

Common Council Chamber
December 4th 1854

The Council met a half past 6 O'clock P M. Present the Mayor and all the Councilmen

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

On motion of Mr Maguire the regular order of business was suspended

The following report was presented

Mr President

The Committee on the Judiciary, to which was referred a resolution instructing them to inquire into the legality of the Mayor, Marshall or Watchman, receiving any money or other article of value from any person arrested and put in prison by said watchmen for their appearance before they have had a hearing, have had the same under consideration, and are of opinion (in which opinion the City Attorney concurs) that neither the Marshall nor the Watchmen have the legal right to receive money or other article of value from any person arrested and put in prison by said watchmen for their appearance before they have had a hearing, but that the Mayor may, when a person is arrested and brought before him and a charge preferred, on the application of the accused party, or of the prosecutor, continue the cause to a day fixed, and if the offence charged is bailable require the accused party to give bail for his appearance at the time fixed, in an amount sufficient in his opinion, to secure his appearance, and in the absence of individual Security, the Mayor may receive from the accused the amount of money at which the bail is fixed as security for his appearance at the time fixed for the hearing

D Maguire
L Dunlap
Geo W Pitts

On motion of Mr Karns said report was concurred in

Mr Maguire from the Judiciary Committee presented the following report

Mr President, The Judiciary Committee to which was referred a resolution directing them to report an amendment to the Ordinance establishing a police force in the City of Indianapolis, have, according to the order of the Council prepared such an Ordinance, and now report it for consideration

(Here insert)

On motion it was read a second time and laid on the table



Mr Maguire from the Judiciary Committee reported an Ordinance entitled "An Ordinance to amend an ordinance entitled "An Ordinance in relation to theatres, shows & @ passed Nov 7 1851

On motion it was read a second time and laid on the table

Mr Maguire from the Judiciary Committee reported the following ordinance

"An Ordinance relative to lifting machines, lung testers, and other instruments or devices of a similar kind

Sec 1. Be it ordained by the Common Council of the City of Indianapolis, That it shall be unlawful for any person or persons to exhibit any lifting machine, lung tester, or other instrument of a similar kind at the crossing of, or on the corners of, or along any of, the streets and highways of said City, within the limits thereof

Sec 2. Any person violating the provisions of the foregoing section shall, on conviction before the Mayor, be fined in any sum not less than _____ nor exceeding _____ dollars for each offence

Sec 3. The Ordinance shall take effect and be in force from and after its publication

On motion of Mr Nelson the first blank in the 2nd Section was filled with "ten" and by consent of the Council the 2nd blank in said section was filled with "twenty" and said ordinance was then ordained by the following vote

Those who voted in the Affirmative are Messrs Avery, Boaz, Colley, Dunlap, Graydon, Gowan, Jones, Karns, Keeley, Maguire, Nelson, Pitts, Seibert & Trucksess
In the Negative - None

The following report was received and on motion of Maguire was ordered to be spread on the Minutes

To the Common Council of the City of Indianapolis

As it respects the enclosed certificate which was submitted to me at the last meeting of the Council, I have only to say, that sale appears to have been made on the 20th day of Jany 1847, that unless the owner of the property paid or deposited the amount of the purchase money, with the delinquent taxes paid by the purchaser and the per centum therein due, within three years from the day of sale thereof, it is the duty of the Mayor to make a deed, under the seal of the City, to the purchaser or his assigns on production of the certificate. So far as the making of the deed is concerned the loss of the records makes no difference. It may not be improper for me to state, that Mr Langsdale, the purchaser, says that the owner has the Treasurers receipt for the



taxes for the same year for which the lot was sold. If that is true the lot was sold under a mistake and Mr Langsdale would be entitled to have his money refunded.

This, however, is a matter about which I know nothing

Respectfully Submitted

N B Taylor

City Attorney

A petition was presented from Messrs Ellis & Morris on behalf of the Union Railway Company asking the Council to build a Cistern near the Union Depot

On motion of Mr Maguire at was laid on the table

Mr Maguire offered the following resolution

Resolved That a Cistern be constructed at the Union Passenger Depot, in such place as the Councilmen of the 5th & 6th wards may designate, at the expense of the City, and that when constructed the Union Railway Company shall protect it from injury keep it constantly filled, and from time to time make all needful repairs

Resolved That the Civil Engineer be directed to advertise for proposals to construct such Cistern to hold five hundred barrels of water

On motion it was laid on the table

The following communication was presented

The undersigned Trustees of the Common Schools of the City of Indianapolis, being of opinion that under the Common School Law, and Ordinance of the City on that Subject, that the disbursement of all the School funds raised either under the act of the General Assembly or by special taxation, belongs exclusively to the Board of Trustees, and as the Common Council have made several drafts upon the Common School fund, it may be inferred that the Common Council are of a different opinion from the undersigned, on the subject referred to. We respectfully ask the Common Council to decide the question whether said fund is exclusively under the control of said Trustees. We ask to be heard before the Council decides the point

Respectfully

Wm Sheets

John B Dillon

H F West

On motion of Mr Jones said communication was referred to the Judiciary Committee

The following accounts were presented and allowed

John Kentzell	for posting bills	\$	2.00
George Durham	" digging well at Inv.		
	Engine house		7.20



Jefferson Springstean	for Stars & maces for		
	Watchman	\$	21.00
John Childers	" making & repairing		
	pumps		26.00
W G Wright	" making & repairing		
	pumps		13.25
Robert Ross	" digging wells		9.77
Lyttle Hale	" do do		20.97
			<hr/>
			\$100.19

The following report was received

The City of Indianapolis Dr			
		To George Bocock	
To 427 Cubic Yards of grading in the Seventh Ward			
School House Lot, at 24 cents per yard			\$102.48
To 48 Cubic Yards of gravel laid on walks on said			
Lot at 65 cents			31.20
			<hr/>
			\$133.68
Deduct Estimate for grading ordered by the Council			
Nov 21 1854			70.00
			<hr/>
Balance			\$ 63.68

I certify the above correct
 Indianapolis
 Dec 4 1854

James Wood
 Civil Engineer

On motion by Mr Colley said account was ordered to be paid out of the School Fund

The following report was received

The undersigned reports to the Council, that Owen Cullings has declined building the foot Bridge over the Canal on Maryland Street, the Council will please direct what is to be done in the matter
 Indianapolis
 Dec 4 1854

James Wood
 Civil Engineer

On motion of Mr Pitts the Civil Engineer make a contract with Messrs King & Kennedy for building said Bridge

The following report was received

The City of Indianapolis Dr			
		To King & Kennedy	
For	building Bridge over the Canal race, on West		
	Street, as per contract		\$328.50
"	60 Lineal feet of new mud sills (the string		
	pieces of old bridge intended to be used as		
	mud sills in the new, were found, on partic-		
	ular examination to be rotten in the heart)		
	at 16 cents per foot.		9.60
Total			<hr/>
			\$338.10



I hereby certify that the Bridge is finished according to plan & specification, and to my satisfaction, and that the above account is correct.

Indianapolis
Dec 4 1854

James Wood
Civil Engineer

On motion of Mr Pitts said account was allowed

The following report was received

The undersigned reports to the Council, that King & Kennedy have finished the Market House, on South Street, agreeable to plan & specification and to his satisfaction

Indianapolis
Dec 4 1854

James Wood
Civil Engineer

On motion of Mr Seibert said account was allowed

The following report was received

The City of Indianapolis Dr
1854 To William Hanlin
August

To 4 days of Martin Edwards repairing gutter on North Side of Washington Street between Pennsylvania and Meridian Street, at \$2.25 per day	\$ 9.00
To 4 days of James Hanlin repairing ditto at \$1.50	6.00
" 3 loads of sand, at 75 cents pr load	2.25
	<hr/>
	\$17.25

I certify the above account correct
Indianapolis James Wood, Civil Engineer
Dec 4 1854

On motion of Mr Colley said bill was allowed

The following report was received

The undersigned reports to the Council, that he measured the Cistern at the corner of Ohio & East Street, built by William Wood, and found that it would hold 579 barrels of water, at 50 cents per barrel, will cost \$289.50, two-thirds of which is payable when the Cistern is finished, and the other third when it is fully tested and found to be water tight. This Cistern has not been built entirely with cement, and therefore the undersigned cannot report it as done according to contract

Indianapolis
Dec 4 1854

James Wood
Civil Engineer

Mr Avery moved that the said Cistern be received

Which motion prevailed

Mr Pitts moved That Mr Pfeifer be allowed \$150 on his



contract for building a Cistern in the 4th ward

Which motion prevailed

The following bids were received

Indianapolis Dec 4 1854

I propose to gravel round the Market House on South Street for the sum of 25 cts per cubic yard if the gravel is got from Alabama Street, or if it is to be hauled from White River 62 ct per cubic yard

William Vale

December 3d 1854

I agree to gravel the South Market house lot, if the gravel has to come from the River I will get as good as I can for the sum of 70 cents per yard. And if I can get the gravel back of Brownings on Alabama Street I will get it for 35 cts per yard

George Bocock

Indianapolis Dec 2nd 1854

Mr Wood Sir

I will furnish materials and do the pavement in and around the South Market house for the sum of forty five cents pr yard and furnish Oak Joice for curbing three inch by twelve inch for the sum of five cents pr foot lineal

C J Slinluff

Indianapolis Dec 2 1854

To the President of the Council

I will furnish brick and lay the same for the paving of South Market House according to plan and specification, as follows,

Furnishing Brick and laying per yard 47, for gravel and sand pr yard 12, by the superficial yard, curb and setting pr foot 6

W Parker

Mr Seibert moved That the Civil Engineer be authorized to contract with the lowest bidder

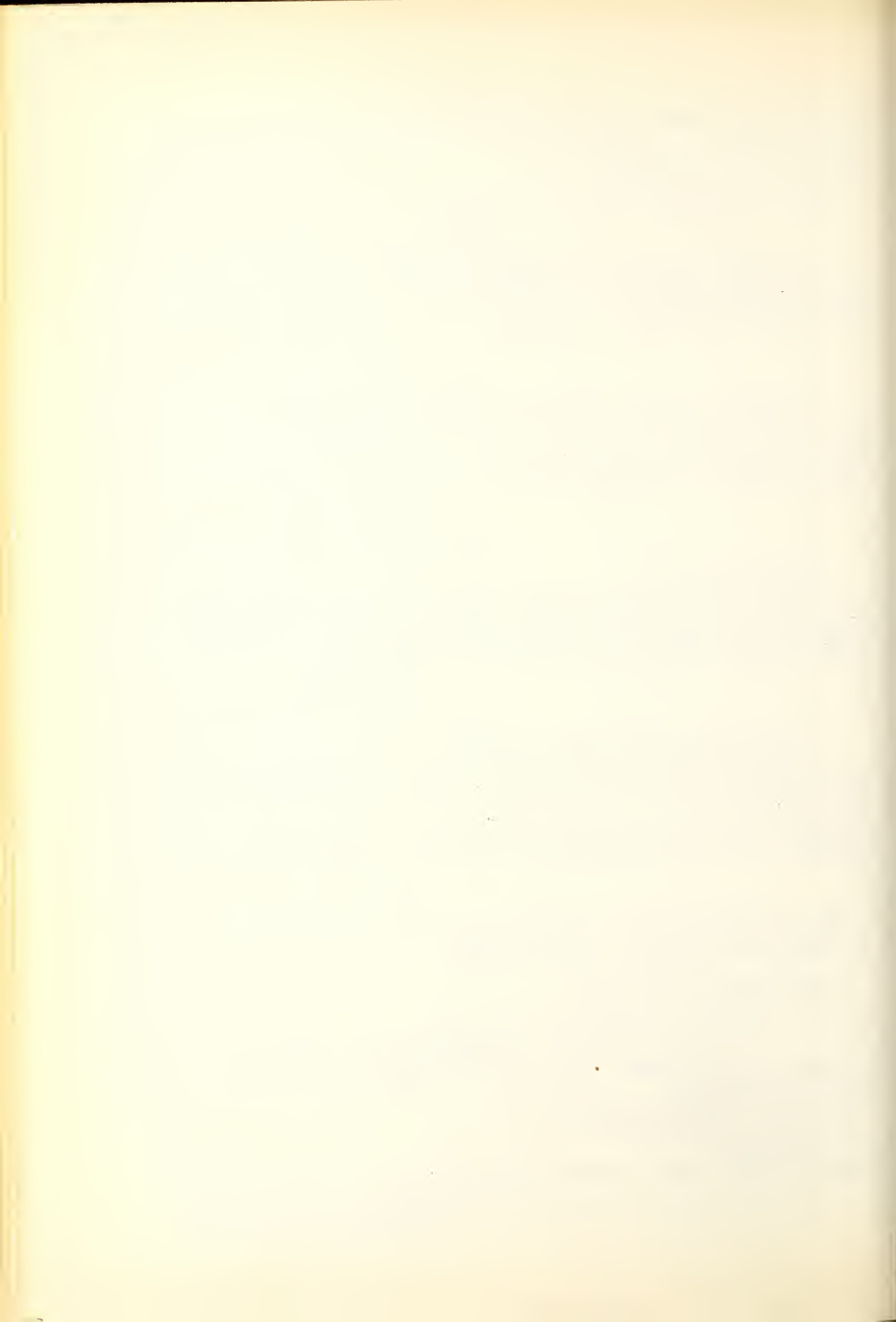
Which motion prevailed

The following report was received

Indianapolis Dec 4 1854

Number of arrests made by the Watchmen beginning Nov 20th		
For intoxication	19	
" disturbing the Peace	2	
" Public indecency	1	
" Fighting	2	24
Whole number since the 6th of November		59

Jefferson Springstean,
Captain of the Watch



The following report was received

Indianapolis Police Report beginning Monday night
Nov 6th/54 ending Monday morning Dec 4.54

1st ward	Jefferson Springstean	served	twenty seven Nights
	John Bishop	"	twenty seven Nights
	Joseph Colley	"	thirteen Nights (appointed
2nd ward	John Bisbing	"	twenty seven Nights
	Amos Scott	"	twenty one Nights
3d ward	David Deringer	"	twenty Seven Nights
	David Anderson	"	twenty eight Nights
4th ward	J W Buckheart	"	twenty eight Nights
	Robert Johnson	"	twenty Seven Nights
5th ward	Jesse Vanblaricum	"	twenty eight Nights
	Benjamin Solbaugh	"	twenty eight Nights
6th ward	George Thompson	"	twenty eight Nights
	Wm McClain	"	twenty Seven & $\frac{1}{2}$ Nights
7th ward	Reuben Adams	"	twenty eight Nights
	Hubbard Adams	"	twenty eight Nights

Jefferson Springstean
Captain of the Watch

On motion of Mr Jones the City Clerk was authorized to issue warrants to the watchmen for said services

A petition was presented from the property owners on New York Street between East & Noble Streets asking the Council to have a hole in said Street repaired

On motion of Mr Keeley said petition was laid on the table

A petition was presented from the property holders in the 7th ward asking the Council to have a Bridge built across Pogues Run.

Mr Colley moved That the Civil Engineer be instructed to advertise for proposals to build said Bridge according to plan and specification heretofore made

On motion of Mr Dunlap said petition was laid on the table

A petition was presented from the property holders on Louisiana between East and Noble Streets asking the Council to rescind the order given to the Marshall to grade said Street

Mr Seibert moved to lay said petition on the table

Which motion did not prevail

Mr Pitts moved That the prayer of the petition be granted

Which motion prevailed



The following petition was presented

To the Hon. The City Council of Indianapolis

The undersigned, owners of two-thirds of the property abutting on the alley running North & South through Block No 44 respectfully petition your honorable body to take the necessary steps to have the said alley graded and gravelled, in accordance with the law or laws in force providing for making such improvements

Indianapolis	Nov 30,	1854	
John Span		65	feet
Wm Sheets		130	"
Andrew Wallace		32 $\frac{1}{2}$	"
W H Karns		32 $\frac{1}{2}$	"
John Wilkens		195	"
J M Commons		32 $\frac{1}{2}$	"
W H L Noble		32 $\frac{1}{2}$	"
Total -		<u>520</u>	"

On motion of Mr Karns the prayer of said petition was granted and the Civil Engineer instructed to advertise for proposals to do said work

Mr Karns offered the following resolution

Resolved That the Street Commissioner be directed to gravel around the cistern in the Second ward, at the crossing of Pennsylvania and Market Streets under the direction of the Civil Engineer

Adopted by the following vote

Those who voted in the Affirmative are Messrs Avery, Boaz, Colley, Dunlap, Graydon, Gowan, Jones, Karns, Keeley, Maguire, Nelson, Pitts, Seibert & Trucksess
In the Negative - None

Mr Seibert offered the following resolution

Resolved That the City Engineer be authorized to advertise for proposals for the plastering of the hall of the Invincible Fire Companies Engine house

Adopted by the following vote.

Those who voted in the Affirmative are Messrs Avery, Boaz, Colley, Dunlap, Graydon, Gowan, Jones, Karns, Keeley, Maguire, Nelson, Pitts, Seibert & Trucksess
In the Negative - None

Mr Karns moved That the Civil Engineer be instructed to measure the Cisterns being built by Mr Scofield, when completed, and the City Clerk be authorized to issue warrants therefor according to contract

Which motion prevailed



Mr Dunlap offered the following resolution

Resolved That the Street Commissioner be directed to open the gutters on Pennsylvania Street between Washington & Maryland

Adopted by the following vote

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

In the Negative - None

Mr Colley moved That the City Clerk be instructed to issue orders to John Shea to the amount of \$22.75 in lieu of orders lost by said Shea, if on examination by the Clerk & Treasurer it shall be ascertained that said orders have not been redeemed

Which motion prevailed

Mr Pitts moved That the Street Commissioner have the embankments at the Bridge across the canal on West Street, cut down, and also have the railing of Bridge across the canal on Market Street repaired

Which motion prevailed

Mr Graydon moved, That the Watch Ordinance be taken from the table

Which motion did not prevail

Mr Jones requested the Council to lease to him 3 feet of the School Lot in the 5th ward

Mr Pitts moved That the application of Mr. Jones be referred to a Committee of three and the Trustees

Which motion prevailed

Messrs Pitts, Karns & Trucksess were appointed said Committee

On motion of Mr Maguire the Ordinances were taken from the table in their order of presentation, and on motion of Mr Karns the rules were suspended and the following ordinance entitled

"An Ordinance to amend the Ordinance entitled "An Ordinance to establish a police force in the City of Indianapolis, and prescribing its duties" passed Sept 4 1854

Sec 1. Be it ordained by the Common Council of the City of Indianapolis, That it shall be the duty of the Captain of the Watch to exercise a general superintendance over the



Watchmen of the City, and if in his opinion it may be necessary, for the preservation of order, or the advantage or safety of the City, he may temporarily call any watchman from the Ward to which he belongs, to any other point in the City, the said Watchman to be returned to his own ward so soon as the emergency which called him away shall have passed.

Sec 2. That for the purpose of enabling the said Captain of Watch to exercise such general superintendance as is provided for in the first Section, he shall be released from the special service required of him as Watchman of a particular Ward, and his place shall be supplied by the Council.

Sec 3. 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 Avery, Boaz, Colley, Dunlap, Gowan, Jones, Karns, Keeley, & Pitts 9
 In the Negative - Messrs Graydon, Maguire, Nelson, Seibert & Trucksess - 5

And in pursuance of said motion to take the ordinances from the table the following ordinance was taken in order there from.

"An Ordinance to amend an Ordinance entitled "An Ordinance in relation to theatres, shows &c" passed Nov 7 1851

Sec 1. Be it ordained by the Common Council of the City of Indianapolis, That on the payment of dollars into the City Treasury, the proprietors of the Columbian Hall, the Masonic Hall, or the Washington Hall, shall have permission to rent their Hall for the purpose of holding exhibitions free of any charge of license to the managers of the performances for the term of one year, provided however, That this permission may be revoked in the manner pointed out, and for the causes mentioned in the fifth Section of the Ordinance to which this is an Amendment.

Sec 2 This Ordinance to take effect and be in force from and after its passage.

Mr Dunlap moved, That the blank be filled with "Seventy five"

Mr Seibert moved, That the blank be filled with "one hundred and fifty

Mr Avery moved That the blank be filled with "three hundred

Mr Karns moved That the blank be filled with "two hundred



and the question being on the motion to fill the blank with "three hundred"

Said motion did not prevail.

And the vote being taken on the motion to fill said blank with "two hundred" said motion prevailed on a rising vote, eight members voting in the Affirmative and five in the Negative, and said Ordinance as amended was ordained by the following vote

Those who voted in the Affirmative are Messrs Boaz, Colley, Dunlap, Graydon, Jones, Karns, Keeley, Maguire, Nelson, Pitts, Seibert & Trucksess 12

In the Negative, Messrs Avery, & Gowan

Mr Graydon moved That the Civil Engineer be instructed to make an estimate of the work done on Washington Street between Tennessee Street and the Canal

Which motion prevailed

Mr Graydon presented an Ordinance entitled "An Ordinance in relation to lighting the City"

On motion it was referred to the Judiciary Committee with instructions to amend said ordinance so as to have property holders erect posts & lamps

On motion of Mr Avery John Bishop was removed from the office of Watchmen and the Council proceeded to the election of two watchmen for the 1st ward

Wm J H Robinson and Joseph Colley were elected watchmen for the first ward

Mr Pitts presented an Ordinance to increase the pay of Watchmen to two dollars

Mr Karns moved to lay said Ordinance on the table which motion did not prevail by the following vote

Those who voted in Affirmative are Messrs Avery, Dunlap, Graydon, Karns, Maguire, Nelson & Seibert 7

In the Negative, Messrs Boaz, Colley, Gowan, Jones, Keeley, Pitts, Truxsess & the Mayor 8

Mr moved that the rules be suspended requiring the concurrence of three fourths of the members, necessary to the passage of an ordinance upon the day of presentation

Which motion did not prevail

Mr Keeley moved That the Civil Engineer be instructed to contract for the painting of the Invincible Engine house

Which motion prevailed



Mr Maguire offered the following resolution
below *

Mr Colley moved That the Council adjourn until Monday evening next

Mr Nelson moved, to amend by saying, the third Monday of December

Which amendment did not prevail, and the Council adjourned until Monday evening next

* Resolved, That a select Committee be appointed consisting of Messrs Nelson, Karns & Avery, to make an estimate of the expense of erecting as many Station Houses as may be necessary to accommodate the City, and that they report whether in their opinion such station houses should be erected

Adopted by the following vote

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

In the Negative - None

Attest

James N Sweetser
City Clerk

James McCreedy Mayor