

Common Council Chamber
September 4 1854

The Council met at 2 O'clock P M. Present the Mayor and all the Councilmen except Mr Graydon

The Treasurers monthly report was received and on motion of Mr. Karns was referred to the Mayor and City Clerk for examination

The following report was presented

"The Cisterns are all in good order except the one at the female institute, that is but half full. The mud holes on the Bluff road is made in passable order and ditches cut. The bridge across Pogues Run is repaired according to order.

Wm Hughey

On motion of Mr Karns said report was accepted

The following report was presented

The undersigned reports to the Council, that William Wood has not complied with his contract for the construction of two cisterns - one at the crossing of Ohio and East Street - the other at the crossing of Illinois and North Street. Said Cisterns should have been finished by the first of this month, but the first named Cistern remains in an unfinished state, and the other was partially taken down and rebuilt, and is too high for the grade of the Street. The Council will please direct what is to be done in the matter

Indianapolis Sep 4 1854

James Wood
Civil Engineer

Mr Karns moved That the report be received and referred to the Committee on Cisterns

Which motion prevailed

The following report was presented

The undersigned respectfully reports to the Council, that the Telegraph Companies have not complied with the requirements of the Ordinance in relation to the establishment of Telegraph poles in the City. The poles erected under the Ordinance have not been painted, and several of the poles have not been planted sufficiently deep in the ground - the Stump ends extending considerably above the level of the Street, which should either be lowered. or hewn off

Indianapolis Sep 4 1854

James Wood
Civil Engineer

On motion of Mr Colley said report was received

The following report was presented

Estimate for a Bridge across the Canal on Vermont Street

4 mud Sills	30 feet long, and	12x12 inches	120 Feet	00 inches
10 Posts	8 "	" "	12x12 "	80 00
5 Cross ties	3 "	" "	12x12 "	15 00
8 Braces	6 "	" "	9x6 inches	48 0
2 Caps	28 "	" "	12x12 "	56 0
11 Stringers	40 "	" "	14x10	440 0
11 "	28 "	" "	14x10	308 0
26 Rail Posts	4½ "	" "	5x5	117 0
Railing		5x5		136 0
			1320. @	
		20 cents pr ft		\$264.00
Flooring		12x3	5970 @	
		\$1.25 pr hd		74.62
Laying floor, including Spikes				33 38
		Total		<u>\$372.00</u>

Specification.

The Bridge to be 68 feet long and 28 feet wide. The dimensions of lumber are marked on the plan. Pier and hand Rails to be good mortice and tennon work properly pinned. Flooring 12 inches broad, and 3 inches thick. Strips on centre and sides 5 & 3 inches. The flooring to be properly spiked down to the stringers with six inch spikes. Lumber used in the construction of the bridge to be the best quality of white oak timber free from shakes, sap and other defects. All the work to be performed in a substantial workman like manner to the satisfaction of the Civil Engineer, and finished on or before the 1st day of November 1854. Payment in corporation orders when the bridge is completed

Indianapolis Sep 2 1854

James Wood
Civil Engineer

Mr Pitts moved That said report be received and the Civil Engineer be authorized to advertise for proposals to construct the Bridge

Mr Colley moved That said report be laid on the Table

Which motion prevailed

The following accounts were allowed

452 Lewis Lay	for Sinking well at Madison Depot	\$ 3.00
474 Michal O'Conel	Labor	14.00
455 Wm Luney	"	10.62
454 Pat Nolin	"	3.75
456 Maurice O'Conel	"	3 75
475)		
476)Hiram Lewis	"	26.50
457 Holmon Cavel	"	7.50
458 John Figg	"	7.50
		<u>\$79.67</u>
453 Patrick Sullivan	"	17.25
		<u>\$83.87</u>

Mr Maguire from the Committee on the Judiciary presented the following ordinance prusuant to the instruction of the Council

An Ordinance to establish a police force in the City of Indianapolis, and prescribing its duties

Sec 1 Be it ordained by the Common Council of the City of Indianapolis, that there shall be, and hereby is established, in said City, a police force, to consist for the present, of two watchmen in each ward of said City who shall be under the direction of a cheif or Superintendent

Sec 2 Said watchmen shall be elected by the Common Council of said City annually, at the time set apart for the election of other officers elected by said Council subsequent to the first Tuesday in May of each year; provided, that the persons already elected shall continue as such until the next annual election, and said Council shall, at any time, select persons to fill any vacansies which may occur in said watch; and said watchmen shall, before entering upon the discharge of their duties, each take an oath before the Mayor or other officer qualified to administer oaths, to support the constitution of the United States, the Constitution of the State of Indiana, and faithfully to discharge the duties of a watchman of said City, while serving as such

Sec 3 Said watchmen shall each receive for their services the sum of _____ per day, and in addition thereto the fees which the Marshall would otherwise be entitled to, in all cases of arrests made by them, when the partyarrested is convicted

Sec 4 The Marshall of said City shall be chief of said watch, and it shall be his duty to see that they discharge their duties properly, and to have the general superintendance over them, and to report any delinquencies to the said Council

Sec 5 The hours of service of said watch shall be from O'clock of each evening until _____ of the next morning, and each of such periods shall constitute one day

Sec 6 The watchmen elected for each ward shall perform service in their respective wards, and shall not, unless in a case of emergency, or when directed by the chief of said watch, go beyond the bounds of their respective wards

Sec 7 It shall be, and it is hereby made the duty of said watchmen, during the hours of their service, to keep strict watch within the bounds of their respective wards, and to observe the conduct and movements of all suspicious persons, to suppress all riots, disturbances, and unlawful assemblages, and to arrest without process and bring before

the Mayor or commit to Jail until the next morning, when they shall be brought before the Mayor for trial, any and all persons discovered or caught in the act of violating any of the Ordinances of said City, or of the State of Indiana, or in the commission of any unlawful act, and all persons concerned therein

Sec 8 No watchmen, or any person engaged in said watch, shall be bail for any person arrested by any officer, for any offense, or for any reason, either for appearance at court, or for any other purpose

Sec 9 If any of said watchmen shall neglect their duty, or be absent at any time; without a valid excuse, such watchman may be removed from said watch by said Council, and in case of the absence of any of said watch, it shall be the duty of the chief of said watch, if he deems it necessary, to employ a fit person to fill the place of such absentee, until such absentee returns or a successor is elected and qualified, for which service such person shall be entitled to the same pay

Sec 10 No watchman shall be entitled to an allowance for services until he produces to the Council a certificate from the chief of said watch, stating the amount of service rendered by him

Mr Maguire moved to amend the first Section by striking out the word "two" and insert "one"

Which motion did not prevail.

Mr Pitts moved That the first blank in Section 5 be filled with "Nine and the second blank of said Section be filled with "five O'clock", from the 1st of March to the 1st of Sept

Which motion prevailed

Mr Colley moved to amend the 4th Section, by striking out the words "Marshall of said City shall be Chief" and insert "Council shall elect one of said watchmen as captain"

Which motion prevailed

Mr Maguire moved to amend the 4th Section by inserting after the words "of said watch the following words "to serve for the present year, or until his successor is elected and qualified"

Which motion prevailed

Mr Karns moved to amend the 3d Section by striking out all after the words "per day"

Which motion prevailed

Mr Colley moved to amend Section 8 by striking out the words "any officer" and insert the words "him or said watch"

Which motion prevailed

Mr Pitts moved to amend the 7th Section by inserting after the words "trial" the words "except the day following should be Sunday, in which case they shall be brought before the Mayor on the Monday following"

Which motion prevailed

Mr Jones moved That the blank in Section 3 be filled with "one dollar and fifty cents"

Mr Pitts moved That said Blank be filled with "two dollars"

Mr Nelson moved That said Blank be filled with one dollar and twenty five cents"

And the Ayes and noes being demanded on the motion to fill said blank with two dollars

Said motion was lost by the following vote

Those who voted in the Affirmative are Messrs Gowan,
Karns, Keeley, & Pitts 4

In the Negative - Messrs Avery, Boaz, Dunlap, Jones,
Maguire, Nelson, Seibert & Trucksess 8

The Ayes and Noes being demanded on the motion to fill said Blank with "one dollar and fifty cents" said motion prevailed by the following vote

Those who voted in the Affirmative are Messrs Boaz, Colley,
Dunlap, Gowan, Jones, Karns, Keeley, Pitts & Trucksess 9

In the Negative - Messrs Avery, Maguire, Nelson, &
Seibert 4

Mr Maguire moved to amend by adding "Section 11," This ordinance shall be in force from and after its passage

Which motion prevailed

On the reading of said Ordinance by Sections by consent of the Council, the word "Chief" where it occurs was stricken out and "Captain" inserted

Mr Karns moved to amend Section 10 by adding "which certificate shall be returned to the Council the first meeting of each month"

Which motion prevailed

Mr Jones moved that the rules be suspended and the Ordinance be read the third time

Which motion prevailed, and the following Ordinance entitled

An Ordinance to establish a police force in the City of Indianapolis, and prescribing its duties

Sec 1 Be it Ordained by the Common Council of the City of Indianapolis, that there shall be, and hereby is established, in said City, a police force, to consist for the present of two watchmen in each ward of said City who shall be under the direction of a Captain

Sec 2 Said watchmen shall be elected by the Common Council of said City annually, at the time set apart for the election of other officers elected by said Council subsequent to the first Tuesday in May of each year; provided, that the persons already elected shall continue as such until the next annual election, and said Council shall at any time, select persons to fill any vacancies which may occur in said watch; and said watchmen before entering upon the discharge of their duties, each take an oath before the Mayor or other officer qualified to administer oaths, to support the Constitution of the United States, the Constitution of the State of Indiana, and faithfully to discharge the duties of a watchman of said City, while serving as such

Sec 3 Said watchmen shall each receive for their services the sum of one dollar and fifty cents per day

Sec 4 The Council shall elect one of said watchmen as captain of said watch, to serve for the present year, or until his successor is elected and qualified, and it shall be his duty to see that the watchmen discharge their duties properly, to have the general Superintendance over them; and to report any delinquencies to the said Council

Sec 5 The hours of service of said watch shall be from nine o'clock of each evening until five O'clock of the next morning, and each of such periods shall constitute one day

Sec 6 The watchmen elected for each ward shall perform service in their respective wards, and shall not, unless in a case of emergency, or when directed by the Captain of said watch, go beyond the bounds of their respective wards

Sec 7 It shall be, and it is hereby made the duty of said watchmen, during the hours of their service, to keep strict watch within the bounds of their respective wards, and to observe the conduct and movements of all suspicious persons, to suppress all riots, disturbances, and unlawful assemblages; and to arrest without process and bring before

the Mayor, or commit to Jail until the next morning, when they shall be brought, before the Mayor for trial, except the day following should be Sunday in which case they shall be brought before the Mayor on the Monday following, any and all persons discovered or caught in the act of violating any of the ordinances of said City, or laws of the State of Indiana, or in the commission of any unlawful act, and all persons concerned therein

Sec 8 No watchman, or any person engaged in said watch, shall be bail for any person arrested by him or said watch, for any offense, or for any reason, either for appearance at Court, or for any other purpose

Sec 9 If any of said watchman shall neglect their duty, or be absent at any time, without a valid excuse, such watchman may be removed from said watch by said Council; and in case of the absence of any of said watch, it shall be the duty of the Captain of said watch, if he deems it necessary, to employ a fit person to fill the place of such absentee, until such absentee returns or a successor is elected and qualified, for which service such person shall be entitled to the same pay

Sec 10 No watchman shall be entitled to an allowance for services until he produces to the Council a certificate from the Captain of said watch, stating the amount of service rendered by him, which certificate shall be returned to the Council the first meeting of each month

Sec 11 This Ordinance shall be in force from and after its passage

Was ordained by the following vote

Those who voted in the Affirmative are Messrs Boaz, Colley, Gowan, Jones, Karns, Keeley, Pitts & Trucksess 8

In the Negative Messrs Avery, Dunlap, Maguire, Nelson, and Seibert 5

Mr Nelson moved That Caleb Scudder be allowed three dollars per day for 15 days service in taking an enumeration of the children in the City of Suitable age to attend District Schools.

Which motion prevailed

Mr Karns moved That a Committee of three be appointed to examine the contract with Mr Moffit in reference to the town Clock

Which motion prevailed.

Messrs Karns, Keeley & Seibert were appointed said Committee

Mr Nelson moved That a Committee of three be appointed to examine Mr Sheas contract, for grading Washington Street West of the Canal

Which motion prevailed

Messrs Nelson, Colley & Jones were appointed said Committee

Mr Trucksess from a special committee on the subject presented the Affidavits of Messrs John Wilson, Jeremiah Weekly & George Bisbing against Mr Stumph, Sexton of the Grave yard

Mr Karns moved that said Affidavits be laid upon the table and the City Marshall be instructed to notify Stumph of the Complaint against him

Which motion prevailed

The following communication was received

To the City Council of Indianapolis Gentlemen

As the Agent representing the owner of the 'grave yard pond' I protest against the action of your Council ordering the drainage of the same at the expense of the owners, until the City, shall first perform her portion of the same, by making the proper improvement on Kentucky Avenue, through said pond to the River for the accommodations of the Citizens Until this (Kentucky) Avenue is properly graded so that the public shall be accommodated in that portion of the City by having the proper access to the River, little or no value can attach to the ownership of said pond, and the expense of such drainage would be onerous and vexacious to the owners of said property - It is the opinion of the owners of said property that said pond cannot be drained but will have to be filled up in a great measure, and that therefore any expense incurred by drainage will be wholly lost to the owners, and it should not be done. When said Avenue is made through said pond to the River, as the interest of the Citizens requires it shall be, a large part of the present pond will be damed up North of the Street or Avenue, and cannot be drained in any other manner than by filling up; and that portion of said pond, South of the Street, or Avenue, is at the present time deeper than the bed of the river so that in fact it will have to be filled up also in order to drain it; and every attempt to drainage by ditching will be so much labor lost, and money entirely thrown away. The undersigned therefore in behalf of the owners of said property respectfully respectfully asks the Council to review their proceedings in relation to the drainage of said pond, and suspend all action in relation thereto, until they, the City Council at least shall have made the Avenue through the same a good and proper road for the accommodation of the Citizens, and until said property shall be divided amongst the heirs

John S Eckert

By W Sullivan his agent

Mr Karns moved That the vote on the resolution instructing the Street Commissioner to drain said ground on failure of the owners to do so after notice be reconsidered

Which motion prevailed

Mr Dunlap moved that it be laid on the table

Which motion prevailed

The following petition was received

Indianapolis Sept 4 1854

To the Common Council of the City of Indianapolis

The undersigned being desirous to make a gutter and pavement in front of his lot on South Meridian Street respectfully asks your honorable body to grant him permission to do so, and also that you authorize the City Engineer to set the grade stakes

James Vanblaricum

Mr Karns moved That the prayer of the petition be granted

Which motion prevailed

478 Mr Maguire moved that the Engineer be instructed to make an estimate for work done on Illinois Street by Mr Lohman, deducting 10 per cent to insure the completion thereof, and that the City Clerk be authorized to draw a warrant for the amt due from the City to Mr Lohman

Which motion prevailed

Mr Pitts offered the following resolution

Resolved That the City Engineer is hereby authorized to set the grade stakes for the Side walk along the property of John Clark Lot 6 Square 50

Adopted by the following vote

Those who voted in the Affirmative are Messrs Avery, Boaz, Colley, Dunlap, Gowan, Jones, Karns, Keeley, Maguire, Nelson, Pitts, Seibert & Trucksess 13

In the Negative - None

Mr Dunlap offered the following resolution

Whereas in consequence of James Turner's not complying with a contract made with him in the purchase of a certain five acre lot as a site for a City Hospital, it will become necessary that some further action be had by the Council, therefore

Resolved That a Committee of three be appointed to select some other location for a City Hospital, and report their proceedings as soon as a purchase may be effected

Adopted by the following vote

Those who voted in the Affirmative are Messrs Avery,
Boaz, Colley, Dunlap, Gowan Jones, Karns, Keeley, Maguire,
Nelson, Pitts, Seibert & Trucksess 13

In the Negative - None

Messrs Dunlap, Nelson & Avery were appointed said Committee

Mr Colley moved That the Civil Engineer be instructed to examine the Central Rail Road on Maryland Street east of Pogues Run and report to the Council if they have complied with the Ordinance

Which motion prevailed

Mr Seibert offered the following resolution

Resolved That the Street Commissioner notify the Cincinnati and Indianapolis Rail Road Company to remove within ten days all the tracks laid on Louisiana Street in violation of An Ordinance granting them, the privilege of occupying Louisiana Street for said Rail Road and on failure thereof the Street Commissioner proceed to remove the same at the expense of the Company

Adopted by the following vote

Those who voted in the Affirmative are Messrs Boaz,
Colley, Gowan, Jones, Keeley Pitts & Seibert 7

In the Negative are Messrs Avery, Dunlap, Karns, Maguire,
Nelson & Trucksess 6

Silas Harris verbally tendered his resignation as watchman for the 6th ward

On motion of Mr Colley said resignation was accepted

On motion of Mr Pitts the Clerk was authorized to draw warrants in favor of the watchmen upon a certificate of service being presented to him by the Marshall.

(460)

(10)

(473)

(477)

On motion of Mr Boaz the Council proceeded to the election of a watchman for the 6th ward

William M'Claim was elected watchman for the 6th ward

On motion of Mr Pitts the Council proceeded to the election of Captain of the watch

Jefferson Springstean was elected Captain of the watch

Mr Nelson moved That the Street Commissioner be instructed

to dig a gutter in front of Charles Mayers property on the South Side of North Street and the East Side of Illinois Street

Which motion prevailed

Mr Karns moved That the City Clerk be authorized to draw a warrant on the Treasury for \$28.86 $\frac{3}{4}$, the amount due William Hanlin for paving and grading gutter on Washington between Illinois and Tennessee Streets

Which motion prevailed

Mr Karns moved that when the Council adjourn, they adjourn to meet next Monday evening for the purpose of receiving the Books from the Assessor and to fix the rate of taxation

Which motion prevailed

On motion the Council adjourned

Attest James N Sweetser
City Clerk

James McCreedy Mayor