

The Secretary announced the acceptance on the part of the Terre Haute & Richmond Railroad Company of the ordinance relative to the occupancy of Louisiana Street.

Mr. Buchanan of the 7th Ward offered the following:

"Resolved That the City Attorney immediately commence proper legal proceedings against the Indiana Central Railway Company for a violation of "an ordinance in relation to the occupation of Maryland Street by the Indiana Central Railway Company". Adopted.

Allowed J.B. Fidler & Co. for chairs etc. furnished City Schools	8.35
" M. Smock repairing pump at Youngermans Corner	.75

On Motion Adjourned to meet Friday Evening.

Attest:-

David V. Culley, President

Daniel B. Culley, Secy C.C.

City Council Chamber  
Friday January 14, 1853

Adjourned Meeting

Council met pursuant to adjournment. Present Messrs Delzell, Loudon, Buchanan, Fidler, Pitts, Greer & Culley.  
Minutes of the preceding meeting read and approved.

The President announced the object of the meeting to be to consider the question of the occupancy of Louisiana street between Mississippi Street & Tennessee by the Lafayette and Indianapolis Railroad Company.

The City Engineer presented the following report:

"The following resolutions were passed by the City Council on the 13th of December last, in relation to the Railroad track on Louisiana Street, viz:

'That the Terre Haute and Richmond Railroad Company be requested to remove or adjust their track running along Louisiana Street so far as to allow the Lafayette & Indianapolis Railroad Company to enter the Union Track at the nearest practicable point by running on the South side or half of said Louisiana Street not farther North than the Track now occupied by the Terre Haute and Richmond Railroad Company.'

'That in the opinion of the Council the said Lafayette and Indianapolis Railroad Company are authorized by the ordinance heretofore passed to connect with the Union track at the nearest practicable point on South side of Louisiana Street: Provided The curve of entrance shall not extend beyond the East side of Mississippi Street.'

'That the City Engineer be requested to meet with the several engineers of the Terre Haute and Richmond and the Lafayette & Indianapolis Railroad Companies in adjusting the tracks of said road under the fore-

[The page contains extremely faint and illegible text, likely bleed-through from the reverse side of the document. The text is too light to transcribe accurately.]

going resolution."

The undersigned reports to the Council that he met with the Engineer of the Terre Haute and Richmond Railroad Company but an opportunity has not been afforded for meeting with the Engineer of the Lafayette and Indianapolis Railroad and that he has not been able to affect an arrangement, whereby the Tracks running along Louisiana Street can be adjusted or removed so as not more than one half of the Street shall be used for Railroad purposes. In that event, the undersigned deemed it his duty to measure the distance said tracks were laid from the South side of Louisiana Street at the East side of Mississippi Street and found the North rail of the Terre Haute and Richmond Railroad Track 37 feet 10 inches, and the north rail of the Lafayette and

-----  
Page 441

Indianapolis Railroad track 57 feet. The curve of the Lafayette & Indianapolis Railroad track, the undersigned also measured and found that it extended 120 feet beyond the East side of Mississippi Street. The Council will perceive from these measurements that the Lafayette and Indianapolis Railroad track occupies 12 feet of the north half of Louisiana Street at the east side of Mississippi Street and that the curve of said track terminated 120 feet beyond the East side of said Mississippi Street which, in the opinion of the undersigned, is contrary to the Spirit of the resolutions, and a violation thereof.

After carefully considering the subject in all its bearings, it occurred to the undersigned that, in a few years, there will be a considerable deficiency of Space on Louisiana Street for railroad traffic and city purposes, the Railroad Companies should immediately purchase from the owners of Squares and Lots on the north side of Louisiana Street, a Strip of ground 30 feet in width, between West Street and Meridian Streets, and that said strip of ground should be conveyed by deed to the city of Indianapolis to form of Louisiana Street, and that said Companies should be restricted to the occupancy of the South half of the Street, and that the north half should be exclusively reserved for the Special use of the citizens and the public generally. This arrangement, in the opinion of the undersigned, would be highly advantageous to the Railroad Companies, and very desirable to the citizens of Indianapolis, and might possibly prevent a collision likely to occur between the city and the Railroad Companies in regard to their taking and presently occupying more than one half of Louisiana Street.

Respectfully Submitted,

Indianapolis, Jany. 24, 1853

James Wood, City Engineer

Laid on the table.

Mr. Fitler offered the following resolution:

"Whereas, William Sheets, being the owner of Block No. 89, in the City of Indianapolis has remonstrated against permission being granted to the Indianapolis & Lafayette Railroad Company to lay down and maintain



the track of said road on Louisiana Street opposite said property; and Whereas, by a resolution of the City Council, the Indianapolis and Lafayette Company were restricted from laying down said track north of the present track of the Terre Haute road; and Whereas, said Lafayette Company disregarding said restrictions, are laying down said track north of the track of said Terre Haute Company, and there setting the action of the

---

Page 442

City Council at defiance; Therefore,

Resolved, That the City Attorney is hereby instructed to proceed forthwith to enjoin said Lafayette and Indianapolis Railroad Company from the use of said street for the purposes aforesaid."

Which was lost by the following vote:

Ayes:- Messrs. Buchanan, Fitler & Greer

Noes:- Messrs Louden, Delzell, Pitts & Culley

At the request of Mr. Sheets the vote was reconsidered on motion by Mr. Louden.

The preamble and resolution was debated by Messrs Greer, Pitts & Fitler.

By permission Messrs White and O'Neal addressed the Council Mr. Sheet, remonstrated, also spoke upon the subject.

The question recurring upon the adoption or rejection of the preamble and resolution it was again lost by the following vote:

Ayes. Messrs Buchanan, Fitler & Greer

Noes. Messrs Louden, Delzell, Pitts & Culley

Mr. Greer offered the following resolution:

Resolved That William Sheets who feels himself aggrieved at the laying down the track of the Indianapolis & Lafayette Railroad Company, be authorized in order to test the right of said to occupy any part of Louisiana Street, be authorized to use the corporate name of this city, in a suit for that purpose: Provided said Sheets shall give security that the city shall not be liable for any costs or damaged."

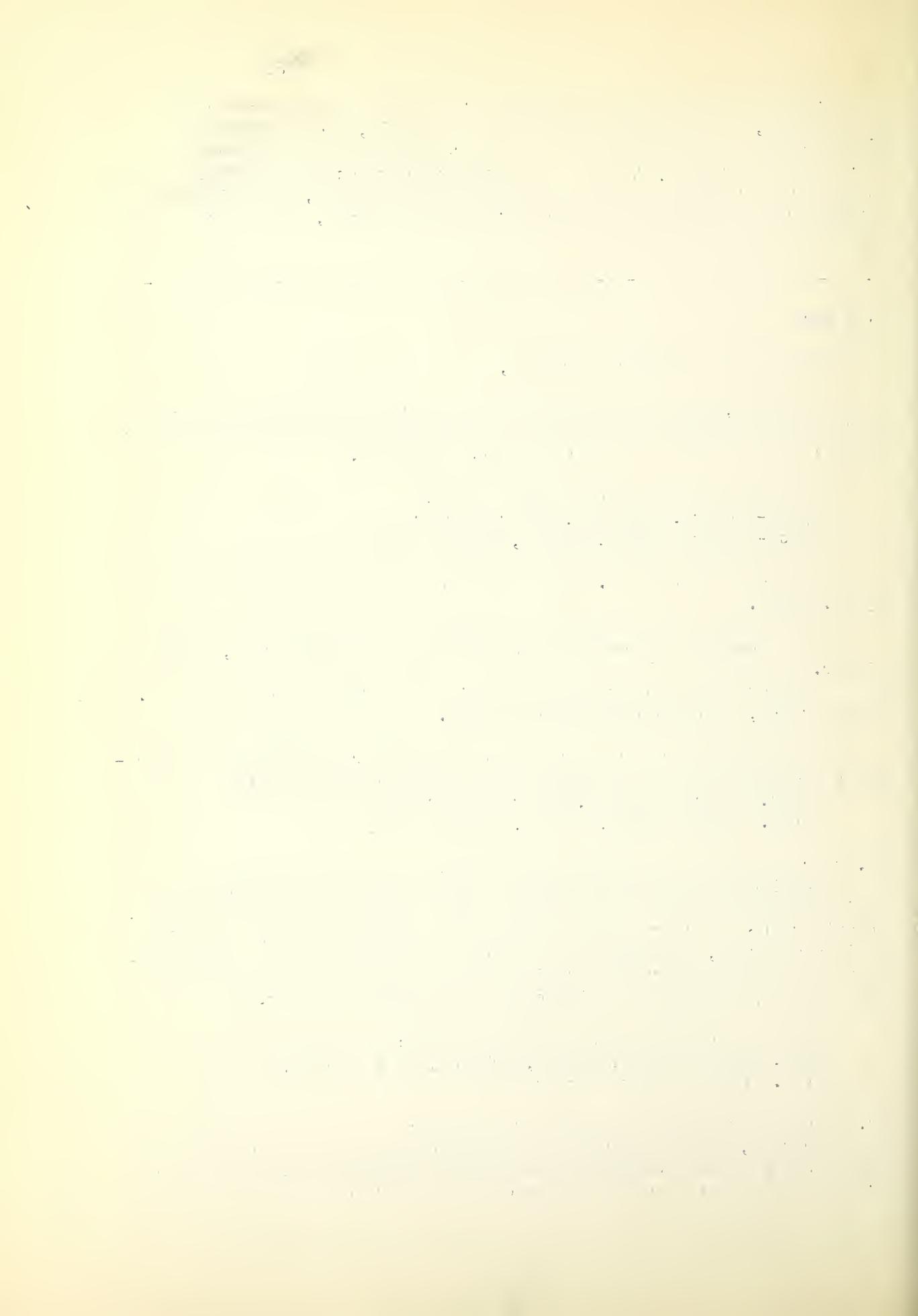
Laid on the table by the following vote:

Ayes. Messrs Louden, Delzell, Buchanan, Pitts & Culley

Noes. Messrs Fitler & Greer

Mr. Louden offered the following for adoption:

Whereas, the City Council believe there is room on the South half of Louisiana Street between Mississippi and Tennessee Streets for the tracks of both the Lafayette & Terre Haute Railroads in their approach



to the Union tracks & Depot: and Whereas The Council adhere to their former instructions to the Terre Haute Company to adjust their track accordingly. But as it would be greatly detrimental to the Lafayette road to have its connection with the other roads postponed until the proper action of the Terre Haute Company can be had and unjust to require them to be complainants against the Terre Haute Company. And as the Council believes that a proper & amicable arrangements can be made; Therefore

Resolved, That the Lafayette & Indianapolis Railroad

---

Page 443

Company be allowed to have their connection with the Union tracks as now located by them until by the action of this Council or the Terre Haute Company a right of way is opened to them on the South half of Louisiana Street."

Mr. Fitler moved to lay it on the table. Lost, by the following vote:

Ayes: Messrs Louden, Fitler & Greer  
 Noes: Messrs Delzell, Buchanan, Pitts & Culley

The question being on the adoption or rejection of the preamble and resolution, it was adopted by the following vote:

Ayes: Messrs Louden, Delzell, Pitts & Cully 4  
 Noes: Messrs Buchanan, Fitler & Greer 3

Mr. Fitler offered the following resolution for adoption:

Resolved That in the opinion of this Council, The Lafayette & Indianapolis Railroad Company have no authority from the city to run their Track on the North side of Louisiana Street from Mississippi Street east.

Lost by the following vote:

Ayes: Messrs Buchanan, Fitler & Greer 3  
 Noes: Messrs Louden, Delzell, Pitts & Culley 4

The Street Commissioners Report for the month of December was read, and the following allowances made

To Hugh Slaven	horse & Cart	12.75
" M. O'Brien	Labor	6.00
" M. Ward	Labor	5.00
" T. Keenan	"	5.62
		<u>\$29.37</u>

On Motion, adjourned.

David V. Culley, Prest.

Attest: Daniel B. Culley, Secy, C.C.

---