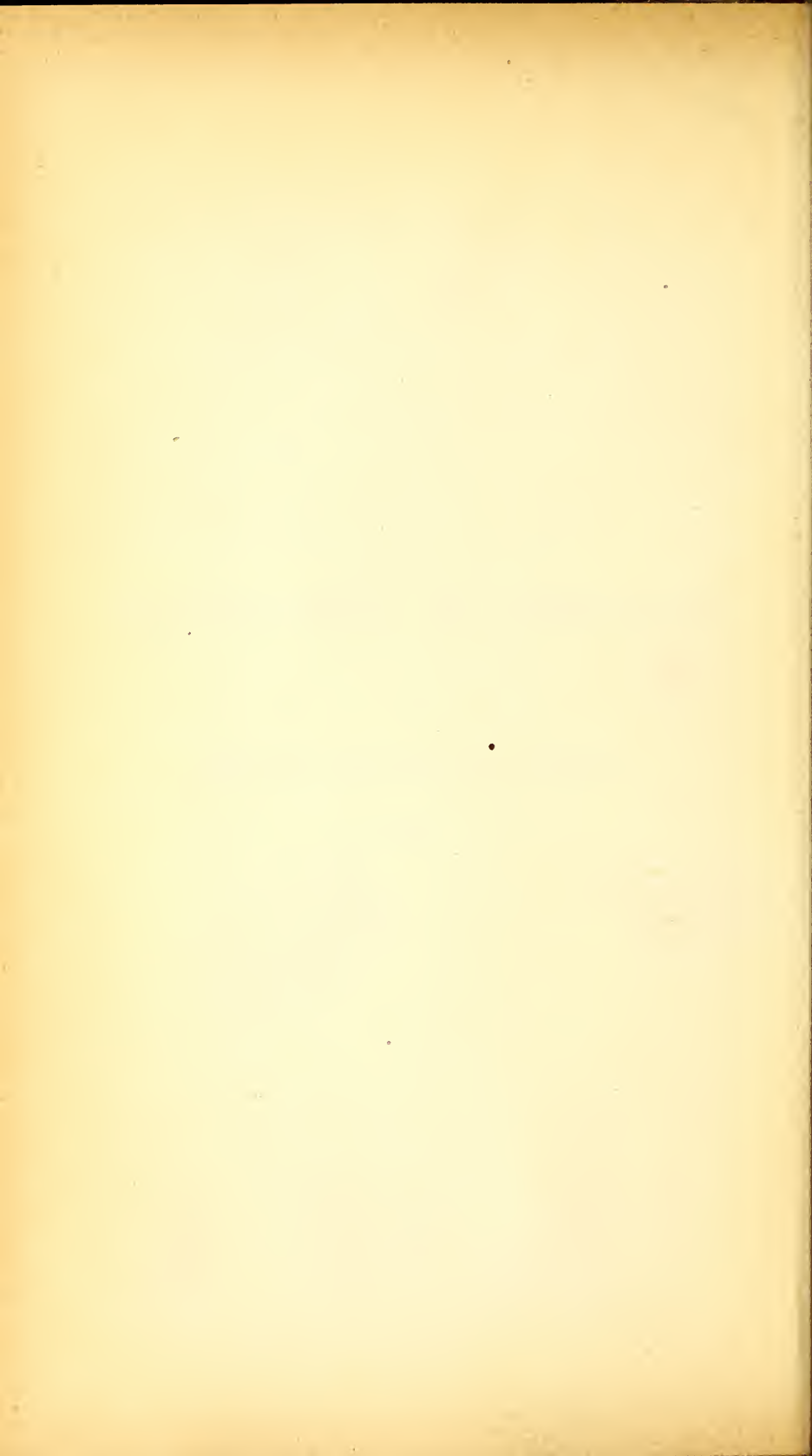

Journals of Proceedings

FOR

January 7^o to December 22, 1884.

[231]



CITY OF INDIANAPOLIS, INDIANA.

JOURNAL OF PROCEEDINGS

OF THE

Common Council and Board of Aldermen.

PROCEEDINGS OF COMMON COUNCIL.

FIRST REGULAR SESSION—JANUARY 7, 1884.

The members elect of the Common Council of the City of Indianapolis, to serve as such until the first day of January, 1886, convened in the Council Chamber, Monday evening, January 7th, A. D. 1884, at seven o'clock, in regular session.

Hon. John L. McMaster, Mayor, and *ex officio* President of the Common Council, took the Chair, and directed the City Clerk to call the names of the Councilmen who had been duly elected and qualified as Councilmen of the City of Indianapolis.

The following Councilmen were present at the roll-call:

First Ward—Miles M. Reynolds.	Thirteenth Ward—John R. Cowie.
Second Ward—Geo. W. Spahr.	Fourteenth Ward—Joseph H. Sheppard.
Third Ward—Joseph W. Wharton.	Fifteenth Ward—Philip J. Doyle.
Fourth Ward—Theodore F. Smither.	Sixteenth Ward—James T. Dowling.
Fifth Ward—John R. Pearson.	Seventeenth Ward—Frank F. Benjamin.
Sixth Ward—William C. Newcomb.	Eighteenth Ward—Simeon Coy.
Seventh Ward—Robert McClelland.	Nineteenth Ward—John Moran.
Eighth Ward—George F. Edenharter.	Twentieth Ward—Phoinix M. Gallahue.
Ninth Ward—John T. Downey.	Twenty-first Ward—Preston C. Trusler.
Tenth Ward—Charles E. Haugh.	Twenty-second Ward—Jul. F. Reinecke.
Eleventh Ward—Isaac Thalman.	Twenty-third Ward—Philip H. Wolf.
Twelfth Ward—Robert H. Rees.	Twenty-fourth Ward—Fred'k. J. Mack.
	Twenty-fifth Ward—William Curry.

All the members being present, the Common Council proceeded with the regular order of business.

The Proceedings of the Common Council for the regular session held December 17th, 1883, and for the adjourned session, held December 21st, 1883, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

Councilman Dowling requested, with the consent of the majority, that the Democrats have the privilege to occupy the seats on the west side of the Council Chamber; which request was granted, and a recess of five minutes taken for the purpose of making the change.

Time now being up, on motion by Councilman Thalman, it was ordered that no smoking be allowed in the Council Chamber during the sessions of the Common Council.

OPENING AND REFERRING SEALED PROPOSALS FOR PUBLIC IMPROVEMENTS.

Sealed proposals for making the following street improvements, and building a fire cistern, were opened, read, and referred to the Committee on Contracts:

(S. O. 165, 1882)—For the erection of lamp-posts, lamps and fixtures, complete to burn gas, except the service pipes, on New Jersey street, between St. Joseph and St. Mary streets.

(S. O. 6, 1883)—For grading, bowldering and curbing, the west gutter of Delaware street, from South street to Madison avenue, where not already done.

(S. O. 41, 1883)—For grading and bowldering the roadway, and curbing the gutters of Garden street, from Meridian street to Illinois street.

(S. O. 44, 1883)—For grading and paving with brick, the west sidewalk of Liberty street, from New York street to Michigan street.

(S. O. 58, 1883)—For grading and graveling the first alley west of Ash street, from Seventh street to Eighth street.

(S. O. 64, 1883)—For grading and paving with brick, the south sidewalk of St. Clair street, from Delaware street to Fort Wayne avenue.

(S. O. 76, 1883)—For grading and paving with brick, the sidewalks of Bellefontaine avenue, from Seventh street to Eighth street.

(S. O. 97, 1883)—For grading and bowldering the first alley north of Market street, from Meridian street to Pennsylvania street.

(S. O. 109, 1883)—For grading and paving with brick, the west sidewalk of Ash street, from Massachusetts avenue to Christian avenue.

(S. O. 110, 1883)—For grading and paving with brick, the south sidewalk of Cherry street, (where not already done), from Fort Wayne avenue to Peru street.

(S. O. 111, 1883)—For grading and paving with brick, the west sidewalk of Bright street, (where not already done), from New York street to Michigan street.

(S. O. 117, 1883)—For the erection of two lamp-posts, lamps and fixtures, complete to burn gas, except the service pipes, on Highland street, between Market and Ohio streets.

(S. O. 118, 1883)—For grading and paving with brick, the south sidewalk of Vermont street, between the Canal and West street.

(S. O. 119, 1883)—For grading and paving with brick, the north sidewalk of Vermont street, between Bright and Blackford streets.

(S. O. 122, 1883)—For grading and graveling the first alley east of Blake street, from Vermont street to Michigan street.

(S. O. 143, 1883)—For grading and graveling the roadway, and curbing with stone, and paving with brick, the sidewalks of Roanoke street, from Michigan street to North street.

For building one 1,200-barrel cistern, at or near the corner of Ray and Missouri streets.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was received, and the estimates (presented therewith) approved:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report the following estimates of work done according contract. A first and final estimate in behalf of J. H. Freaney for erecting three lamp-posts, lamps and fixtures complete to burn gas, except the service pipes, on Park avenue, between Seventh street and Lincoln avenue, 1221 lineal feet, at 04.75c. (3 posts at \$19.50.....\$58 50

A first and final estimate in behalf of J. H. Freaney for erecting two lamp-posts lamps and fixtures complete, to burn gas, except the service pipes, on Home avenue, between Pennsylvania and Delaware streets, 820 lineal feet, at 04.76c. (2 posts at \$19.50.).....\$39 00

Respectfully submitted, S. H. SHEARER, City Civil Engineer.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J. H. Freaney for erecting lamp-posts, lamps and fixtures complete to burn gas, except the service pipes on Home avenue, between Pennsylvania and Delaware streets, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 25—viz. Councilmen Benjamin Cowie, Coy, Curry, Dowling, Downey Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J. H. Freaney for erecting lamp-posts, lamps and fixtures complete, to burn gas, except the service pipes, on Park avenue, between Seventh street and Lincoln avenue, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 25—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Downey, Doyle, Edenharter, Galluhue, Haugh, Mack, Moran, McClelland, Newcomb, Pearsons, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thaiman, Trusler, Wharton, and Wolf.

NAYS—None.

The City Civil Engineer submitted the following report; which was received, the contracts concurred in, and the bonds approved:

To the Common Council and Board of Aldermen :

Gentlemen:—I herewith report the following contracts and bonds:

Contract and bond of Henry C. Roney for grading and graveling the west sidewalk of Peru street from Lincoln avenue to Seventh street. Bond \$300; surety, Fred Gansberg.

Contract and bond of R. P. Dunning for grading and paving with brick the north sidewalk of South street, from Virginia avenue to Delaware street. Bond, \$1,500.00; surety, H. C. Roney.

Contract and bond of Henry Clay for grading and graveling the roadway of Peru, street from Lincoln avenue to Seventh street. Bond \$800; surety, Geo. Wm. Seibert.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The City Civil Engineer presented the following assignment; which was referred to the Judiciary Committee and City Attorney:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen —I hereby assign all my rights and title to a certain contract that I have with the City of Indianapolis, for grading and paving with brick the sidewalks of Broadway street from Home avenue to Seventh street, to R. P. Dunning said party agreeing to carry out the stipulations as set forth in said contract, and assume all liabilities that may arise under the existence of said contract.

HUSTON SOLOMON, Contractor.

I hereby consent to said assignment being made, and ask no relief whatever from any liabilities as surety on said contract and bond.

GEORGE W. MOORE, surety.

The City Clerk submitted the following report; which was referred to the Finance Committee:

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I herewith submit an itemized statement, showing the amount of orders drawn on the City Treasurer during the month of December, 1883, viz:

Bridges.....	\$ 833 19
City Assessor's Department.....	105 50
City Civil Engineer's Department.....	165 70
City Dispensary.....	279 57
City Hall.....	128 85
City Hospital and Branch.....	1,392 73
City Hospital addition.....	2,018 75
Cemeteries.....	28 00
Elections.....	64 00
Fire Department.....	7,339 82
Gas.....	5,478 65
Incidentals.....	727 45
Judgments and costs.....	2,171 15
Markets.....	75 00

Salary.....	\$11,844 00
Sewers	17,330 71
Station Houses	2,247 80
Street improvements.....	22,753 01
Street openings and vacations.....	2,637 38
Pogue's Run, cleaning and deepening.....	220 20
Street Repairs—For pay-rolls, \$22,470 29; for materials, etc., \$6,757.76.....	29,228 05
Taxes refunded.....	4,909 23
Water rent	21,419 47
	\$347,102 94
Sinking fund.....	\$624 21
School fund.....	4,915 40
Tomlinson Estate, repairs, etc.....	244 20
	5,783 81
Total.....	\$352,886 75

Of the above orders there remained in the custody of the City Clerk (not having been called for) on December 31, 1883, the aggregate sum of..... \$1,455 42
 And of orders drawn previous to June 1, 1883, the aggregate sum of.... 2,207 02

Total..... \$3,662 44

*Tabular Statement of the Bonded Indebtedness of the City of Indianapolis, on
 December 31st, 1883.*

KIND OF BONDS.	Date of Issue.	Date of Maturity.	Face of Bonds.	No. of Bonds.	Rate of Interest.	When Payable.	AGGREGATE AMOUNTS.
Indpl's & Vincen's R. R. Co.	Jan. 1, 1869.	Jan. 1, 1889.	\$ 500	120	6	April 1st.	\$ 60,000 00
Junction R. R. Co.....	Jan. 1, 1869.	Jan. 1, 1889.	500	100	6	April 1st.	50,000 00
I., C. & D. R. R. Co.....	Jan. 1, 1870.	Jan. 1, 1890.	500	90	6	Jan. 1st.	45,000 00
Sellers' Farm Purchase.....	April 1, 1873.	April 1, 1893.	1000	21	8	Oct. & April 1st.	21,000 00
Series "A".....	July 1, 1873.	July 1, 1893.	1000	300	7.3	Jan. & July 1st.	300,000 00
Series "B".....	July 1, 1873.	July 1, 1893.	1000	300	7.3	Jan. & July 1st.	300,000 00
Southern Park Purchase.....	Jan. 26, 1874.	Jan. 26, 1894.	500	219	7.3	July & Jan. 1st.	109,500 00
Series "C".....	July 1, 1874.	July 1, 1894.	1000	300	7.3	Jan. & July 1st.	300,000 00
Series "D".....	July 1, 1875.	July 1, 1895.	1000	200	7.3	Jan. & July 1st.	200,000 00
Fire Department.....	July 1, 1875.	July 1, 1895.	500	14	7.3	Jan. & July 1st.	7,000 00
Fire Department.....	Jan. 1, 1876.	Jan. 1, 1886.	1000	97	7.3	July & Jan. 1st.	9,000 00
Series "E".....	Jan. 1, 1876.	Jan. 1, 1896.	1000	87	7.3	July & Jan. 1st.	8,000 00
Patterson Levee.....	July 1, 1876.	July 1, 1896.	1000	5	6	July 1st.	5,000 00
U. R. R. T. and S. Y. Co*.....	Jan. 1, 1877.	Jan. 1, 1897.	1000	500	6	July & Jan. 1st.	500,000 00
Grand Total.....							\$1,914,500 00

Interest-Coupon Statement.

KIND OF BONDS.	WHERE PAYABLE.	When Payable.	No. of Coupons.	Coupon Value.	Amount Payable.	TOTALS.
I. C. & D. R. R. Co.....	City Treasury, Indianapolis.	January 1st.	90	\$30 00	\$ 2,700 00	
Series "A".....	Winslow, Lanier & Co. N. Y.	January 1st.	300	36 50	10,950 00	
Series "B".....	" " " "	January 1st.	300	36 50	10,950 00	
Southern Park Purchase	" " " "	January 1st.	219	18 25	3,996 75	
Series "C".....	" " " "	January 1st.	300	36 50	10,950 00	
Series "D".....	" " " "	January 1st.	200	36 50	7,300 00	
Fire Department.....	" " " "	January 1st.	14	18 25	255 50	
Fire Department.....	" " " "	January 1st.	9	36 50	328 50	
Series "E".....	" " " "	January 1st.	8	36 50	292 00	
U. R. R. T. & S. Y. Co.*..	" " " "	January 1st.	500	30 00	15,000 00	\$ 62,722 75
Ind'polis & Vin. R. R. Co.	City Treasury, Indianapolis.	April 1st.	120	30 00	3,600 00	
Junction R. R. Co.....	" " " "	April 1st.	100	30 00	3,000 00	
Sellers' Farm Purchase.	Winslow, Lanier & Co., N. Y.	April 1st.	21	40 00	840 00	7,440 00
Series "A".....	Winslow, Lanier & Co., N. Y.	July 1st.	300	36 50	10,950 00	
Series "B".....	" " " "	July 1st.	300	36 50	10,950 00	
Southern Park Purchase	" " " "	July 1st.	219	18 25	3,996 75	
Series "C".....	" " " "	July 1st.	300	36 50	10,950 00	
Series "D".....	" " " "	July 1st.	200	36 50	7,300 00	
Fire Department.....	" " " "	July 1st.	14	18 25	255 50	
Fire Department.....	" " " "	July 1st.	9	36 50	328 50	
Series "E".....	" " " "	July 1st.	8	36 50	292 00	
U. R. R. T. & S. Y. Co.*..	" " " "	July 1st.	500	30 00	15,000 00	
Patterson Levee.....	" " " "	July 1st.	5	60 00	300 00	60,322 75
Sellers' Farm Purchase.	Winslow, Lanier & Co., N. Y.	October 1st.	21	40 00	840 00	840 00
Grand Total.....						\$131,325 50

*These bonds were issued in aid of the "Union Railroad Transfer and Stock-Yards Company," and were exchanged for an equal amount of the bonds of said company.

The principal of the said company's bonds, and the interest-coupons attached thereto, mature and become payable one month prior to the principal and coupons of the city bonds.

The City Treasurer submitted the following report; which was referred to the Finance Committee:

Report of I. N. PATTISON, City Treasurer, for the month of December, 1883.

RECEIPTS.

Balance on hand December 1, 1883.....	\$ 34,498 37
From auction licenses.....	35 00
From benefits.....	28 00
From coal licenses.....	20 00
From clinic tickets.....	151 00
From dog licenses.....	22 50
From express licences.....	2 45
From fines and fees.....	294 95
From hack licenses.....	28 00
From huckster licenses.....	14 00
From liquor licenses.....	1,586 59
From market-masters' fees.....	338 30
From pay patients, City Hospital.....	149 00
From peddlers' licenses.....	74 00
From promiscuous interest on Belt R. R. bonds.....	15,000 00
From time warrant of 1883.....	70,000 00
From sale of old material Fire Department.....	15 35

From show licenses.....	\$ 100 00
From tapping sewers.....	1 00
From taxes delinquent.....	2,513 86

\$124,872 87

DISBURSEMENTS.

For bridges.....	\$ 833 19
For cemeteries.....	38 00
For City Assessor's department.....	105 50
For City Civil Engineer's department.....	214 70
For City Dispensary.....	282 22
For City Hall.....	71 55
For City Hospital and branch.....	3,382 71
For elections.....	157 00
For Fire Department.....	7,325 87
For gas.....	5,478 65
For incidentals.....	727 45
For judgments and costs.....	2,171 15
For markets.....	75 00
For market-masters' fees.....	198 00
For parks.....	122 00
For Pogue's Run.....	218 70
For police.....	4,324 99
For printing.....	673 18
For salary.....	217 50
For sewers.....	7,532 46
For sinking fund.....	72 12
For Station House.....	679 89
For street improvements.....	5,073 19
For street openings and vacations.....	15 38
For street repairs.....	3,679 70
For taxes refunded.....	90 72
For water rent.....	7,214 00
Balance on hand Jan. 1, 1884, including \$59,000 in New York.....	73,897 55

\$124,872 87

TOMLINSON ESTATE.

Receipts.

Balance on hand December 1, 1883.....	\$ 65,881 03
Rents.....	98 93
	<u>\$65,979 96</u>
Balance on hand January 1, 1884.....	<u>\$65,979 96</u>

ADDITIONAL CITY HALL FUND.

Balance on hand Dec. 1st, 1883.....	\$28,368 80
Balance on hand Jan. 1st, 1884.....	<u>\$28,368 80</u>

SINKING FUND.

Balance on hand December 1st, 1883.....	\$15,090 30
From November taxes.....	72 12
	<u>\$15,162 42</u>
Balance on hand Jan. 1st, 1884.....	<u>\$15,162 42</u>

I. N. PATTISON, City Treasurer.

To GEO. T. BREUNIG, City Clerk.

The City Treasurer submitted the following report; which was referred to the Finance Committee:

Report of I. N. PATTISON, City Treasurer, from June 1st, 1883, to January 1st, 1884.

RECEIPTS.

Balance on hand June 1st, 1883.....	\$290,339 67
From auction licenses.....	70 00
From benefits.....	1,934 14
From coal licenses.....	140 00
From clinic tickets.....	151 00
From dog licenses.....	2,992 50
From dray licenses.....	254 00
From express licenses.....	656 10
From fines and fees.....	1,302 35
From hack licenses.....	433 00
From hucksters' licenses	1,226 00
From liquor licenses.....	12,251 69
From market rents.....	2,995 50
From market-masters' fees.....	2,697 60
From pay patients, City Hospital.....	220 00
From peddlers' licenses.....	506 00
From promiscuous, time warrant, Belt R. R. interest, etc.....	101,172 00
From sale of old material.....	345 24
From Seller's farm rent.....	500 00
From show licenses.....	590 00
From tapping sewers.....	22 00
From tax sales current.....	14 00
From tax sales delinquent.....	17 49
From taxes delinquent.....	19,618 81
From vault cleaner's licenses.....	350 00
	<hr/>
	\$440,799 09

DISBURSEMENTS.

For Board of Health.....	\$ 214 94
For bridges.....	7,496 00
For bridge repairs.....	148 08
For cemeteries.....	354 41
For City Assessor's Department.....	2,384 20
For City Civil Engineer's Department.....	1,272 59
For City Dispensary.....	1,848 93
For City Hall.....	598 70
For City Hospital and Branch.....	24,259 91
For cisterns.....	517 00
For elections.....	1,775 35
For Fire Department.....	44,950 36
For fountains and driven wells.....	20 00
For gas.....	37,640 09
For Garfield Park.....	39 00
For incidentals.....	3,406 37
For interest on bonds.....	60,077 50
For judgments and costs.....	3,824 40
For markets.....	109 25
For Market Master's fees.....	1,608 36
For parks.....	1,181 43
For percentage.....	4,505 77
For Pogue's Run.....	218 70
For police.....	31,552 82
For printing.....	3,832 35

For salary.....	\$ 10,756 50
For School fund.....	4,386 51
For sewers.....	17,330 71
For sewer cleaning.....	232 13
For sinking fund.....	624 21
For Station House.....	2,204 45
For street cleaning.....	1,022 49
For street improvements.....	22,753 01
For street openings and vacations.....	2,796 38
For street repairs.....	27,827 20
For taxes refunded.....	4,905 09
For transferred from general fund to additional City Hall fund.....	16,746 88
For water rent.....	21,419 47
Balance on hand January 1st, 1884, (including \$59,000 in transit to January interest in New York).....	73,897 55
	<u>\$440,799 09</u>

TOMLINSON ESTATE.

Receipts.

Balance on hand June 1st, 1883.....	\$ 55,501 19
From sale of property and rents.....	10,722 97
	<u>\$ 66,224 16</u>

Disbursements.

Repairs, etc.....	\$ 244 20
Balance on hand January 1st, 1884.....	65,979 96
	<u>\$ 66,224 16</u>

ADDITIONAL CITY HALL FUND.

Balance on hand June 1st, 1883.....	\$ 11,621 92
Amount transferred from General Fund, August, 1883.....	16,746 88
	<u>\$ 28,368 80</u>
Balance on hand January 1st, 1884.....	<u>\$ 28,368 80</u>

SINKING FUND.

Balance on hand June 1st, 1883.....	\$ 14,538 21
From taxes from June 1st, 1883, to January 1st, 1884.....	624 21
	<u>\$ 15,162 42</u>
Balance on hand January 1st, 1884.....	<u>\$ 15,162 42</u>

I. N. PATTISON, City Treasurer.

To GEO. T. BREUNIG, Esq., City Clerk.

The City Clerk submitted the following report:

To the Common Council and Board of Aldermen :

Gentlemen:—I submit herewith the following entitled affidavits now on file in my office, for the collection of street improvement assessments, by precepts, viz.:

Robert H. Patterson vs. Elizabeth C. French, for.....	\$24 65
John Keenan vs. Martin L. McWhinney, for.....	10 23
John Keenan vs. Will F. A. Bernhamer, for.....	18 60
John Keenan vs. Frank W. Groff, for.....	12 40
John Keenan vs. Lotta A. Brown and George W. Heddrick for....	10 23

Henry C. Roney vs. Hiram Bacon heirs, viz.: Helen Howland,
 Electa Thornton, Mary A. Tuttle, Caroline B. Sloan, George W.
 Sloan, John H. Schell, Hiram B. Henderson, William Henderson,
 Geo. Blair Henderson, Samuel Henderson and Helen Chain, for, \$ 39 55
 George W. Seibert vs. First National Bank, for..... 366 30
 George W. Seibert vs. Charles and Henry Latham, for..... 366 30
 Respectfully submitted, GEO. T. BREUNIG City Clerk.

Which was received, and the precepts against the First National Bank and the Lathams referred to the Judiciary Committee, and the balance ordered to issue, by the following vote:

AYES, 22—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Wharton, and Wolf.

NAYS, 3—viz. Councilmen Downey, Thalman, and Trusler.

The City Clerk submitted the following report; which was approved, and the appointments confirmed:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I have appointed Frank W. Ripley as my deputy, and Clerk of the Board of Aldermen.

I have also appointed Wm. O. Phipps as a deputy to perform the duties required of him as set forth in General Ordinance 68 of 1879.

I respectfully request your honorable bodies to confirm such appointments.

Respectfully submitted,

GEO. T. BREUNIG, City Clerk.

The City Attorney submitted the following report; which was received:

To the Mayor, Common Council and Board of Aldermen of the City of Indianapolis, Indiana:

Gentlemen:—During the two years just closed, I have represented the city in the trial and disposition of the following number of cases in the courts named, to-wit:

Marion Circuit Court.....	2
Shelby Circuit Court	1
Special Term of the Superior Court of Marion county.....	70
General Term of the Superior Court of Marion county	10
Supreme Court of Indiana	7
Circuit Court of the United States.....	3
Total number	93

Of the foregoing cases seventy-two (72) have been finally disposed of in favor of the city; seventeen (17) have been decided against the city in the first instance; two (2) were compromised favorably to the city, and the defenses of the other two (2) were abandoned by order of the Council and Board of Aldermen then serving, it being conceded that the city had neither law nor equity to support her.

Of the seventeen cases decided against the city, five (5) are now pending on appeal. Of the other twelve (12), but four (4) have involved the city in an actual outlay of money, the titles thereof, character of claim, and amount of judgment in each case, including interest and costs, being as follows:

Annie Merrick vs. The City, for personal injuries.....	\$317 90
Mary J. McAvoy vs. The City, taxes erroneously collected.....	112 30
David Duncan vs. The City, for personal injuries.....	187 90
Richard Clark vs. The City, for personal injuries.....	261 80
Total amount.....	\$879 90

The total damages claimed in the actions tried amount to about three hundred thousand dollars.

The case of Malinda L. Murphy vs. The City, is not included in the foregoing statement, that being an action brought against the city by the firm of which I was a member before my election as your attorney, and in the trial of which I took no part.

I have had allowed and collected by suit and otherwise during my term, claims in favor of the city, amounting to \$8,432.98, over \$7,000 of which have been paid into the treasury up to this time.

Respectfully submitted,

C. S. DENNY, City Attorney.

The City Attorney submitted the following report; which was concurred in, and an appeal ordered, as requested in first clause:

Indianapolis, Jan. 7, 1884.

To the Mayor, Common Council and Board of Aldermen :

1. *Gentlemen*.—Since the last regular meeting of the Council, the case of Henry Emmelman vs. The City, has been tried before a jury in the Superior Court, and resulted in a verdict of \$700 against the city. This was an action for \$10,000 for the death of plaintiff's five year old son, who was drowned last July in an excavation made by the Street Commissioner in Pleasant Run at the crossing of Spruce street, while preparing to construct a foot bridge across said stream. The hole was left uncovered on Saturday when the hands quit work, and the child was drowned on Monday before work was resumed at that point. Even if it be conceded that it was negligence on the part of the city to leave the hole uncovered, which was found to be the fact by the general verdict of the jury, yet the jury found a state of facts specially, in answer to my interrogatories, which clearly, to my mind, fixes contributory negligence on the parents of the child. I asked for judgment in favor of the city on these special findings, and while the presiding judge expressed great doubt as to the correctness of his ruling, he overruled the motion and rendered judgment on the general verdict. An appeal has been prayed, and while the amount of the recovery would not ordinarily argue strongly in its favor, yet, on account of the personal relations of the Street Commissioner to the case, who, I believe, acted with ordinary prudence and care in the matter, I think the appeal should be taken. I ask for instructions in the matter.

2. The trial of the case of James L. Mitchell vs. The City, has also been completed since the last regular meeting of the Council. This was an appeal from the report of the City Commissioners, refusing the appellant any damages on account of the cutting down of Market and Highland streets around his property at the crossing of said streets. The jury awarded Major Mitchell \$800 damages and the court has rendered judgment for the same against the city, she being the nominal party defendant. The property owners along Highland street, all of whom, except the plaintiff, petitioned for the improvement of Highland street, as it was done, recognizing their liability over to the city for any damage done to Mitchell's property by the change of grade, employed counsel who appeared for them and assisted in the defense. It is probable they will conclude to pay the judgment as it stands and end the case; but if they should desire an appeal taken, I think they ought to pay the costs thereof and indemnify the city against the payment of any part of the final judgment; and, unless otherwise directed, I will require this before consenting to an appeal being prosecuted in the name of the city.

3. I have had claims to the amount of \$427.50 allowed in favor of the city against the estates of decedents, on account of old street opening assessments, since the last meeting of the Council. These allowances will all be paid into the treasury on the settlement of these estates.

4. The General Term of the Superior Court at its session held this day, affirmed the judgment of the Special Term in the case of Frank McWhinney vs. The City, in favor of the city, the same being a case where McWhinney is seeking to recover about \$700 paid by him at tax sales of lots which were never legally annexed to the city, the sales thereof being void. The plaintiff will appeal to the Supreme Court.

5. The General Term also affirmed the judgment of the Special Term in the case of Johnston and Erwin vs. The City et al., being the Pogue's Run damage

case tried last summer. No opinion was rendered or consideration given to the case by the General Term, it being understood that the same would go to the Supreme Court in any event.

6. For the same reason, the judgment in the case of Nancy E. Cook vs. The City et. al., was affirmed in the same way.

Respectfully submitted,

C. S. DENNY, City Attorney.

The City Attorney submitted the following report; which was received, and action approved:

Indianapolis, Jan. 4, 1884.

To the Mayor, Common Council, and Board of Aldermen:

Gentlemen:—My attention was called to the fact a few days ago, that the Mutual Union Telegraph Company had made no statement of the number of telegraph poles owned by it in the city limits on the first day of July last, and that no taxes have been paid by it thereon for the year commencing at that time, as required by the ordinance of May 23, 1882. I at once communicated with the company, but found that it no longer has any legal existence in this city, the Western Union Telegraph Co. having purchased its property and franchise. I thereupon addressed a communication to Jno. F. Wallick, Superintendent of said last named company, asking what the city might expect as to the payment of the special tax due on the polls erected by the Mutual Union Company. I also demanded by letter to Joseph M. Taylor, who was the chief officer of said company in this city during the month of July last, as I am informed, that he immediately comply with the provisions of the ordinance referred to by filing the statement of the number of poles in use by said company in the city on the said first day of July.

Mr. Wallick has replied to my letter by saying that he will refer it to the executive department of the Western Union Co. for instructions, etc., and that he will hurry reply as fast as possible. I thereupon promised him to communicate these facts to your honorable bodies for instructions, and stated that if I should not be instructed so to do, I would not bring suit for the taxes due until I have his answer from the home office. I informed him that there could be no legitimate excuse for the failure of Mr. Taylor to file the statement required by the ordinance with the City Treasurer, however; and that unless he shall do this at once, I will feel it my duty under previous instructions, to commence personal proceedings against him for his failure in that regard. If it be your wish that I do *not* so proceed, I ask directions to that effect.

I deem it my duty in this connection to say that I was compelled to bring suit last year against Mr. Taylor to require the filing of the statement referred to, and also against the company for the taxes due according to it; and while the taxes were paid by the company before a trial was had in either case, yet the company filed with the City Treasurer a statement to the effect that such payment should not be considered as a precedent for future years, and strongly intimated that payment would thereafter be resisted.

Respectfully submitted,

C. S. DENNY, City Attorney.

P. S.—Since writing the foregoing I have received a letter from Mr. Wallick, in which he says that Mr. Taylor left the employ of the Mutual Union Company in June last; that the office was then run for a short time as a branch office to the Western Union, and was closed entirely in July. I suppose therefore, that Mr. Wallick was the "principal officer" of the Mutual Union Co., within the meaning of the ordinance, at the time the statement should have been made, and that he will be the proper one to proceed against for failure in that regard; and unless otherwise directed I shall do so after giving him a few days in which to report to the City Treasurer.

C. S. DENNY.

The City Assessor submitted the following report; which was received:

To the Mayor, Members of Council and Board of Aldermen:

Gentlemen:—The City Assessor was directed by the Council and Board, on December 17th and 23rd, 1883, respectively, to have an abstract prepared of the city's property in out-lot 158, better known as the City Hospital grounds, also to ascertain if Davis street, in said out-lot was now of record as such. The abstract, prepared by Wm. C. Anderson, shows that in a deed made by S. J. Patterson and wife to Isaac Harris, dated July 28th, 1834, the street or roadway in question was first excepted and reserved as a public roadway, and it has been excepted and reserved for that purpose in all conveyances since that time. There is no record of, nor has there ever been, any vacation of said street, the original width of which was fifty feet. The abstract which is made a part of this report, has been filed with the City Clerk.

Respectfully submitted,

EUGENE SAULCY, City Assessor.

The City Assessor submitted the following report; which was received, and the appointment confirmed:

To the Mayor, Members of the Council, and Board of Aldermen:

Gentlemen:—I have appointed H. M. Hadley my deputy, and respectfully request your honorable bodies to confirm his appointment.

Respectfully submitted,

EUGENE SAULCY, City Assessor.

The Street Commissioner submitted the following report; which was received:

To the Mayor, Common Council, and Board of Aldermen:

Gentlemen:—Subject to your order of December 10 and 17, 1883, a copy of the following resolution, viz.:

"*Resolved*, That the Union Railway Company be, and it is hereby, notified and required to remove the stone arches and other masonry now maintained by it in the bed of Pogue's Run therefrom, within sixty days from the time of the service of this notice upon the Superintendent, Secretary, or other officer of said company, the removal of said obstructions from the bed of said stream being, in the opinion of the members of this Council and Board of Aldermen, for the general welfare,"
Was served upon Volney T. Malott, General Manager of the Union Railway Company, this January 7th, 1884.

Respectfully submitted,

L. A. FULMER, Street Commissioner.

The Street Commissioner submitted the following reports; which were received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report expenditures in Street Repair Department for the month of December, 1883, together with total expenditures to January 1st, 1884:

Pay-rolls.....	\$1,876 80
Blacksmithing.....	36 30
Blocks (cedar).....	13 05
Bowlders.....	181 05
Brick.....	38 00
Catchbasin castings.....	15 96
Freight on stone.....	11 70
Gravel.....	59 10
Hardware.....	38 89
Lumber.....	326 34
Sand.....	60 40

Sewer pipe.....	\$	7 32
Stone crossings.....		176 66
		<hr/>
Expenditures for December, 1883.....	\$	2,841 57
Expenditures per last report.....		26,386 48
		<hr/>
Expenditures to January 1st, 1884.....		<u>\$29,228 05</u>

Respectfully submitted, L. A. FULMER, Street Commissioner.

To the Mayor, Common Council, and Board of Aldermen:

Gentlemen:—I herewith report expenditures in the Street Repair Department from June 1st to December 31, 1883:

Pay-rolls.....	\$22,470 29
Blacksmithing	386 10
Blocks, (cedar).....	33 30
Boulders.....	629 54
Brick.....	97 25
Catch-basin castings.....	53 62
Cement.....	43 75
Coal	3 50
Freight on street-sweeper.....	11 20
Freight on lumber.....	264 39
Freight on stone.....	687 00
Gravel	577 60
Hardware.....	406 38
Lumber	2,126 83
Miscellaneous	77 50
Rent City Yard.....	27 00
Rubber boots.....	15 75
Sand	83 90
Sewer pipe.....	105 54
Spawls	160 80
Stone crossings.....	966 81
<hr/>	
	\$29,228 05

Respectfully submitted, L. A. FULMER, Street Commissioner.

The Superintendent of the City Dispensary submitted the following report; which was received:

To the Common Council and Board of Aldermen of the City of Indianapolis:

Gentlemen:—The following reports of the City Dispensary for the month of December, 1883, are respectfully submitted:

Number of Patients treated at Dispensary.....	188
Number of Medical cases at Dispensary	121
Number of Surgical cases at Dispensary.....	5
Number of Disease of Nervous System.....	4
Number of Disease of Eye and Ear.....	3
Number of Diseases of the Throat.....	5
Number of Out-door Patients treated	111
Number at Station House	0
Number of Patients sent to Hospital.....	13
Total number of Patients treated during month.....	450
Total number of Visits made during month.....	248
Total number of Prescriptions filled during month.....	588
Number of Births during month.....	2
Number of Deaths during month.....	2

EXPENDITURES FOR MONTH.

J. J. Garver, Superintendent.....	\$70 00
F. Swain, Assistant Physician.....	41 66

F. M. Wiles, Assistant Physician.....	\$ 41 66
Ed. Grahn, druggist.....	30 00
L. A. Gable, drugs furnished.....	82 55
A. B. Meyer & Co., coal.....	15 80
Total expenditures for month.....	\$281 67

J. J. GARVER, M. D., Superintendent.

The Superintendent of the City Hospital and Branch submitted the following report; which was received:

To the Mayor, Common Council, and Board of Aldermen of the City of Indianapolis:

Gentlemen:—The following reports of the City Hospital and Branch, for the month of December, 1888, are respectfully submitted:

	First Week.	Second Week.	Third Week.	Fourth Week.	Three Days.	Monthly Total.
No. of paid officers and employes in Hospital.....	17					
No. of paid officers and employes in Branch.....	2					
No. of beds in Hospital.....	100					
No. of beds in Branch.....	10					
No. of adult patients in Hospital at beginning of week	49	51	58	53	54	49
No. of infant patients in Hospital at beginning of week.....	5	5	3	2	4	5
No. of adult patients received.....	6	16	13	13	6	54
No. of infant patients received.....	1		1			1
No. of infant patients born.....	1			2	1	4
No. of adult patients discharged.....	4	8	15	11	3	41
No. of infant patients discharged.....	2	2	2		1	5
No. of adult patients who died ..		1	3	1		5
No. of infant patients who died.....	1					1
No. of adult patients in Hospital at end of week.....	51	58	53	54	57	57
No. of infant patients in Hospital at end of week.....	5	3	2	4	4	4
No. of patients in Hospital during month.....	60	72	74	68	64	108
No. of days of patients in Hospital during month.....	386	408	425	416	186	1821
No. of days of employes in Hospital & Branch during month.....						558
No. of prescriptions filled during month.....						688
Aggregate number of days subsistence furnished.....						2,379
Total expenditures for month.....						\$1,171 41
Average daily cost of each patient.....						64+cts.
Average daily cost of patients, officers and employes.....						49+cts.

W. N. WISHARD, M. D., Superintendent.

REPORTS, ETC., FROM OFFICIAL BOARDS.

Councilman Thalman, in behalf of the Fire Board and Chief Fire Engineer, submitted the following reports; which were received:

To His Honor, the Mayor, Board of Aldermen and Common Council of Indianapolis:

Gentlemen:—In submitting to you Chief Webster's annual report, we desire to say that the department throughout is in good working order. The management by your Chief has been excellent. He is a faithful officer and very attentive to his duties. The discipline of the men in the department is good.

Our worthy Clerk, Joe. L. Gasper, also A. O. Cherry, Superintendent of the Fire Alarm Telegraph, deserve special mention as to the able manner they fill their respective positions; in our opinion better men could not be had.

Our expenses, not including salaries, for the past year, has been \$13,294.93.

As our term of office now expires, we desire to thank you for the kind attention you have always given our recommendations, thereby greatly enabling and encouraging us to keep up the department to a first-class standard, and we trust the incoming Council will continue the same liberal support to the new Board.

Respectfully,

Isaac Thalman,
Phil. Reichwein,
N. Yoke,

Fire Board.

To His Honor, the Mayor, Board of Aldermen, and Common Council of the City of Indianapolis:

Gentlemen.—For your consideration, I hereby submit my second annual report of the Fire Department for the year ending December 31, 1883. As in my former report, in this can be found a strict account of receipts and expenditures; the amounts paid for supplies and to whom paid.

For the year the running expenses of the department has been \$13,294.93. Our bills for repairs of apparatus has necessarily been large, as the larger portion of such apparatus having been in service from seven to ten years has commenced to go down, consequently some portions of it are continually giving out. Our engines are in very good condition with two exceptions, the No. 3 being in the repair shops at present, and the No. 4 will have to have a new set of wheels and receive a coat of paint as soon as No. 3 is completed. With the exceptions of Nos. 1 and 7, the reels are in good condition. The former needs a general overhauling, while the latter is in need of a new set of wheels, which are at present nearly completed.

During the past year we have purchased 3000 feet of hose from the Gutta Percha and Rubber Manufacturing Co. of New York City, and a similar amount will be required the coming year.

Our houses at present are in fair condition, but as a matter of course will come in for a certain portion of repairs.

We have four or five horses which should be disposed of and their places filled by others. During the past year we have lost two by death, which has had a tendency to swell our horse account.

Since my last report I have obtained permission from the County Commissioners to use the tower of the Court House for a Watch-Tower, and I consider that portion of our department as indispensable, as it has paid for itself many times over since its adoption.

The Chemical Engine recently purchased by your honorable bodies is giving entire satisfaction, and the only thing to regret is that we have but the one.

The water supply consists of the Holly System, with fifty-one (51) miles and 4124 feet of pipe, as follows:

Inches.	Feet.
24	4,657
20	10,176
16	6,645
12	6,780
10	2,513
8	16,788
6	153,274
4	62,623
3	3,226
2	6,722

273,404

To these pipes are attached 546 hydrants,—fourteen having been located during the past year—not including two and three inch pipes. The water is forced through these pipes and hydrants by machinery at the pump-house equal to 1,337 horsepower, and are thus supplied with a pumping capacity of 19,548,520 gallons every twenty-four hours, and a water pressure of from 100 to 120 pounds inside of two minutes from the first sound of the alarm. There are also 150 cisterns with a capacity of 128,282 barrels, not including wells.

I desire to call your attention to the following localities where fire protection is very much needed: Bright street, between Vermont and Michigan streets; Tenth and Ash streets, Eighth and Newman streets, on the north side; on the south side in the vicinity of the German Orphans' Home: William street near Olive, and at the corner of Meridian and Palmer streets. These points have neither water or alarm boxes, and should a fire take place there, the department could be of little if any benefit to them.

The number of fires occurring during the past year exceed that of any year since my connection with the department, and in referring to our records and noting the localities of many of our fires, I can not but think that our city has been highly favored by its exemption from large fires, as there is but one case where it assumed the proportions of a conflagration, and that the fire at the foot of Kentucky avenue on the 9th day of May last.

In conclusion, I would say, that the general department of the members of the department has been excellent, and although in such a number there will be different degrees of zeal and energy manifested, yet it gives me pleasure to bear testimony to the uniform good conduct and fidelity of the department, whose members have not shrunk from the severest duties, and whose record for the past year has been exceedingly good.

To the gentlemen constituting the Fire Board—Messrs. Thalman, Reichwein and Yoke—I return my sincere thanks for their co-operation in everything pertaining to the welfare of the department, and for their many acts of kindness manifested toward me. I also very readily acknowledge my thanks to all members of both Legislative Bodies for their cordial support, and to the Police force, from Superintendent and all, for their united efforts to render me all the assistance in their power at times when needed.

Trusting that the Fire Department will still continue worthy of the confidence of Councils and citizens generally, as in the past.

Respectfully submitted,

J. H. WEBSTER, Chief Fire Engineer.

The Board of Health submitted the following report; which was received:

Report of Deaths in the City of Indianapolis, from the 15th day of December, 1883, the 31st day of December, 1883.

Under 1 year	26
1 to 2 years.....	3
2 to 5 ".....	3
5 to 10 ".....	2
10 to 15 ".....	0
15 to 20 ".....	6
20 to 25 ".....	5
25 to 30 ".....	6
30 to 40 ".....	5
40 to 50 ".....	6
50 to 60 ".....	4
60 to 70 ".....	4
70 to 80 ".....	3
80 to 90 ".....	4
90 to 100 ".....	0
100 and upward.....	0
Unknown.....	0
Total.....	77

E. S. ELDER, M. D., Sec'y.
 J. A. SUTCLIFFE, M. D., Pres't.
 M. T. RUNNELS, M. D.
 Board of Health.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read and received, and the ordinance read the first time:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, at its session of December 17th, 1883, passed the following entitled ordinance:

"G. O. 35, 1883—An ordinance requiring a permit to be taken out by every person or company proposing to open any street or alley for the purpose of putting in or repairing any gas or water pipes."

I submit the above for your consideration.

For the Board of Aldermen,

GEO. T. BREUNIG, Clerk.

The following message was read, and the action of the Board of Aldermen concurred in:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen in session, held December 28th, 1883, concurred in your action in passing the following entitled ordinance, after amending the same, by inserting the following, "and the sidewalks widened to a width of twenty feet":

"S. O. 73, 1883—An ordinance to provide for grading, bowldering and curbing the gutters of Ohio street, from Delaware street to Alabama street."

The ordinance as amended was then passed.

I submit the above for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read, and referred to the new Hospital Board:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Friday evening, December 28th, 1883, non-concurred in your action in approving the following report of the Committee on Streets and Alleys.

"Your Committee on Streets and Alleys, to whom was referred the matter of Davis street, along the northwest corner of the City Hospital grounds, have examined the locality, and recommend that the Street Commissioner be directed to repair the levee at once; and that he also be directed to take the necessary steps to prevent the washing of the bank and undermining the Hospital grounds. We recommend further that in view of the probable recurrence of high water, that all of the above work be done at once."

I submit the foregoing for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

APPROPRIATION ORDINANCES.

This being the regular appropriation night, the following entitled Appropriation Ordinances were introduced, and placed on their final passage without a suspension of the rules.

By the City Clerk, on behalf of the Fire Board, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read the third time:

Ap. O. 1, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$825.01.]

And it was passed by the following vote:

AYES, 23—viz. Councilmen Benjamin, Cowie, Curry, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Wharton, and Wolf.

NAYS, 1—viz. Councilman Trusler.

By the City Clerk, on behalf of the Hospital Board, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read the third time:

Ap. O. 2, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch. [Amount appropriated \$1,171.41.]

And it was passed by the following vote:

AYES, 23—viz. Councilmen Benjamin, Cowie, Curry, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Wharton, and Wolf.

NAYS, 1—viz. Councilman Trusler.

By the City Clerk, on behalf of the Committee on Accounts and Claims, the following entitled ordinance was introduced and read the first and second times:

Ap. O. 3, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

On motion by Councilman Dowling, the above ordinance was amended by inserting the following recommended claim:

MR. PRESIDENT:

Your committee, to whom was referred the bill of Wm. Hadley, the rental agent of the Tomlinson property, for the sale of the Ohio street property, report back his bill as presented, and recommend the amount be allowed, and placed in the next appropriation ordinance, (\$135.00.)

Geo. Weaver,
Jas. T. Dowling,
Committee.

Councilman Dowling moved to amend the above ordinance so as to insert the following claim:

DETROIT, MICH., Dec. 15th, 1883.

THE CITY OF INDIANAPOLIS.

Dr.

To the Middlebrook and Post Manufacturing Co.

To 1 passenger elevator for City Hospital, as per contract, Nov. 5th, 1883...\$1,450 00
Correct.

CHAS. G. MUELLER.

I hereby approve this bill, and would recommend that twelve hundred (\$1,200) dollars be paid. And two hundred and fifty dollars be reserved until the elevator shall be put in operation when the water is turned on.

Signed,

PETER F. BRYCE,
Pres't. Hospital Board.

On motion by Councilman Thalman, the above claim was reduced from \$1,250.00 to \$1,000.00, and then ordered inserted in the ordinance.

The ordinance was then ordered engrossed as amended, read the third time, and passed by the following vote: (amount appropriated, \$18,145.91)

AYES, 23--viz. Councilmen Benjamin, Cowie, Curry, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Wharton, and Wolf.

NAYS, 1--viz. Councilman Trusler.

By the City Clerk, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read the third time:

Ap. O. 4, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Central Police Station House. [Amount appropriated, \$347.17.]

And it was passed by the following vote:

AYES, 23--viz. Councilmen Benjamin, Cowie, Curry, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Wharton, and Wolf.

NAYS, 1--viz. Councilman Trusler.

By the City Clerk, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read the third time:

Ap. O. 5, 1884—An ordinance appropriating the sum of Five Thousand (\$5,000) Dollars, on account of Street Repair Department of the City of Indianapolis.

And it was passed by the following vote:

AYES, 23--viz. Councilmen Benjamin, Cowie, Curry, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Wharton, and Wolf.

NAYS, 1--viz. Councilman Trusler.

By consent, Councilman Thalman offered the following resolution:

Resolved, That John R. Pearson be, and is hereby, appointed Vice-President of this Council for the ensuing term.

Councilman Dowling moved to postpone action on the resolution until the next meeting.

Councilman Thalman moved to lay the above motion on the table.

Which failed of adoption by the following vote:

AYES, 11--viz. Councilmen Cowie, Gallahue, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Thalman, and Trusler.

NAYS, 14--viz. Councilmen Benjamin, Coy, Curry, Dowling, Downey, Doyle, Edenharter, Haugh, Mack, Moran, Reinecke, Sheppard, Wharton, and Wolf.

The motion to postpone action on the resolution, was then adopted by the following vote:

AYES, 13—viz. Councilmen Benjamin, Coy, Curry, Dowling, Downey, Doyle, Edenharter, Haugh, Mack, Moran, Reinecke, Sheppard, and Wharton.

NAYS, 12—viz. Councilmen Cowie, Gallahue, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Thalman, Trusler, and Wolf.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Councilman Pearson introduced the following entitled ordinance, which was read the first time:

G. O. 1, 1884—An ordinance empowering the Board of Health of the City of Indianapolis to appoint an Inspector of Meats, and to prevent the sale of impure meats in said city, and providing for the costs of the same.

Councilman Pearson moved to suspend the rules for the purpose of placing the foregoing ordinance on its final passage.

Councilman Spahr moved to postpone action on the ordinance until the next meeting.

On motion by Councilman Coy, the ordinance was referred to a special committee of five; and the Chair appointed Councilmen Pearson, Thalman, Spahr, Sheppard and Coy as the members of such committee.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Benjamin offered the following motion; which was referred to the Committee on Public Light:

To have the lamp-post moved from north side of Maryland street, between Illinois street and first alley east on Maryland street, up to corner of first alley on north side of said street.

Councilman Benjamin offered the following motion; which was referred to the Board of Public Improvements:

To have stone crossing put in across Delaware street, at the intersection of Duncan street.

Councilman Cowie offered the following motion; which was adopted:

That the City Engineer be instructed to place a plan before the Council at their next meeting, to carry off the surplus water on Bright street.

Councilman Downey presented the following petition; which was referred to the Committee on Streets and Alleys:

Indianapolis, Sept. 21st, 1883.

To the Mayor, Common Council, and Board of Aldermen of the City of Indianapolis:

Gentlemen:—The undersigned, owners of real estate fronting on New York street, respectfully petition for the passage of an ordinance providing for the opening and extension of New York street from Pine street to Arsenal avenue, in conformity with New York street between East and Noble. A plat of said proposed opening is herewith filed. For the passage of said petition we, the undersigned, will ever pray.

Andrew Kramer, Wm. Werther, Jno. M. Gaston,
John Grosch, Val. Schlotzhaner, N. Hofmeister,
Jos. Staub, R. Frauer, J. Bilger, Henry Krieger,
H. Kahn, C. A. Biedenmeister, John Schier, C. C.
Fritsche, I. L. Hedges, M. Wonderly, John Feld-
pusch, Cass Ganter, A. Haywood, M. Mode, B.
Stokely, Wm. H. Schmitts, O. S. Keeley, Geo.
Wysong, Cobb & Branham, Henry Helm.

Councilman Downey offered the following motion; which was adopted:

That the Street Commissioner be, and is hereby, directed to plan a flood-gate and an iron grating at the mouth, or entrance to the extension of the Washington street sewer to Pogue's Run.

Councilman Pearson presented the following petition; which was referred to the Judiciary Committee:

To His Honor, the Mayor, Members of the Common Council, and Members of the Board of Aldermen:

Gentlemen:—Your petitioner would respectfully represent that on May 10, 1880, he purchased at private tax sale, a tax-certificate from the City Treasurer, on Lot 10, Square 3, west of White River, for which he paid the sum of \$19.33, and February 2, 1882, he paid for 1881 the sum of 44 cents, making \$19.77, and for the reason that the lot has been washed away by the river, he now asks your honorable bodies to refund him the amount paid with interest, from dates of payment.

Also on February 14, 1881, at the public tax sale he purchased a tax sale certificate on 66 feet on Vermont street, the southwest part of Lot 15. Caven's subdivision Out-lot 150, for which he paid the sum of \$3 77, and for tax of 1881 \$1.61, and for 1882 tax \$1.68, making in all \$7.06. The sale was erroneous for the reason that the description called for more ground than there is there, and your petitioner asks that the above amount with interest, be refunded him from dates of payment.

Also on February 15th, 1881, he purchased at public tax sale certificate No. 8,760, on the east one-sixth of 43 and three and one-half twelfth feet by 75 feet, southeast corner Lot 24, Wood's subdivision Out-lot 41, for which he paid \$70.74, and has since paid the tax of 1881, \$25.68. The City Assessor pronounces the sale void on the ground of erroneous description, and for the reason of the erroneous description your petitioner asks the above amount refunded him, with interest, from dates of payment, and as in duty bound your petitioner will ever pray.

Indianapolis, Jan. 7th, 1884.

CHRIS. HILGENBERG, Petitioner.

Councilman Spahr presented the following petition:

Indianapolis, January 7, 1884.

To the Mayor, Common Council, and Board of Aldermen, of the City of Indianapolis, Ind.:

Gentlemen:—The undersigned citizens and petitioners respectfully request that your honorable bodies cause to be passed, a special ordinance granting us license to sell merchandise at auction, at 68 east Washington street, in the City of Indianapolis, Indiana. Said license to be in force for one year from date, to cost thirty-five dollars and issue fee, we have the honor to be yours respectfully.

GILLET & JENISON.

Councilman Cowie moved to refer the petition to the Judiciary Committee and City Attorney; which was laid on the table, on motion by Councilman Spahr, by the following vote:

AYES, 13—viz. Councilmen Benjamin, Coy, Curry, Dowling, Downey, Doyle, Haugh, Mack, Moran, Newcomb, Spahr, Wharton, and Wolf.

NAYS, 12—viz. Councilmen Cowie, Edenharter, Gallahue, McClelland, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Thalman, and Trusler.

On motion by Councilman Spahr, the prayer of the petition was granted, and the City Clerk instructed to issue a license at \$35.00 per year.

Councilman Thalman offered the following motion; which was adopted:

That the City Clerk be directed to notify all boards, and committees of former Council, to return all papers referred to them (and not acted on), and that when returned, the same to be presented to this Council for their consideration or reference.

Councilman Trusler offered the following resolution:

WHEREAS, The officers of the City of Indianapolis hereinafter named, were elected by a prior Common Council and Board of Aldermen, and have held their respective offices for a term of two years from the 1st day of January, 1882, except such of them as were elected to fill vacancies occurring during said term; and the term for which they were elected having expired, and the said officers now holding their respective offices only because the act of the General Assembly, approved March 8th, 1881, under which they were elected, provides that they shall serve "until their successors are elected and qualified, *unless sooner removed according to law,*" but fails to make provision for the election of their successors until the second Monday evening of November next. And

Whereas, It is deemed by the present Common Council and Board of Aldermen, wise and best that said offices should be filled by officers of their own selection, to the end that their wishes and policies may be the more effectually carried forward. And,

Whereas, by the Charter and Ordinances of the City of Indianapolis, said officers may be removed from office at the pleasure of the Common Council and Board of Aldermen, and all vacancies created thereby, filled by said bodies; therefore,

Resolved, By the Common Council and Board of Aldermen of the City of Indianapolis, that the following officers of said city be, and are hereby, removed from their respective offices, and the several offices heretofore held by them respectively, be, and are hereby, declared vacant, to-wit:

Joseph H. Webster, Chief Fire Engineer.

C. S. Denny, City Attorney.

Samuel H. Shearer, City Civil Engineer.

Leander A. Fulmer, City Street Commissioner.

William N. Wishard, M. D., Superintendent of City Hospital and Branch.

John J. Garver, Superintendent of City Dispensary.

Elijah S. Elder, M. D.,

Moses S. Runnels, M. D.,

John A. Sutcliff, M. D.,

Orville B. Rankin, East Market Master.

Joseph R. Shelton, West Market Master.

John M. Kitchen, City Director of Belt Railroad.

Arthur L. Wright, City Director of Belt Railroad.

Joseph F. Parker, Wood Measurer.

Jesse DeHaven, Weigh Master.

Joseph Raible, Janitor City Hall.

Robert Turner, City Sexton.

Said officers, however, shall continue to serve until the vacancies hereby created are filled as herein provided, and until their successors so elected to fill such vacancies, shall have qualified. It is further

Resolved, That the Common Council and Board of Aldermen of said city, do meet in joint convention in the Council Chamber on the first Friday evening after the adoption of these resolutions by the Board of Aldermen at eight o'clock, for the purpose of electing officers for the several offices vacated by the foregoing resolution, and said officers when so elected shall serve until the 1st day of January, 1885, and until their successors are elected and qualified.

Councilman Pearson moved to refer the resolution to the Committee on Judiciary and City Attorney.

Which failed of adoption, by the following vote :

AYES, 11—viz. Councilmen Benjamin, Cowie, Gallahue, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Thalman, and Wharton.

NAYS, 14—viz. Councilmen Coy, Curry, Dowling, Downey, Doyle, Edenharter, Haugh, Mack, Moran, Reinecke, Sheppard, Spahr, Trusler, and Wolf.

On motion by Councilman Dowling, the previous question was ordered.

The resolution was then adopted, by the following vote:

AYES, 14—viz. Councilmen Coy, Curry, Dowling, Downey, Doyle, Edenharter Haugh, Mack, Moran, McClelland, Reinecke, Sheppard, Trusler, and Wolf.

NAYS, 11—viz. Councilmen Benjamin, Cowie, Gallahue, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Thalman, and Wharton.

Councilman Reinecke offered the following motion; which was referred to the Committee on Public Light:

That the motion passed by the Common Council December 4, 1883, and by the Board of Aldermen December 21, 1883, directing the City Civil Engineer to direct the Gas Company to remantle the lamp-post on the northwest corner of Wright and Dougherty streets and dismantle the first lamp-post west of Wright, on the south side of Daugherty street, be, and the same is hereby, rescinded.

On motion by Councilman Thalman, the Common Council adjourned to meet again Monday evening, January 14th, 1884.

JOHN L. McMASTER, Mayor,

President of the Common Council.

Attest: GEO. T. BREUNIG, City Clerk.