

Common Council Chamber)
August 22d 1853.)

Council met. Present Messrs. Bradshaw, Dunlap, Delzell, Durham, Maguire, Nelson, Pitts, Strickland, & Wingate, Councilmen & Scudder President.

The minutes of the preceeding meeting read and approved.

Mr Mathew Little presented the assessment roll for the year 1853.

Mr. Maguire offered the following resolution:

"Resolved, That the City Clerk be and he is hereby directed to give notice immediately in the daily papers of the city that the Common Council will meet at their Council Chamber on the 29th day of August at three o'clock, P.M., for the purpose of hearing and acting upon all complaints that may be presented to them in relation to the assessment of property in the city of Indianapolis."

Which was adopted by the following vote:

Ayes: Messrs. Bradshaw, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, Nelson, Pitts, Strickland & Wingate 11.
Noes: None.

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|------|----------|--|-------|
| 1253 | Allowed, | William Sullivan, 5 Sullivan's | |
| | | Map. \$1 each | 5.00 |
| 1254 | " | Delzell & Tyler, Assessors Books, etc. | 20.67 |
| 1251 | " | Matthew Little, assessment Blanks | |
| | | Ind. St. Journal Co. acct. | 18.00 |

Several accounts were presented and referred to committee on accounts.

Mr. Bradshaw from the committee on accounts reported as follows:

The committee to whom was referred the account of Jeremiah Shea report that the facts gathered from the Treasurer and others are as follows: In September, 1851, the City Council entered into a contract with Jeremiah Shea for grading and graveling Pennsylvania street - the work was received by the Engineer - The whole amounting to \$250

Mr. Shea in the meantime took in a partner, (Mr. Sullivan). Shea drew some \$85 on the work and left the city, leaving Mr. Sullivan to foot the bills. Mr. Sullivan drew at different times on the Treasurer to the amount of balance left by Mr. Shea and paid off his hands. Now Mr Shea demands that amount drawn by Mr. Sullivan and the committee recommend that the account be rejected.

W A Bradshaw,)
N. Edwards &) Com.
H.H. Edwards)

On Motion

The report of the Committee was concurred in.

The committee report the account of George Lowe, for balance on Hook & Ladder wagon being \$25 as correct and recommend that it be allowed.

(1252)

Bradshaw)
Edwards)
Nelson)

Concurred in

Mr. Delzell from the committee on Streets and alleys presented the following report:

Your committee to whom was referred the petition of S. A Fletcher and several others, have examined the subject and recommend the adoption of the following resolution:

Samuel Delzell, Chmr.

"Resolved, That the Judiciary committee be instructed to report an ordinance declaring all pumps now erected or hereafter to be erected on the sidewalks of Washington street a nuisance unless the waste water from the same be properly conveyed to a sink."

Which was adopted by the following vote:

Ayes. Messrs. Bradshaw, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, Nelson, Pitts, Strickland & Wingate. - 11.

Mr Edwards from a select committee on that subject reported as follows:

"The committee to whom was referred the subject of the Town Clock report that they have examined the same, and recommend that an allowance be made to the contractor, Mr. Moffit, of Six hundred dollars, out of the money collected for that purpose.

(1249)

A. Edwards,)
L. Dunlap) Com.
H H Nelson)

Concurred in.

Mr. Maguire reported the following ordinance from the committee on the Judiciary:

"An ordinance relative to pumps on Washington street.

Section 1st. Be it ordained by the Common Council of Indianapolis, That hereafter the privilege of digging wells and placing pumps on the outer edge of the sidewalk of Washington street will be granted only upon the following

condition, viz: that the persons placing pumps along said street, shall cause a sink to be dug into which the waste water shall be conveyed.

Sec 2. All pumps heretofore erected upon the line of said sidewalk without sinks, to which the waste water of the pumps shall be conveyed are hereby declared nuisances, & the marshal is hereby directed to abate the same, unless the persons in front of whose property they may be located shall, on notice provide sinks as aforesaid.

Which was ordained and established by the following vote:

Ayes: Messrs. Bradshaw, Dunlap, Delzell, Durham, Edwards, Karns, Maguire, Nelson, Pitts, Strickland, & Wingate. - 11.

Noes: None.

Mr. Maguire presented the following petition:

"To the Honorable the Common Council of Indianapolis:

The undersigned citizens, respectfully represent that already a large proportion of the city is drained by so grading the streets as to force a great volume of water into Illinois street, to the great detriment of the property thereon. This is in accordance with the fanciful system of grading and leveling originally adopted by which is contrary to the natural topography of the city, and to common sense and true economy. The volume of water thus forced into Illinois street makes it resemble a canal rather than a street, whenever there is even a moderate rain. The undersigned pray that this nuisance may not be increased, even if it cannot be abated.

Respectfully

A.A. Loudon, E.S. Tyler, W.W. Weaver, Ephraim Colestock, Jacob Vandegrift, Hampden G. Finch, Alfred Potts, H.F. West, J.B. McChesney, L.F. Van Buren, Abm L. Voorhees, John R. Webb, Abm Bird, Joseph A. Wright, H. Bates, G. Norwood, I.P. Chapman, W.C. Thompson, & H. Griffith.

On Motion by Mr. Maguire
Laid on the table.

The following paper was read

"To the Honorable Common Council of Indianapolis:

We, the undersigned, property holders on the North Side of Washington Street between Meridian Street and Pennsylvania Streets protest against the erection of Gas posts in any other positions except on the corners of Meridian & Pennsylvania street and at a point equally distant from them, or in the centre of said square as originally contemplated.

Wm H Talbott, 32 Jas. C. Yohn, 17 ft Matthew Little, 17 Charles Garner, Francis Phillips 17 ft J.W. Edgar, W.H. Morrison, J.P. Drake protesting against the whole thing but wishes a fair and equal distribution of the lights if put up, H C Newcomb, for Wards estate - 227 -

On Motion

Referred to a select committee who, with the Civil Engineer, were instructed to report a plan for the general location of lamp posts.

Messrs. Bradshaw, Maguire, & Delzell, were appointed said committee

The Clerk reported that the petition for the improvement of Ohio street, between Alabama and Noble street, contained two-thirds of the feet owned by the residents of the city residing on said Ohio street between the points named.

On Motion it was

"Ordered, That the Civil Engineer furnish estimates, and advertise for bids, and report them to the Common Council"

To the Mayor and Common Council of Indianapolis:

We, the undersigned, inhabitants of said city, respectfully request your honorable body to cause to be replaced in the North east corner of said city the boundary stone, now lying prostrate in the gutter of the Indianapolis & Bellefontaine Railroad.

H P. Coburn, Wm Hannaman, John Wilkins & R.A. Taylor.

On Motion it was

Ordered That the Civil Engineer cause the boundary stone of the North east corner of the city of Indianapolis to be replaced.

Mr Pitts presented the following petition

To the Common Council of Indianapolis:

The undersigned, owners of property on the North side of Washington street West of the canal, as far as West street, respectfully represent to your honorable body that the grade as recently established by the Civil Engineer, is much too high; that their property is greatly damaged in consequence, while no public good is accomplished. We, therefore, pray that said grade be lowered eighteen inches, and that the street and gutter opposite be graded with the extra earth to be taken from the sidewalk.

Ellis & Spann, 67½ ft. Henry C. Cox 67½, Martin Devenport 67½, L J Railsback 33 3/4 feet.

On Motion by Pitts

The prayer of the petition was granted.

On Motion

Allowed Comegys & McCord for building bridge Delaware St. \$268

On Motion by Mr. Pitts, it was

Ordered, That the Civil Engineer estimate the work done on the bridge across the canal on Indiana Avenue and report

the estimate to the City Clerk who is hereby authorized to pay the same less 20 per centum"

The contract for building two foot bridges over canal on Washington street was, on Motion, awarded to G M Horton for \$255 dollars, that being the best bidder

Mr Maguire from the Committee on the Judiciary presented the ordinance for adoption:

An ordinance relative to contracts by individuals with the City.

Section 1. Be it ordained by the Common Council of Indianapolis, That ten days' notice shall be given in some newspaper of general circulation for proposals to contract for any work to be done for said city, the estimated cost of which shall exceed fifty dollars the kind of work to be specified in said notice; and the Council reserve the right to let the lowest bidder, if he may in the opinion of a majority of all the members of said Council be depended on to do the work with ability and promptness, & fidelity; and if such be not their opinion, said Council may give such contract to the next lowest bidder with like reservation, advertise again or decline the contract.

Sec 2. That any person or persons stipulating to do work for the city, shall within five days of the acceptance of their proposition by the said city, enter into contract, & give the necessary security for the performance of the same in a good faithful, and workmanlike manner, agreeably to the ordinances, resolutions, specifications, and other regulations that now are, or may be from time to time adopted by the city and in case of failure so to do, the proposition shall be void so far as the same may be binding on the city. And it shall be the duty of the City Clerk to report at the next meeting of the Council all persons failing to enter into the contract awarded them.

Sec 3. That no allowance will in future be made to any person or persons contracting with the Common Council for more than there contract.

Sec. 4 No member of the Common Council shall hold or make any contract with the Common Council, or become interested in any job by which he shall in any way, directly or indirectly receive any pay or compensation whatever, except when he shall be the lowest bidder at a public or competition bid.

Which was adopted by the following vote

Ayes: Messrs. Bradshaw, Dunlap, Delzell, Durham, Edwards Karns, Maguire, Nelson, Pitts, Strickland, & Wingate.

Noes: None.

Mr Pitts offerd the following:

Resolved, That the School Trustees proceed to organize the public schools according to their former arrangements, and, also, contract for the repairing of the old Seminary building.

Mr Dunlap moved that it lie on the table.

Which was adopted by the following vote:

Ayes: Messrs. Bradshaw, Dunlap, Delzell, Durham, Maguire & Nelson - 6

Noes: Messrs. Edwards, Karns, Pitts, Strickland & Wingate.
- 5

Mr. Delzell moved that the order changing the grade of sidewalk on North side of Washington street, west of canal to West street be rescinded

Which Motion prevailed.

Mr Pitts moved that the resolution directing the Judiciary committee to change the grade on Meridian street North of North street be reconsidered.

Which Motion did not prevail by the following vote:

Ayes: Messrs. Pitts & Strickland

Noes: Messrs. Bradshaw, Dunlap, Delzell, Durham, Edwards, Karns, Nelson, & Wingate - 8.

The following communication was read from Mr. McCarty chairman of the finance committee

"The committee on finance to whom was referred the matter of negotiating a loan on the credit of the corporation, report that they have obtained from the Branch Bank at Indianapolis a discount of one note of twentyfive hundred dollars payable December 15, 1853, from which deduct interest from the 16th instant, we have the proceed of \$2448.75: Interest, \$51.25.

Respectfully submitted
N. McCarty, Chr

On Motion

The report was concurred in.

On Motion

Adjourned

Caleb Scudder Mayor

Attest Daniel B. Culley

City Clerk.