidder. Which motion prevailed.

The City Engineer reported that Robert Herbison refused to sign the contract for gravelling round the East Market House, but was willing to do so provided the Council would agree to pay one half the amount in cash \$124. and for the other half he would accept corporation orders.

Mr. Karns moved that the Civil Engineer be instructed to advertise for proposals to gravel round the East Market House upon the refusal of Robert Herbison to sign the contract. Which motion prevailed.

The Civil Engineer reported that Messrs Parker, Hefferman & Dunning refused to subscribe a contract and Bond for erecting an Engine House on the East side of New Jersey Street, assigning as the reason, that they expected payment in cash. Mr. Karns moved that said contract be awarded to the next best bidder under the direction of a committee of three consisting of Messrs. Avery, Karns & Nelson and the City Engineer. Which motion prevailed.

The Civil Engineer reported the estimate for building a Bridge over Pogues run on Noble Street to amount to the sum total of \$420.40.  
On motion said report was laid on the Table.

The City Engineer reported that he examined Washington Street opposite Square 52 and observed the filling between side walk and macadamizing of the Street opposite Lot No 7 in said Square to be about a foot too high, which causes water to stagnate on the Street East of said Lot. He also recommended to the Council, to order the side of said Street, where high to be reduced and where low to be raised, and also to order a ditch to be made between Mississippi Street and the Canal, and

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the Lafayette Rail Road Company to make a Culvert under their track to carry off the water from the ditch to the Canal.

Mr. Pitts moved

That said report be accepted and the Engineer have the stakes set and the Street Commissioner have the work done in the manner recommended in the Report.

Which motion prevailed by the following vote. Upon a rising vote four councilmen voted in the affirmative and four in the Negative, whereupon the Mayor cast his vote in the affirmative.

Mr. Colley moved

That the vote on said motion be reconsidered. Which motion did not prevail.

The Civil Engineer reported that he surveyed the gutter on North Side of Washington between Pennsylvania and Meridian Streets, and ascertained that the gutter between said Streets had a fall of eighteen inches. The stagnant water is caused by a depression in the paving at the pumps, and the paving between the lower pump and Meridian Street being an inch and a half above the regular grade of the gutter.

Mr. Karns moved

That the low places be rebouldered and the high points be cut down at the expense of the City. Which motion prevailed.

A report was received from the Committee on Judiciary under a resolution instructing them to inquire into the expediency of increasing the Police force of the City, and also the probable cost of such increase. They reported that there is no question as to the expediency of increasing the force, if the condition of the Treasury, in view of various pressing claims, will admit of it. The expense per annum for a watchman to each ward would be not less than \$2500 and for two to each ward not less than \$5000.

On motion said report was laid on the table.

The Judiciary Committee reported an Ordinance entitled "An Ordinance to amend the Ordinance relative to Nuisances and other offences against the police of the City of Indianapolis approved April 20 1852.

Mr. Pitts offered the following amendments To Sec 1 by inserting the words, "and shall be entitled to charge 25 cts for each dog so registered which shall be paid by the owner



Adopted by the following vote

Those who voted in the affirmative are Messrs Gowan, Jones, Karns, Nelson Pitts, and Seibert.

In the Negative Messrs Boaz, Dunlap and Maguire.

Mr Pitts offered an amendment by adding Sec. 2 which reads, "as follows Sec 2 "And after this Ordinance shall have been published for one month the Marshall shall kill all dogs running at large in contravention to this Ordinance and shall be allowed the sum of 50 cents for each dog killed and conveyed out side the City limits.

Which amendment was adopted by the following vote.

Those who voted in the affirmative are Messrs Gowan, Karns, Pitts, and Seibert.

In the Negative are Messrs Boaz, Dunlap & Maguire.

On motion said Ordinance was laid on the table.

Mr. Dunlap moved

That the President be authorized to purchase a Pitcher and one dozen tumblers for the use of the Council.  
Which motion prevailed.

The account of J. Davis & Co. amounting to \$318.40 for cistern plates and tubes was presented for allowance.

Mr. Pitts moved

That the account be referred to the committee on cisterns with instructions to enquire by what authority they were ordered.  
Which motion prevailed.

The following accounts were presented and allowed

332. Richard Weeks	for Labor	\$ 25.06
333. August Richtep	" Labor	12.50
334. August Laseyman	Labor	11.25
335. John Sears	Labor	2.50
336. Hiram Lewis	Labor.	20.00
337. Michael Morris	Labor	7.50
338. John Harman	Labor	2.50
339. Wm Luney	Labor	3.75
40. Wm Raffred	Labor	5.00
41. Patrick Mahoney	Labor	3.12
42. R. O'Neal	Labor	31.87
43. Patrick Sullivan	Labor.	20.62
44. J S Dunlap	Rent of Council Chamber 3 monts to June 30 1854	45.00
		<hr/> \$190.87



The Judiciary Committee reported, "An Ordinance to protect travellers from the insults and misrepresentations of Hotel and passenger runners and for other purposes.

On motion it was passed to a second reading and laid on the table till next meeting.

Mr. Colley on behalf of Wm Paine asked relief from the payment of the full amount of the estimate against him for the improvement of Market Street.

Mr. Maguire moved

That the matter be referred to the Committee on Streets and alleys. Which motion prevailed.

Mr. Colley moved

That the City Engineer be instructed to make an estimate of the work done by Mr. Lohman in front of Lots No 9 & 10 on Market Street. Which motion prevailed.

The following report was received from the Special Committee appointed to act in connexion with the city attorney in reference to the location of the canal through the City.

To the Common Council of the City of Indianapolis:

Your Committee appointed to act in connexion with the City Attorney, to enquire into and report to said council, the conditions upon which the Central Canal was located in this City, and if the conditions have been complied with report, that having examined the subject, in connexion with the City Attorney, they have been unable to find any act of the Legislature expressly directing the construction of said Canal, as constructed, through said City, but the internal improvement act passed in 1836 authorizing the board of Internal Improvements to select such route, as they might deem most practicable, for said canal, and to enter upon the lands &c, and made Indianapolis a point in their line of said Canal. They have also examined the City Records and find no action on the subject, nor is there any thing in reference thereto on the Records of the corporate authorities of the town of Indianapolis. Your committee are therefore, of the opinion that it was under this general authority, given to said board of internal improvement by said act of 1836, that said canal was located and constructed through the City of Indianapolis. This Canal formed a part of a great system of public works contemplated and undertaken by the State. It was intended for the public use - for the purposes of navigation - to afford increased facilities for commerce, and to build up and sustain manufactories. It was to be a State work The State prosecuted this work for a short





time - then abandoned it as a public work, and sold the portion partially completed to private individuals - imposing no conditions as to the purpose for, or the manner in, which it should be used, and without binding them to the completion of the same as originally contemplated. When property is granted or taken for a particular purpose and that purpose fails or is abandoned - the property reverts to the grantee, or to the person from whom taken for such particular purpose. There is an implied condition that the property shall be applied to that purpose, and whenever the use is changed or abandoned this implied condition is broken. Your committee are therefore of opinion that the conditions upon which said canal was located in this City have not been complied with, but that they have been violated in every respect, and the principal object and design of the said work wholly abandoned.

W H Jones )  
S A Colley ) Committee  
George W Pitts)

The following report from the City Clerk was accepted.

City Clerks report of the General Fund for three months ending June 30th 1854

Amount in Treasury subject to warrant April 1st	\$2525.65
Receipts from Licenses & collections on duplicate of 1853	971.00
	<u>\$3496.65</u>
Amount of warrants issued from April 1st to June 30th	\$5274.64
Bal of warrants over cash in Treasury	<u>\$1677.99</u>
School Fund	
Amount in Treasury Subject to warrant Apl 1st	\$6416.62
Receipts from Apl 1st to June 30th	240.50
	<u>\$6657.12</u>
Amount of warrants issued from Apl 1st to June 30	3545.37
	<u>\$3111.75</u>
Deduct Treasurers percentage	481.37
Bal in Treasury	<u>\$2630.38</u>

James N Sweetser, City Clerk

The following report was received from the Trustees of the Free Schools of the City of Indianapolis

To the Common Council of the City of Indianapolis

Gentlemen

The Trustees of the Free Schools of the City of Indian-



apolis respectfully submit the following report, for the consideration of your honorable body. The accompanying documents (Numbered from 1 to 3 inclusive) exhibit the operations of these Schools during the course of the terms which have just been brought to a close. Of the School Fund, there remained in the Treasury, on the 30th of June 1854, an unexpended balance amounting to the sum of two thousand Six hundred and thirty dollars and thirty eight cents. Notwithstanding the continual presence of some adverse influences, the Trustees have observed with pleasure, a steady improvement of the condition and prospects of the Free Schools of Indianapolis, and the experience of the undersigned has forced upon their minds the conviction that these Schools may soon be placed at the head of the first rank of those institutions which are designed to impart to the youth of this city, the elements of a sound and thorough education. The accompanying documents show, that during the last quarter 1146 children enjoyed school privileges in the Free Schools of Indianapolis. It is to be observed that more than one half of our schools are of the smaller class and only attend during the first fall and last spring terms- But during the winter months our schools were equally crowded with apprentices and those who had other callings in the milder seasons, and we may safely assume that not less than 1600 pupils have enjoyed the benefits of our free system in the course of the last year. In order to meet the demands of rapidly increasing population, it has become necessary to provide gradually, additional School room for the accomodation of the children who may wish to avail themselves of the privileges and benefits of the Free Schools. Without incurring an unreasonably large expenditure of money, the City authorities can, we believe, accomplish this very desirable object, by renting, temporarily, one building suitable for a School house, by making provisions for erecting, without unnecessary delay, two new School houses, and enlarging, and improving, successively, the badly constructed School houses in the first, third, fifth, and seventh wards. These improvements if completed, will be sufficient to accomodate in the ward schools, at least 2000 children. A proper location for one of the new School houses may be selected in the north eastern part of the City, and the site of the other may be fixed in the southeastern part, or at some point east of the Court house Square, west of New Jersey Street, and between Market and Maryland Streets. If a school house were established within the boundaries last named, or in the Block south of the Court house, it would be in a convenient position to relieve the pressure of scholars in the schools of the first, second, sixth and seventh wards. If a suitable house cannot be obtained, on rent, in that quarter of the City, the Trustees recommend the purchase of a lot, and the building in the course of the present year, of a school house thereon, sufficiently large to accomodate, at least three hundred pupils. The Trustees recommend, also, the purchase of some lot lying in the Northeastern part of the City, on which lot a similar building may be erected be-



fore the close of the year 1855. If these suggestions shall fail to secure the approval of the City Council, then, the Trustees respectfully request the Council to order that second stories shall be erected, during the present season, on the first and seventh ward school houses, and to authorize the making of similar improvements in the course of next year, on the free School houses in the third and fifth wards. The cost of building and furnishing two new School houses, including the price of the lots, is estimated at the sum of \$12,000 and the amount required to enlarge and improve the School houses of the first, third, fifth, and seventh wards, is estimated at \$4,500. The several lots on which the Ward School houses now stand, should be inclosed by neat and substantial fences, and every lot should be divided into two parts by suitable partition fences - so that the play grounds of the males and females may be separate. In addition to these proposed improvements, a few shade trees and some shrubbery ought to be planted on every ward school lot. It is believed that an additional corporation tax of ten cents on every one hundred dollars of the amount of the City assessment will, without borrowing funds, be sufficient to make the proposed improvements, and to maintain the schools throughout the year, and we recommend that such additional tax be levied. We recommend also the appointment of a suitable person to take in pursuance of law, an enumeration of the children who reside within the limits of the corporation. The expediency of supporting a Central High School is no longer questionable and the Trustees entertain a favorable opinion of the policy of maintaining at least one public school in each ward of the City. This policy, while it places school houses conveniently within the reach of the great number of small children is well calculated to promote the growth of a beneficial spirit of emulation among the teachers and the scholars of the different Ward Schools. In addition to these benefits, it gives to each Ward School the advantage of a local partiality among the citizens of the Ward in which it is situated, and it affords to the Citizens of the several Wards, favorable opportunities of observing the management and progress of their Schools. A good system of public instruction is not a burgen on the people who support it. It is in its nature remunerative. The steady support of good public schools in any community, will attract to such a community a good class of citizens, promote the prosperity of the industrial arts, and advance the moral, religious, and intellectual condition of the people. These are interests which no good citizen has a right to disregard. But if there were neither moral, nor political, nor religious obligations resting upon the citizens, and requiring them to support good free schools, still, as a mere financial question, it would be a profitable policy to support them. Good primary institutions of learning while they contribute their powerful influence to the improvement of the social condition of the population of a growing City, conduce, also, to the augmentation of the trade and the general business of such a City, and to the increase of the value of the real



estate within its limits, and in this way, they invariably remunerate the citizens by whom they are founded and maintained. During the short period that has elapsed since the commencement of the Free School System of Indianapolis, a number of persons, who reside out of the limits of the corporations have transferred to the City the right to tax their property, in order to obtain the privilege of sending their children to the ward schools. Other persons during the same period have removed from different parts of our own state (and from other States) and have built or rented houses in this City, to avail themselves of our School privileges. A Sound public sentiment sanctions that provision of the Constitution of Indiana which, after asserting that "knowledge and learning generally diffused throughout a community are essential to the preservation of a free government," declares that it shall be the duty of the General Assembly to provide by law for a general and uniform system of Common Schools "wherein tuition shall be without charge and equally open to all" The Legislature has by the passage of general laws, opened the way for laying the foundations of such a system of public instruction, and, in carrying forward this great work, which is calculated to affect materially, the moral, political, and financial condition of the population of Indiana, the citizens of the seat of Government should not, willingly, assume and occupy a secondary position among the cities and towns of the State. In adopting measures to secure, for the City of Indianapolis the inestimable benefits of a good system of free School instruction, the Common Council, will, of course, perceive the necessity of bringing into permanent service the essential elements of such a system. There must be good teachers, good books, and a sufficient number of good School houses. Without the aid of these indispensable auxiliaries, the free Schools of this City cannot maintain a position from which they may, with confidence look to the citizens for encouragement and support.

Respectfully Submitted

Indianapolis July 3, 1854

Calvin Fletcher

John B Dillon

(H F West, who dissents

from the recommendation to enlarge the present ward school houses, and will presents his objections to the Council at their next meeting.

Mr Jones offered the following resolution

Resolved, That the Committee on the Judiciary be instructed to report an Ordinance defining the duties of the Board of Health of this City.

Adopted by the following vote

Those who voted in the affirmative are Messrs Boaz,





Colley, Dunlap, Gowan, Jones Karns, Maguire, Nelson, Pitts,  
& Seibert

In the Negative - None

Mr Dunlap offered the following resolution

Resolved, That Dr Briggs be allowed to exhibit his  
Natural Curiosities without charge by the City Council from  
this date Indianapolis July 3d 1854

Adopted by the following vote

Those who voted in the affirmative are Messrs Colley,  
Dunlap, Jones, Maguire, & Seibert 6

In the Negative - Messrs Boaz, Gowan, Nelson, & Pitts 4

Mr. Maguire moved

That the account of Mr Butler be referred to the Com-  
mittee on accounts.

Which motion prevailed.

A petition was received from the property holders East  
of the Madison & Indianapolis R Road and South of the Depot  
of said road asking for the removal of a culvert through  
said tract and that a ditch be made on the West Side of the  
track.

On Motion said petition was referred to the Committee on  
Streets & alleys.

The following petition was presented

To the Honorable, the Mayor and City Council of Indian-  
apolis

We the undersigned Petitioners being a majority of the  
Property Holders on Georgia Street, continued, east of East  
Street. Represent that they are desirous of having said  
Street from East Street to Noble Street, graded and gravelled,  
and therefore

Respectfully ask your Honorable Body, to pass an Order  
for the same.

Frederick Ostenmeyer	76 $\frac{1}{2}$ feet
Wm Henz	190
W R Clinton	70
August Huher	26
Samuel H Panderman	70
J A Fergason	70
J C Fergason	70
Mrs H Furgason	70
Fredrich Folman	45. feet
Herrrich Kock	70. $\frac{1}{2}$
Willelm Niemeyer	110
John Warrick	200
Dunnells McCruet	21
Loil Tubbe	25



James Wallace 90  
Marget Brenizer by Wm Harg 90

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Mr Pitts moved

That the petition be referred to the Civil Engineer with instructions to investigate the titles of the petitioners and set the grade stakes.

Which motion prevailed.

On Motion adjourned till Friday July 7, at 7 o'clock P M

Attest

James N. Sweetser  
City Clerk

James McCreedy Mayor

Common Council Chamber  
July 7 1854

The Council met at 7 o'clock P M. Present all the members of the Council except the President. On motion Mr. Maguire was called to the chair and took his seat as President pro. tem.

The following report was received from the Special Committee to whom was referred the bids for building an Engine House on the East Side of New Jersey Street.

The Committee to whom the Council referred the Proposals for erecting an Engine House on east side of New Jersey Street, submit the following report viz.

It appeared from an examination of the Proposals, that all the Bidders estimated the building of the Engine House, in accordance with the Plan and Specifications, except Durham & Talkington, who included in their proposal the cost of all extra foundation, which, according to Mr Durhams exposition, means all extra excavation, and all extra walling in the foundation of only thirteen inches thick and which according to estimate of the Civil Engineer, amounts to eighty eight dollars.

Durham & Talkington Proposal	\$1080
Deduct for extra excavation & walling as above	88
Leaves	<hr/> \$ 992
Charles Helings Proposal	\$1000
J H Kennedys do	\$1000
Christian Steinmeyers do	\$1125
West & Wright's do	\$1100

As thirteen inch walls in the foundation of the Engine House would not be sufficiently strong, they ought to be