

Common Council Chamber  
March 10 1855

The Council met at 7 O'clock P M. Present the Mayor and all the members except Messrs Boaz & Trucksess

On motion the reading of the minutes of the previous meeting was suspended

Mr Maguire from the Judiciary Committee presented the following report

Mr President

The Judiciary Committee to which was referred the communication of Messrs Little & Wiggins and other Hotel Keepers, complaining of the severity and oppressive character of the Ordinance for the protection of travellers & c ordained and established by this Council on the 2nd of January last, have had the subject matter of the complaints set forth in the communication under consideration, and are of the opinion that the said Ordinance, fairly construed, is not justly liable to the objections set forth in the said communication. The object of the Ordinance, which had been loudly called for by the travelling public and by our citizens long before it was ordained, was to put a stop to the noise and clamour which occurred on the arrival of every train of Cars, to prevent travellers being annoyed by interested persons impertinently importuning them to go to one or another of the hotels, and to protect baggage from being seized and held without the order or consent of the owner. It was not intended to give one hotel a preference over another, nor to interfere at all with the destination of travellers, but on the contrary to secure to each traveller the right quietly and without annoyance to choose his own hotel, and for this purpose the Superintendent of the Union Railway Company is required to furnish a suitable place in their building to be occupied by porters of hotels, with suitable badges, designating the hotels to which they belong, and authorized to receive baggage checks and baggage for which such checks may call. Drivers are also permitted by the said Ordinance to "answer civilly any questions that may be put to them". It is also made the duty of the Union Railway Company to provide a suitable person or persons at their doors or on their plat forms to direct passengers to the places to which they desire to go. That there should be some complaint of the workings of this as well as of most other Ordinances is perfectly natural and unavoidable; and that it may have been construed by the Superintendent of the Depot or by those under his charge in a way that may have seemed to those concerned to be oppressive is not questioned by the Committee; but we can and do say, in behalf of ourselves, and of the Council, that the Ordinance was passed in good faith for the purpose of preserving the public peace and protecting travellers from annoyance, and not for the purpose of oppressing any individual or of giving



preference to any one hotel keeper over another, and we believe that fairly and properly administered it is calculated to effect the object intended. For the purpose however of carrying out what we understand to be the instructions of the Council, and thus remove the complaints of the petitioners, so far as it can be done without destroying the entire object of the Ordinance, the Committee report the following amendment to the 5th Section of the Ordinance

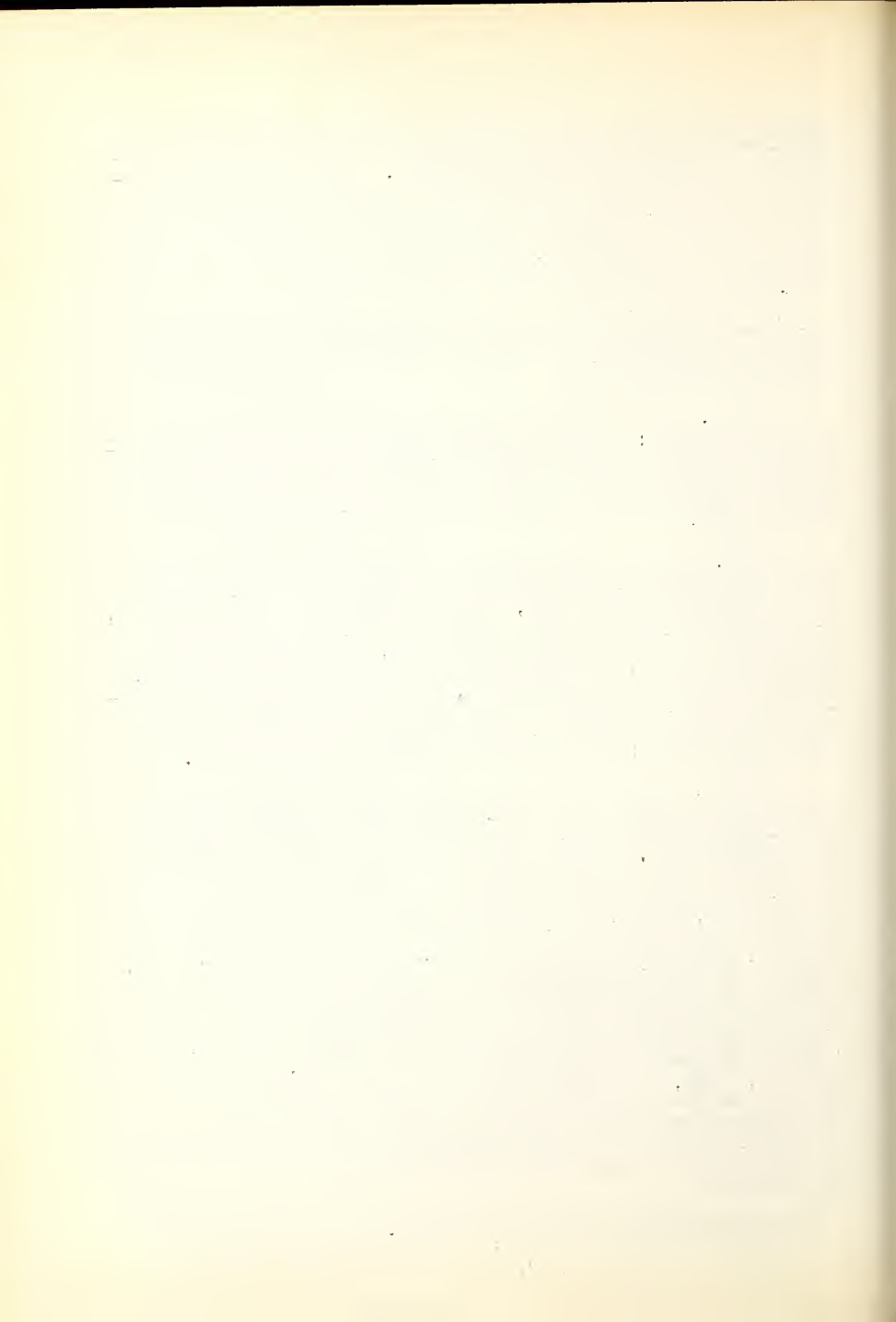
An Ordinance to amend the 5th Section of an Ordinance entitled "An Ordinance for the protection of travellers, and the preservation of public order at the Union Depot" ordained Jan'y 2nd 1855

Sec 1. Be it ordained by the Common Council of the City of Indianapolis: That the 5th Section of the Ordinance entitled "An Ordinance for the protection of travellers and the preservation of public order at the Union Depot" ordained and established on the 2nd of Jan'y 1855, which reads as follows Viz.

"Sec 5. The running for and solicitation of passengers for public houses, at and about said Union Depot, either by interference with them, solicitations, or importunities, or by calls of the names of said houses, in the public streets is declared to be a nuisance, and a disturbance of the public peace, and any person or persons engaging in or being guilty of the same shall, upon conviction thereof before the Mayor, be fined in any sum not less than three, nor more than twenty dollars, and costs of prosecution & may be imprisoned & c: be amended to read as follows, Viz.

"Sec 5. The running for and solicitation of passengers for public houses at and about said Union Depot either by interference with them, solicitations or importunities or by noisy calls of names of said houses in the public streets, is declared to be a nuisance and a disturbance of the public peace, and any person or persons engaging in or being guilty of the same, shall, upon conviction thereof before the Mayor, be fined in any sum not less than three nor more than twenty dollars, and costs of prosecution; provided however; that, nothing in this Section shall be construed to prevent the drivers or porters authorised by the Second Section of the Ordinance to which this is an amendment from quietly and pleasantly and without creating noise or disturbance, directing travellers to their respective omnibuses. And provided, further, that, all hotel keepers who may choose to do so shall have the right to have a second porter stationed in the neighborhood of their respective omnibuses for the purpose of answering inquiries that may be made of them by travellers, and quietly directing them to the omnibuses for which they may inquire

Mr Jones moved to amend by adding the following Section



Sec 2. That the 4th Section of said Ordinance which reads as follows Viz Sec 4. All private carriages and hacks for the accommodation of passengers, shall be in like manner under the control of the Superintendent, and shall occupy the positions assigned them fronting the Depot. The drivers shall remain with their carriages, and whenever a private carriage shall be required by any passenger, the necessary directions shall be given him by the employee of the Railway Company. Shall be amended to read as follows Viz.

Sec 4. All private carriages and hacks for the accommodation of passengers, shall be in like manner under the control of the Superintendent, and shall occupy the position assigned them fronting the Depot.

Which amendment was adopted. And by consent of the Council the following Section was added

Sec 3. This Ordinance shall take effect and be in force from and after its passage and said Ordinance was ordained by the following vote:

Those who voted in the Affirmative are Messrs Avery,  
Colley, Dunlap, Graydon, Gowan, Jones, Karns, Keeley, Maguire,  
Nelson, Pitts & Seibert 12  
In the Negative - None

The following report was presented

The Committee to whom was referred the case of Wm Cuser for the payment of tax by him which he conceives to be unjust and illegal, respectfully report that they have examined in to the matter and find that the said Wm Cuser did not remove to this City till about the middle of June last - and in consequence thereof cannot be legally taxed - therefore we recommend that the amount of tax paid by him be refunded

L Dunlap  
Daniel Keeley  
Wm H Karns

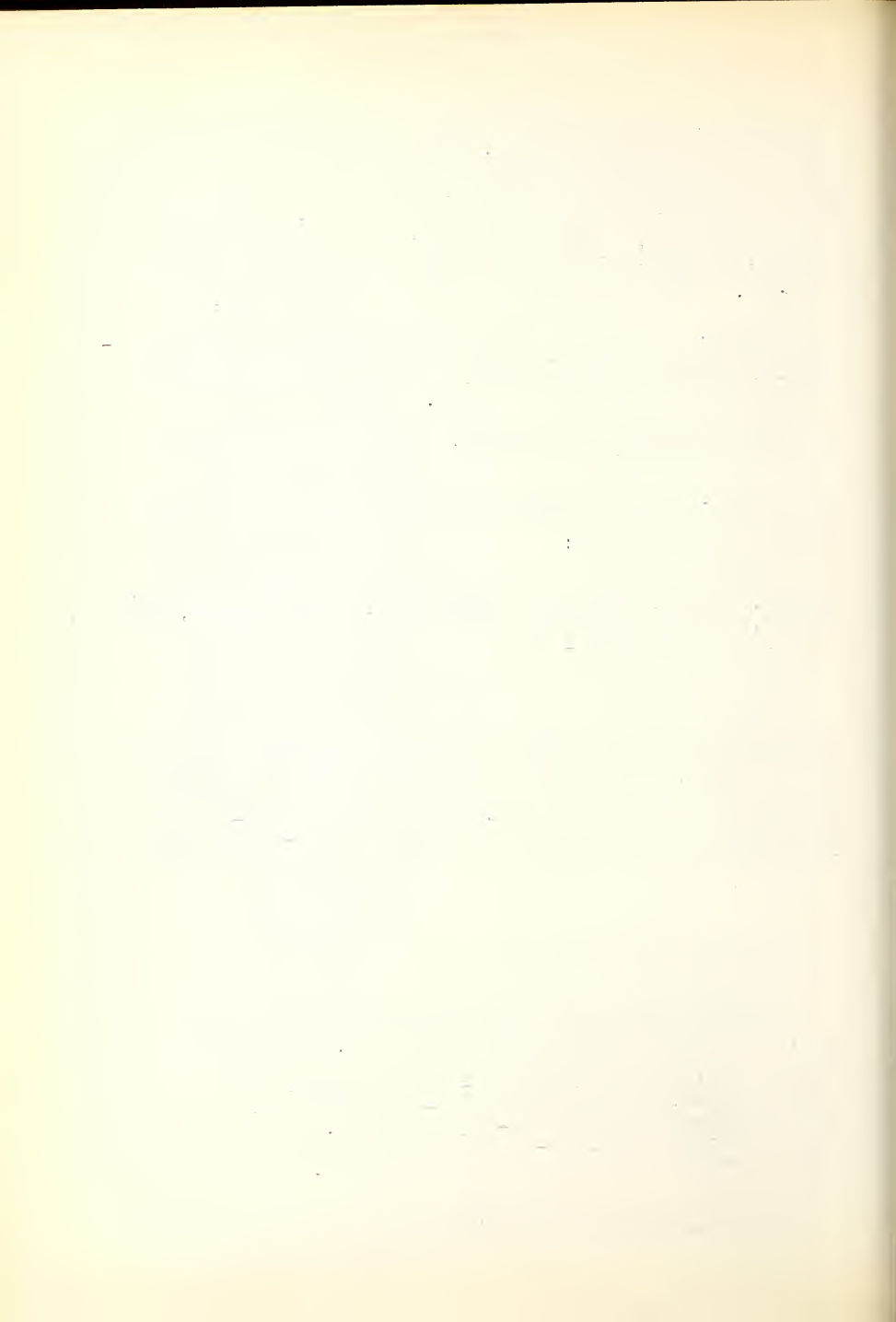
On motion said report was concurred in

Mr Dunlap offered the following resolution

Resolved That the Clerk of the City be authorized to issue three warrants in favor of James S. Athon and Thomas B Elliott for the deferred payments on the property purchased for Hospital purposes, to wit - one of \$1076.25 bearing date July 1st 1855, due in Six Months - one of \$1076.25 from Jan'y 1st 1856 due in six months - one of \$1076.25 from July 1st 1856 due in Six months, - all to bear interest from the dates here in named

Adopted by the following vote

Those who voted in the Affirmative are Messrs Avery,



Colley, Dunlap, Graydon Gowan, Jones, Karns, Keeley, Maguire,  
 Nelson & Seibert 11  
 In the Negative, Mr Pitts 1

Mr Dunlap offered the following resolution

Resolved That a Committee be appointed to procure plans and specifications, for a building to be erected on the property which was recently purchased of Messrs Athon & Elliott, to be used as a City Hospital - And that they report the result of their inquiries in regard to it in detail, to the Council at their earliest convenience

Adopted by the following vote

Those who voted in the Affirmative are Messrs Avery,  
 Colley, Dunlap, Graydon, Gowan, Jones, Karns, Keeley, Maguire,  
 Nelson, Pitts and Seibert 12  
 In the Negative - None

Messrs Dunlap, Karns & Keeley were appointed said Committee

The accounts of E Thompson and Mr Minick for attendance on and damage from cases of Small pox were referred to a select Committee consisting of Messrs Jones, Pitts & Seibert

Mr Pitts moved That John Ash be allowed \$10 for attending on John Moore two days.

Mr Graydon moved to amend by saying "five which motion did not prevail and the Ayes & Noes being demanded on the Original motion, said motion prevailed by the following Vote

Those who voted in the Affirmative are Messrs Avery,  
 Colley, Gowan, Karns, Keeley, Maguire & Pitts 7  
 In the Negative, Messrs Dunlap, Graydon, Jones, Nelson & Seibert 5

On motion of Mr Pitts, the Civil Engineer was instructed to set grade stakes on the South Side of Michigan between Illinois & Tennessee Streets

Adjourned

Attest

James N Sweetser  
 City Clerk

James McCready Mayor