

PROCEEDINGS OF COMMON COUNCIL

REGULAR SESSION—FEBRUARY 4, 1884.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, February 4th, A. D. 1884, at seven o'clock, in regular session.

PRESENT—Hon. John L. McMaster, Mayor, and *ex officio* President of the Common Council in the Chair, and 24 members, viz: Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf.

ABSENT, 1—viz. Councilman Sheppard.

The Proceedings of the Common Council for the adjourned session, held January 14th, 1884, and for the regular session, held January 21st, 1884, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication; which was received, and on motion by Councilman Pearson, was referred to the Judiciary Committee, Fire Board and City Attorney:

Indianapolis, Ind., 1—25, 1884.

HON. J. L. McMASTER, Mayor:

Dear Sir:—A system of Telephonic Exchange, for Police purposes, is now in use in Chicago, Cincinnati, and other of the larger cities of the country; and thinking it a question of but short time when something of the kind will be required by the City of Indianapolis, on behalf of the Central Union Telephone Company, I beg submit the following proposition for the establishment of such a system in this city:

This company will furnish a Telephone Police System somewhat similar to that now in Chicago, at a rental of \$30.00 per year for each station; this company to place simply a telephone outfit, bell and battery, at each station which the city shall build on street corners (usually built around a lamp-post.) This price to include the necessary switch-board at the central police office (which will constitute a station), with battery, generators, &c., and independent wires connecting each station with the central police office; all of which to be kept in reasonable order and repair by this company. The operators at the central office, and all employes necessary to the working of the system, other than repairs as above stated, to be employed and paid by the city.

If this system is established, the city will have the benefit of independent communication between its station houses and the central police office; between the

patrolmen on each beat and the central station, and will, by requiring patrolmen to report at the stations at different places on their beats at stated intervals, have a closer supervision over them than is possible by any system of Sergeants or Inspectors. If this proposition meets with your approval, I will be glad to confer further with you on the subject.

This communication will be handed you by Mr. Chas. S. Smith, our Acting Manager at Indianapolis, who will explain any details of the proposed system necessary to a full understanding of it.

Very respectfully, yours,

J. E. HOCKETT, Sup't.

REPORTS, ETC., FROM CITY OFFICERS.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report a first and final estimate in behalf of S. W. and R. H. Patterson, for grading and graveling Maria street and sidewalks, from Smith street to Locke street.

608 lineal feet, at 28 cents... .. \$170 24

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 S. W. & R. H. Patterson, for grading and graveling Maria street and sidewalks, from Smith street to Locke street, 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, 19—viz. Councilmen Cowie, Coy, Curry, Dowling, Downey, Doyle, Edenharter, Haugh, Mack, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Trusler, Wharton, and Wolf.

NAYS—None.

The following report from the City Civil Engineer (accompanied with the consent of property owners), was read, and on motion by Councilman Pearson, was referred to the Committee on Sewers and Drainage:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—At the meeting of the Common Council and Board of Aldermen September 17th and 24th, 1883, I was directed to advertise for proposals for the construction of a sewer from Union street through Hill street and the property south of Hill street to the bed of the old Canal, as soon, however, as I obtained the written consent of all the property holders interested, so to do. I herewith submit a paper purporting to be the written consent of said property holders, which I submit to you for your consideration, and ask further instructions.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

Indianapolis, December 8th, 1883.

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

Gentlemen:—The undersigned, owners of all the real estate between Union street and the old Mill Race west of south Meridian street, in the City of Indianapolis, hereby consent that the City of Indianapolis, through her officers, contractors and employes, may enter upon and construct a sewer through our said land, from the intersection of Union and Hill streets, in a southwesterly direction along the branch or ravine which runs from said point into the bottom land southwest of the old Underhill Mill property, without charge to said city, and without resorting to proceedings to condemn the right of way through our said land. The city proposes to construct said sewer at her own cost, if this permission is granted.

M. CLUNE.

Louisville, Ky., Jan. 5th, 1884.

N. B. BOLVIN, Esq., Agent, Indianapolis, Ind:

Dear Sir:—Replying to yours of the 8th ult., concerning sewer through a portion of our property in Indianapolis, the application for which is herewith returned.

We have no objection to their passing through our property with this sewer, provided it is done without expense to the company.

Yours truly, E. W. MCKENNA, Sup't.

Consent is hereby given on same terms and conditions as above.

INDIANAPOLIS WATER Co.,

Jan. 25, 1884.

By F. A. W. DAVIS, Vice Pres't.

I consent to the construction of the sewer above named through my property, providing it be done without any charge or assessment or tax upon the same.

M. S. ORME PADDOCK.

The City Civil Engineer submitted the following report; which was received:

To the Mayor and Common Council:

Gentlemen:—I herewith report the following plan for drainage of the territory in vicinity of Bright street, as per order of January 4, 1884.

After examining said locality, I am of the opinion that the best plan to adopt would be to construct a four and one-half foot brick sewer, from Washington street and River, in and along Geisendorff street to New York street, thence east to Bright street. By constructing a sewer of this size, and by this route, it will drain all the territory now flooded on Bright street, besides affording better facilities for draining all the territory north of New York street west of the Canal.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

Councilman Cowie, as to the foregoing report, offered the following motion; which was adopted:

That the City Civil Engineer be, and is hereby, directed to advertise for proposals for the construction of a brick sewer four and one-half feet internal diameter, from White River in and along Washington street to Geisendorff street; thence north on Geisendorff street to New York street; thence east to Bright street, as recommended in his report of this date.

The City Clerk submitted the following report:

To the Mayor, Common Council and Board of Aldermen:

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

Richter & Twiname vs. Charles E. Tousey, for.....	\$ 2 20
Richter & Twiname vs. Travelers' Insurance Company, for.....	35 20
Hanway & Cooper vs. Dennis Shehan, for.....	17 63
Geo. W. Seibert vs. Stoughton J. Fletcher and Francis M. Church- man, for.....	49 50
Geo. W. Seibert vs. Stoughton J. Fletcher and Francis M. Church- man, for.....	47 30
Geo. W. Seibert vs. Stoughton J. Fletcher and Francis M. Church- man, for.....	47 30
Geo. W. Seibert vs. Stoughton J. Fletcher and Francis M. Church- man, for.....	47 30
Geo. W. Seibert vs. Stoughton J. Fletcher and Francis M. Church- man, for.....	47 30
Charles S. Roney vs. Amelia B. Mansur, John B. Mansur and Celia Mansur, for	6 24

Respectfully submitted,

GEO. T. BREUNIG, City Clerk.

And the precepts (except the precepts against Fletcher and Church-
man), were ordered to issue, by the following vote:

AYES, 18—viz. Councilmen Benjamin, Cowie, Curry, Dowling, Downey, Doyle,
Haugh, Mack, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds,
Smither, Spahr, Trusler, and Wharton.

NAYS, 2—viz. Councilmen Edenharter, and Wolf.

Councilman Dowling moved that the precepts against Fletcher and
Churchman, be issued.

Which failed of adoption, by the following vote:

AYES, 10—viz. Councilmen Cowie, Curry, Dowling, Doyle, Gallahue, McClelland
Pearson, Rees, Smither, and Wharton.

NAYS, 11—viz. Councilmen Benjamin, Downey, Edenharter, Haugh, Mack, New-
comb, Reinecke, Reynolds, Spahr, Trusler, and Wolf.

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 January, 1884, viz:

Board of Health.....	\$ 100 00	:
Bridges.....	499 96	:
City Assessor's Department.....	94 30	
City Civil Engineer's Department.....	139 50	
City Dispensary.....	281 67	
City Hall.....	564 86	
City Hospital and Branch.....	1,171 41	
City Treasurer's per centage.....	315 08	
Cemeteries.....	25 00	
Fire Department.....	5,797 01	
Gas.....	5,518 49	

Incidentals.....	\$ 406 25	
Interest on bonds.....	3,270 00	
Judgments and costs.....	346 35	
Market Masters' fees.....	189 60	
Parks.....	137 23	
Police.....	4,855 42	
Printing.....	369 97	
Salary.....	5,668 50	
Station House.....	347 17	
Street improvements.....	4,118 48	
Pogue's Run.....	409 14	
Street repairs.....	811 25	
Taxes refunded.....	91 79	
	<hr/>	\$35,528 43
Sinking fund.....	\$ 66 10	
School fund.....	484 78	
Tomlinson Estate, repairs, etc.....	141 50	
	<hr/>	692 38
Total.....		<hr/> <hr/> \$36,220 81

Respectfully submitted,

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, for the month of January, 1883.

RECEIPTS.

Balance on hand January 1, 1884.....	\$ 73,897 55
From auction licenses.....	70 00
From coal licenses.....	36 00
From dog licenses.....	30 75
From fines and fees.....	290 00
From liquor licenses.....	884 00
From market-masters' fees.....	241 90
From peddlers' licenses.....	39 00
From promiscuous.....	147 65
From sale of old material.....	159 20
From tax current.....	4,757 12
From taxes delinquent.....	3,776 54
	<hr/>
	\$ 84,329 71

DISBURSEMENTS.

For Board of Health.....	\$ 100 00
For bridges.....	4,999 96
For cemeteries.....	25 00
For City Assessor's department.....	94 50
For City Civil Engineer's department.....	139 50
For City Dispensary.....	281 67
For City Hall.....	99 86
For City Hospital and branch.....	1,140 34
For elections.....	27 00
For Fire Department.....	5,755 07
For gas.....	5,518 49
For incidentals.....	306 25
For interest on bonds.....	3,270 00
For judgments and costs.....	332 85
For market-masters' fees.....	189 60
For parks.....	137 23

For percentage.....	\$ 315 08
For Pogue's Run.....	395 28
For police.....	5,036 42
For printing.....	369 97
For salary.....	6,718 50
For school fund.....	528 89
For sinking fund.....	66 10
For Station House.....	362 89
For street improvements.....	4,066 19
For street repairs.....	690 36
For taxes refunded.....	91 35
Balance on hand February 1, 1884.....	47,771 56
	<hr/>
	\$ 84,329 71

TOMLINSON ESTATE.

Receipts.

Balance on hand January 1, 1884.....	\$ 65,979 96
Repairs, etc.....	141 50
	<hr/>
Balance on hand February 1, 1884.....	\$65,838 46
	<hr/>
	\$65,979 96

ADDITIONAL CITY HALL FUND.

Balance on hand January 1st, 1884.....	\$28,368 80
Balance on hand February 1st, 1884.....	\$28,368 80

SINKING FUND.

Balance on hand January 1st, 1884.....	\$15,162 42
From December taxes.....	66 10
	<hr/>
	\$15,228 52
	<hr/>
Balance on hand February 1st, 1884.....	\$ 15,228 52

I. N. PATTISON, City Treasurer.

To GEO. T. BREUNIG, City Clerk.

The City Attorney submitted the following report, which was received; and on motion by Councilman Thalman, was referred to the Committee on Streets and Alleys:

To the Members of the Common Council and Board of Aldermen:

Gentlemen:—By action of the former Council and Board of Aldermen, the city was to pay August Minkner the sum of \$500.00 for a strip of ground along the west bank of White River, in Indianola, broad enough to make a 65 foot street from Ray street to a point above where the old Lafayette Road is of a like width, and we were directed to make the necessary surveys, prepare deed, etc. This we partly did since your last meeting; but Mr. Minkner informing us that his agreement with the members of the committee was to convey all east of certain landmarks that he pointed out to us—which would only give a 20 foot street for nearly one-half of the distance, and less than 65 feet at all points—we abandoned the work, seeing that his statements were contrary to the printed Proceedings under which we were working. The bank of the River along the entire strip is in a crumbling condition, and one freshet would be likely to wash in the greater part of the strip at the narrowest point; and we therefore felt that your honorable bodies would not approve of the contract as Mr. Minkner wants it carried out.

Until further instructed, we will regard ourselves relieved from further action under the previous order.

Respectfully submitted,

C. S. DENNY, City Attorney.

S. H. SHEARER, City Civil Engineer.

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

To the Mayor and Common Council :

Gentlemen:—As provided by the motion of Councilman Mack, and as directed by the Judiciary Committee to whom the same was referred, I have prepared an ordinance requiring fire-escapes to be provided by the owners or lessees of certain buildings more than two stories high. Section 2151, R. S. 1881, covers hotels and places of entertainment for transient guests or boarders, and I have therefor excepted such buildings from the provisions of the ordinance, as a provision covering such structures could not be enforced. Neither could an unreasonable requirement as to other classes of public buildings and factories be enforced, and I have therefor so framed the ordinance as to leave the question of the necessity of escapes to the Chief Fire Engineer.

I hand the ordinance to the author of the motion for introduction.

Respectfully submitted,

C. S. DENNY, City Attorney.

The City Attorney submitted the following report; which was received, and on motion by Councilman Pearson, the City Attorney was instructed to prepare an ordinance for the repeal of the ordinance of January 16th, 1882, so as to cause a tax to be placed on the poles.

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—Since you instructed me to proceed against John F. Wallick, Superintendent of the Western Union Telegraph Co., (successor to the Mutual Union Telegraph Co.), for failure to make return of the number of poles in use on July 1st, in the city, erected by the Mutual Union Co., he has filed the sworn statement required by the ordinance of May 23d, 1882, and on behalf of the Western Union Co., has paid the special tax of \$2.00 on each pole erected under the grant of Feb. 27, 1882, there being 72 poles in all. The statement made by Mr. Wallick shows that there are 106 poles in addition to the above, which were erected under the grant of January 16, 1882, (see New Revision of Ordinances, pages 417-18). The Western Union Co. refuses to pay the tax on *these* poles, on the ground that the ordinance containing the grant only authorizes the city to require the company "to pay a per cent. of its gross receipts and earnings," no mention being made of any other kind of a tax. It was conceded at the time the license ordinance was passed, that it would be useless to try to impose and collect such a tax as that provided for in this grant of January 16, 1882, according to its terms, and therefore the special tax upon the poles of the company only was incorporated in the ordinance, it being believed that the company would not resist payment, as the city had reserved the right to repeal the ordinance of January, as well as the one of February 1882, at any time. The company *did* pay the special tax on all the poles last year, which was before the sale to the Western Union, as stated to you in my former communication. But now that the Western Union declines to pay on the 106 poles referred to, there remains but one of two things to do, viz: (1) To repeal the ordinance of January 16, 1882, and cause the poles to be removed from the streets; or, (2) To release the company from any special taxes on the same; for it is evident, that since the property formerly owned by the Mutual Union has passed to the Western Union, it would be impossible to ascertain what the "gross receipts and earnings" on account of this line would be.

I have thought it my duty to communicate these facts to your honorable bodies, that you may take such action as may be deemed proper in the premises.

Respectfully submitted,

C. S. DENNY, City Attorney.

The City Attorney submitted the following report; which was received, the compromise as shown in the first clause ordered, and the second clause was referred to the Committee on Judiciary, with instructions to confer with the like Committee from the Board of Aldermen:

Indianapolis, Feb. 4, 1884.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The General Term of the Superior Court, at its session held this day, affirmed the judgment of the special term in the case of Jennie Heston vs. The City. This was the case reported some months ago, where Mrs. Heston recovered a judgment of \$500.00 for injuries received in falling through the covering of the well which is located on the sidewalk in front of the Smith Block, at the corner of Delaware and Ohio streets. The appeal was taken at the special request of the administrator of William Smith's estate, the well having been sunk and maintained by Mr. Smith and the administrator having been notified to defend, as the party primarily liable for the damages. At the request of the administrator's Attorney, I prayed an appeal so the Supreme Court, and had thirty days allowed in which to file bond; but at his request, I now present to this Council and Board, a renewal of the proposition heretofore submitted by the administrator to the former Council, to pay one-half of the judgment and costs, if the city will pay the other half, and end the case.

2 Some questions of difference having arisen between a portion of the property owners on Highland street and the city, as to who should pay the \$800.00 damages awarded Major Mitchell on account of the change of grade along his property on said street, I have thought best, and have been requested by several of your members who have some knowledge of the matters in controversy, to ask that a joint committee of your two bodies be appointed at your first sessions, to meet with said property owners and settle this and certain other matters connected with it. I ask that such committees be named.

Respectfully submitted,

C. S. DENNY, City Attorney.

The Chief Fire Engineer submitted the following report; which was referred to the Fire Board:

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

Gentlemen:—I respectfully request the immediate purchase of 3,000 feet of hose, to take the place of such hose as have commenced giving out from long usage.

Respectfully submitted,

J. H. WEBSTER, Chief Fire Engineer.

William Hadley, Rental Agent, submitted the following report; which was received:

Indianapolis, February 4th, 1884.

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

Gentlemen:—I herewith submit report of collection of rents on the Tomlinson estate for the months of December, 1883, and January, 1884:

Mary Dwyer, No. 113 N. Illinois street.....	\$45 00
Hannah Overman, No. 115 N. Illinois street.....	25 00
W. H. Mahone, No. 117 N. Illinois street.....	25 00
Paul Sherman, No. 21 N. Illinois street.....	15 00

\$110 00

Less 3½ per cent commission.....
 8 85 |

\$106 15

Respectfully submitted,

WM. HADLEY, Agent.

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 January, 1884, 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.....	28					
No. of adult patients in Hospital at beginning of week	57	60	63	57	65	57
No. of infant patients in Hospital at beginning of week	4	5	4	5	6	4
No. of adult patients received	10	12	6	18	7	53
No. of infant patients received.....	1	1	1	1	1	1
No. of infant patients born.....	1	1	1	1	1	3
No. of adult patients discharged.....	6	8	10	9	11	44
No. of infant patients discharged	1	1	1	1	1	1
No. of adult patients who died ..	1	1	2	1	1	7
No. of infant patients who died.....	1	1	1	1	1	1
No. of adult patients in Hospital at end of week	60	63	57	65	60	60
No. of infant patients in Hospital at end of week	5	4	5	6	6	6
No. of adult patients in Branch at beginning of week.....	1	1	1	1	26
No. of adult patients received at Branch	1	1	1	27	1	30
No. of adult patients died at Branch.....	1	1	2	1	1	4
No. of adult patients in Branch at end of week.....	1	1	26	26	26	26
No. of patients in Hospital during month.....	71	77	73	80	78	114
No. of patients in Branch during month.....	1	1	2	28	27	30
No. of days of patients in Hospital during month.....	449	476	452	482	213	2072
No. of days of patients in Branch during month.....	1	1	7	147	78	233
No. of days of employes in Hospital & Branch during month.....	1	1	1	1	1	604
No. of prescriptions filled during month.....	1	1	1	1	1	705
Aggregate number of days subsistence furnished.....	2,909					
Total expenditures for month, not including insurance.....						\$1,278 92
Total expenditures for month, including insurance.....					
Average daily cost of each patient, on total expense, less insurance...						55+cts.
Average daily cost of patients, officers and employes, on total expense, less insurance.....						43+cts.
Cash collected from pay patients, and paid to City Treasurer.....						\$196 60

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

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 January, 1884, are respectfully submitted:

Number of Patients treated at Dispensary.....	230
Number of Medical cases at Dispensary	123
Number of Surgical cases at Dispensary.....	7
Number of Disease of Nervous System.....	6
Number of Disease of Eye and Ear.....	4
Number of Diseases of the Throat.....	6
Number of Out-door Patients treated	145
Number at Station House	0

Number of Patients sent to Hospital.....	13
Total number of Patients treated during month.....	534
Total number of Visits made during month.....	325
Total number of Prescriptions filled during month.....	674
Number of Births during month.....	3
Number of Deaths during month.....	6

EXPENDITURES FOR MONTH.

J. J. Garver, Superintendent.....	\$70 06
F. Swain, Assistant Physician.....	41 66
F. M. Wiles, Assistant Physician.....	41 66
Ed. Grahm, druggist.....	30 00
A. B. Meyer & Co., coal.....	25 00
L. A. Gable, drugs furnished.....	87 00

Total expenditures for month..... \$295 32

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

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Fire Board, through Councilman Benjamin, submitted the following report; which was concurred in:

To the Honorable Mayor and Members of Common Council:

Gentlemen:—Your Fire Board, to whom was referred the ordinance granting right-of-way of streets to the Fire Department while in the discharge of their duties, would respectfully recommend that the "Patrol Wagon and City Ambulance" be stricken from said ordinance, and would then recommend the passage of the ordinance as amended.

F. E. Benjamin,
J. W. Wharton,
Geo. W. Spahr,
Fire Board.

The Board of Public Improvements, through Councilman Thalman, submitted the following report; which was received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We herewith report expenditures in Street Repair Department for month of January, 1884:

Pay-rolls.....	\$ 621 68
Blacksmithing.....	21 10
Cement.....	10 00
Freight on stone.....	8 00
Hardware.....	35 32
Lumber.....	42 33
Sewer pipe.....	3 42
Stone crossings.....	70 00
Total.....	<u>\$ 811 85</u>

Respectfully submitted,

Isaac Thalman,
R. H. Rees,
M. M. Reynolds,
Board of Public Improvements.

L. A. FULMER, Street Commissioner.

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

Report of Deaths in the City of Indianapolis, from the 15th day of Jan., 1884, to the 21st day of January, 1884.

Under 1 year.....	20
1 to 2 years.....	3
2 to 5 ".....	3
5 to 10 ".....	2
10 to 15 ".....	3
15 to 20 ".....	5
20 to 25 ".....	5
25 to 30 ".....	7
30 to 40 ".....	8
40 to 50 ".....	3
50 to 60 ".....	5
60 to 70 ".....	3
70 to 80 ".....	7
80 to 90 ".....	1
90 to 100 ".....	0
100 and upwards.....	0
Unknown.....	0
Total.....	75

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

REPORTS, ETC., FROM STANDING COMMITTEES.

The Finance Committee, through Councilman Spahr, submitted the following report; which was approved:

To the Mayor and Common Council:

Gentlemen:—Your committee, to whom was referred the matter of the itemized estimate for the Fire Department, would respectfully report to your Honor and this honorable body, that they have made careful investigation of the question and minute inquiry of the Fire Chief, and they believe that the estimates are as low as it would be prudent to put them, looking to the efficiency of the Department, and your committee believe that it would be unwise to hamper or cripple a Department in whose hands are confided the safe-keeping of the property and lives of our people from fire.

We would therefore recommend that the estimates, as fixed by the Fire Chief, be allowed.

Geo. W. Spahr,
M. M. Reynolds,
Jas. T. Dowling,
John R. Pearson,
Wm. Curry,
Finance Committee.

The Committee on Judiciary, through Councilman Spahr, submitted the following reports; which were severally concurred in:

To the Mayor and Common Council:

Gentlemen:—Your committee to whom was referred the petition of Albert E. Fletcher, asking for the satisfaction of lien on certain lots, would report that they have investigated the matter, and they recommend that the prayer of the petition be granted.

Respectfully submitted,

Geo. W. Spahr,
F. E. Benjamin,
Geo. F. Edenharter,
Judiciary Committee.

To the Mayor and Common Council:

Gentlemen:—The City Attorney and your Committee, to whom was referred the matter of license for Rifle and Pistol practice, would report in favor of the same, provided that no license shall issue for less than twenty-five dollars; and we would recommend that the City Attorney be directed to prepare an ordinance to that effect.

Respectfully submitted,

Geo. W. Spahr,
Geo. F. Edenharter,
F. E. Benjamin,
Judiciary Committee.

To the Mayor and Common Council:

Gentlemen:—The City Attorney and your committee, to whom was referred the matter of paying the city taxes in two installments, would respectfully report that they have made careful investigation of the matter, both as to the legal phase, and as to the interference with the payment of the city's obligations, and we would say legally it can not be done, and in so far as the city's interests are concerned, it ought not to be done, and we therefore report against it.

Geo. W. Spahr,
Geo. F. Edenharter.
Judiciary Committee.

To the Mayor and Common Council:

Gentlemen: The City Attorney and your committee, to whom was referred the matter of taxing street cars, would report that we have made investigation of the matter and can not find sufficient law or authority for the same, and we would therefore report against the measure.

Geo. W. Spahr,
Geo. F. Edenharter,
F. E. Benjamin,
Judiciary Committee.

The Committee on Judiciary, through Councilman Spahr, submitted the following report:

To the Mayor and Common Council:

Gentlemen:—Your committee and the City Attorney, to whom has been referred the substituted petition of Mary J. Vance, would respectfully report that we have made careful inquiry in the facts set forth in the substituted petition, and we find them to be true in every particular. We believe the substituted petition a meritorious one, that the petitioner has been paying a double tax on property used solely by the public, and as a matter of absolute justice we think the prayer of the petitioner ought to be granted, and we recommend the granting of the same.

Geo. W. Spahr,
F. E. Benjamin,
Geo. F. Edenharter,
Judiciary Committee.

C. S. DENNY, City Attorney.

Before the reading of the above report, Councilman Spahr requested the privilege to withdraw the former petition of Mary J. Vance, (see page 67, *ante*), and introduce the following instead; which request was granted, and the following petition was read:

Indianapolis, Ind., Feb. 4, 1884.

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

Gentlemen:—Your petitioner would beg leave to withdraw from the files of your honorable body the petition heretofore filed by her for return of a part of the sewer tax against the property known as the Vance Block, and to file in lieu thereof the following petition: That you grant her a rebate of \$224.00 upon a triangular piece of ground at the intersection of Washington street and Virginia avenue and in

front of the Vance Block, for the reason that she has for over 30 years paid taxes, street assessments and sewer taxes upon both sides, whereas said ground has always been, and will in future be used and occupied solely by the public, to which use and occupation she has never made any objection, and does not now object.

MARY J. VANCE.

The foregoing report, as presented by Councilman Spahr, was then read and concurred in.

The Committee on Printing, through Councilman Trusler, submitted the following report:

To the Mayor and Common Council:

Gentlemen:—Your committee to whom was referred the reports of the City Civil and Chief Fire Engineers, with instructions to report as to the cost of printing the same, have to make the following report:

The Hasselman-Journal Co., under a contract dated June 30th, 1883, for the term of one year, make the following estimate of the probable cost of printing the number required:

500 copies City Civil Engineer's report.....	\$42 00 to \$ 68 00
1,000 copies Chief Fire Engineer's report, set close;.....	240 00
Set in good style, will cost from \$40 to \$80 more.	

Respectfully submitted,

P. C. Trusler,
C. E. Haugh,
Committee on Printing.

On motion by Councilman Thalman, the former action on the printing of the annual reports, was reconsidered.

On motion by Councilman Thalman, so much of the above report as relates to the Chief Fire Engineer's annual report, was referred back to the Committee on Printing and City Attorney, and the report of the City Civil Engineer was ordered printed in pamphlet form.

The Committee on Public Health, through Councilman Edenharter, submitted the following report; which was concurred in, and the ordinances ordered stricken from the files:

Your Committee of Public Health recommend that the following ordinances be stricken from the files, because the essential points therein are already fully provided for by law.

G. O. No. 69, 1882. An ordinance to prevent privy vault ordinance.

G. O. No. 54, 1883. An ordinance in regard to deceased persons.

G. O. No. 21, 1883. An ordinance regulating the maintenance of City Hospital

Geo. F. Edenharter,

W. C. Newcomb,

T. F. Smither,

Committee on Public Health.

The Committee on Public Property, through Councilman Mack, submitted the following report; which was concurred in:

To the Mayor and Common Council of the City of Indianapolis:

Gentlemen:—Your Committee on Public Property, to whom was referred G. O., 43, 1883, an ordinance relating to "loitering in public parks," would respectfully

report back to your honorable body, the ordinance with the recommendation that the words, "twelve o'clock," in the ordinance be stricken out, and the words "eleven o'clock be substituted.

Fred. J. Mack,
John R. Cowie,
Theo. F. Smither,
Committee on Public Property.

The Committee on Railroads, through Councilman Rees, submitted the following reports; which were concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee and the City Civil Engineer, to whom was referred the petition or communication of the General Superintendent of the C., H. & I. R. Co., Mr. Hepburn, would respectfully report that we have made careful examination of the crossing of said Railroad and Pogue's Run, also, the crossing of East street and Pogue's Run, and we are of the opinion that the grade of East street, at said crossing, can be raised from twelve to eighteen inches, without material damage to property owners at or near said point; and we are of the further opinion that said Railroad can very easily span said Run at said point without putting any piers under their bridge in said Run. We are of the further opinion that the bridge, as now constructed with piers, or piles driven into the bed of said Run, is a very great obstruction to the flow of water in said Run at said point, and that the same ought to be removed at once. We would recommend that the City Attorney be directed to prepare an ordinance which will raise the grade of East street at said point 12 or 18 inches, and also remove from said Run all obstructions.

Respectfully submitted,

R. H. Rees,
Geo. W. Spahr,
Committee on Railroads.

To the Mayor and Common Council:

Gentlemen:—Your Committee on Railroads, to whom was referred G. O. No. 2, 1884, providing for a flagman at the intersection of the Railroads and Virginia avenue and Alabama street, after careful consideration, would respectfully recommend the passage of the ordinance.

R. H. Rees,
Geo. W. Spahr,
Committee on Railroads.

Councilman Wharton, in behalf of the Committee on Streets and Alleys, returned the petition of J. V. McKernan, Jas. M. Tomlinson and Cornelius D. Browder, et al., (see page 726, *ante*), asking for the refunding of certain moneys paid for bowldering between the tracks of the Street Railway on Indiana avenue; which was received, and on motion, was referred to the Judiciary Committee and City Attorney.

REPORTS, ETC., FROM SELECT COMMITTEES.

The Special Committee on Rules, through Councilman Dowling, submitted the following majority report, accompanied with the "RULES AND REGULATIONS FOR THE GOVERNMENT OF THE COMMON COUNCIL;" which were read.

On the reading of the 46th Rule—relating to the appointment of Standing Committees by the Mayor, with the advice and consent of the Council—Councilman Pearson presented the following minority report; which was read:

To the Mayor and Common Council :

Gentlemen:—The undersigned, a member of your Special Committee on Revision of Rules, begs leave to report, that he concurs in the report of the majority of the committee, except as to clause 46. Instead of that clause, he recommends that the following be adopted:

46. The Standing Committees of the Council shall consist of three members each, except the Finance Committee, which shall consist of five members, and shall be appointed by the Mayor. They shall have, under the Council, full supervision of all matters relating to the special subjects and departments for which they were organized, and shall be as follows:

Respectfully submitted,

JOHN R. PEARSON.

Councilman Thalman moved to concur in the *minority* report; which was laid on the table, on motion by Councilman Benjamin, by the following vote:

AYES, 15—viz. Councilmen Benjamin, Coy, Dowling, Downey, Doyle, Edenharter, Haugh, Mack, Moran, Rees, Reinecke, Reynolds, Spahr, Wharton and Wolf.

NAYS, 9—viz. Councilmen Cowie, Curry, Gallahue, McClelland, Newcomb, Pearson, Smither, Thalman, and Trusler.

On motion by Councilman Spahr, the *minority* report was laid on the table.

Councilman Dowling moved that the 46th Rule be approved.

Councilman Thalman moved as a substitute, to “strike out” the 46th Rule; which was laid on the table, on motion by Councilman Spahr, by the following vote:

AYES, 15—viz. Councilmen Benjamin, Coy, Curry, Dowling, Downey, Doyle, Edenharter, Haugh, Moran, Rees, Reinecke, Reynolds, Spahr, Wharton, and Wolf.

NAYS, 9—viz. Councilman Cowie, Gallahue, Mack, McClelland, Newcomb, Pearson, Smither, Thalman, and Trusler.

No objection being made to the Rule, it was declared approved.

The several Rules (62 in number), as presented by the *majority* report of the committee, were severally approved, and the report of the committee approved as a whole.

Councilman Haugh moved that one hundred copies be printed and bound in cloth.

Councilman Pearson moved to refer to the Committee on Printing.

On motion by Councilman Dowling, the words “with power to act,” were added to above motion, and accepted by Councilman Pearson.

Councilman Spahr moved to refer to the committee, with instructions to procure two hundred copies, bound in pamphlet form.

Which failed of adoption.

Councilman Thalman moved that one hundred and fifty copies be printed in pamphlet form, bound in cloth, and the cost not to exceed fifty dollars; which was adopted.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

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

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen at its regular session of January 28, 1884, approved the bond of the Middlebrook and Post Manufacturing Company of Detroit, Michigan, in the penal sum of \$1,450.00, with Charles Post of Monroe, Michigan, and F. M. Churchman, of Indianapolis, as sureties. The conditions of said bond holding the City of Indianapolis harmless from any and all damages that may arise by reason of the Middlebrook & Post M'fg Co., infringing on any patents owned by W. E. Hale & Co. I submit the bond for your approval.

For the Board of Aldermen,

FRANK W. RIPLEY, Clerk.

The following message from the Board of Aldermen was read, and their action approved:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen at its session of January 28th, 1884, amended the following entitled ordinance by adding to the last line of section one, the words, "or twenty-five dollars for one-quarter of a year."

G. O. 7, 1884—An ordinance requiring every proprietor of a Skating Rink in the City of Indianapolis, to obtain a license, and pay a fee of \$100.00 therefor.

The ordinance as amended was then passed.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

The following message from the Board was read, their action non-concurred in, and the City Civil Engineer granted leave of absence unconditional.

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen at its session of January 28th, 1884, granted Samuel H. Shearer, Civil Engineer, leave of absence, with the proviso, "that he furnish a suitable substitute during such absence, at his own expense."

I submit the above report for your consideration.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

APPROPRIATION ORDINANCES.

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

By the Fire Board, through Councilman Benjamin, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read the third time:

Ap. O. 6, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$1,725.60.]

And it was passed by the following vote:

AYES, 20—viz. Councilmen Benjamin, Cowie, Curry, Downey, Edenharter, Gallahue, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf.

NAYS—None.

By the Hospital Board, through Councilman Newcomb, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read the third time:

Ap. O. 7, 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 \$1,578.92.]

And it was passed by the following vote:

AYES, 20—viz. Councilmen Benjamin, Cowie, Curry, Downey, Edenharter, Gallahue, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf.

NAYS—None.

By the Committee on Accounts and Claims, through Councilman Pearson, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read the third time:

Ap. O. 8, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$75,506.52.]

And it was passed by the following vote:

AYES, 20—viz. Councilmen Benjamin, Cowie, Curry, Downey, Edenharter, Gallahue, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf.

NAYS—None.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following entitled ordinances were introduced and severally read the first time:

By Councilman Benjamin:

G. O. 9, 1884—An ordinance to establish Stands for Public Vehicles.

On motion, the above ordinance was referred to the Judiciary Committee.

By Councilman Dowling:

G. O. 10, 1884—An ordinance repealing an ordinance entitled "An ordinance prescribing Rules and Regulations for the Government of the City Council, its officers and officers connected with the City Government," ordained January 2d, 1872, and all ordinances amending the same.

On motion by Councilman Dowling, the rules were suspended for the purpose of placing G. O. 10, 1884, on its final passage, by the following vote:

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

NAYS—None.

G. O. 10, 1884, was then read the second time, ordered engrossed, read the third time and passed, by the following vote:

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

NAYS—None.

By Councilman Cowie:

S. O. 3, 1884—An ordinance to provide for grading and paving with brick, the sidewalks of Bright street, from Michigan street to North street.

By Councilman Mack:

S. O. 4, 1884—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Mulberry street, between McCarty and Ray streets.

On motion, above ordinance was referred to the Committee on Public Light.

G. O. 11, 1884—An ordinance requiring Fire Escapes to be provided for certain large buildings, and providing penalties for failure to do so.

By Councilman Newcomb:

S. O. 5, 1884—An ordinance to provide for grading, bowldering and curbing, the gutters of St. Joseph street, from Delaware street to Alabama street.

S. O. 6, 1884—An ordinance to provide for grading and paving with brick, the north sidewalk of Walnut street, from Pennsylvania street to Delaware street.

By Councilman Pearson:

G. O. 12, 1884—An ordinance providing for the compensation of the Officers of the City of Indianapolis, and the Officers and Members of the Fire Department of said city, from January 1st, to December 31st, 1884.

On motion by Councilman Pearson, the rules were suspended for the purpose of placing G. O. 12, 1884, on its final passage, by the following vote:

AYES, 21—viz. Councilmen Benjamin, Cowie, Curry, Dowling, Downey, Doyle, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf.

NAYS, 2—viz. Councilmen Edenharter, and Reinecke.

G. O. 12, 1884, was then read the second time, ordered engrossed, read the third time and 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, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf.

NAYS—None.

By Councilman Smither:

G. O. 13, 1884—An ordinance requiring the Assistant Physicians at the City Dispensary to pay all moneys charged and collected for professional services rendered by them.

By Councilman Trusler:

G. O. 14, 1884—An ordinance making it unlawful for any engineer, conductor, or other person in charge of any engine or train of cars, to obstruct any street or sidewalk therewith.

Councilman Trusler returned S. O. 40, 1883, providing for the erection of lamp-posts, etc., on Pleasant street, between Dillon and Reid streets, to the files.

By Councilman Wharton:

G. O. 15, 1884—An ordinance requiring the Indiana District Telephone Company to pay a special tax of five dollars per annum on each instrument maintained by it in the City of Indianapolis.

By Councilman Wolf, accompanied with petition:

S. O. 7, 1884—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Downey street, between East street and Madison avenue.

Indianapolis, Ind., December 29, 1883.

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

Gentlemen:—We, the undersigned property holders on Downie street, do petition your honorable body to grant an order to the Indianapolis Gas Light Company to erect gas-posts on said street, at such distances as is commonly made. For which we, the undersigned petitioners, shall ever petition.

H. Burge, 75 feet; Chas. W. Gorsuch, Frank J. Arens, Justus Daken, Casper Hess, Henry Obergfell, Walter Dutton, Henry Lambert, Julius Teiner, Anna Maria Zeien, Joachim Boeldt, O. Loring, C. Doenges, P. Rasmussen, H. Feltmans, Wm. Boeldt, W. H. Guy.

On motion, the above ordinance was referred to the Committee on Public Light.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Benjamin offered the following motions; which were severally adopted:

Instructing the City Attorney to prepare an ordinance exacting a license of one hundred dollars a year from each ticket broker in the city.

40 Instructing the Street Commissioner to examine into the fact of the Gas Company allowing their refuse matter to run into Pogue's Run during the day time, thus creating an odor that can not be withstood by those who occupy offices over the Run.

Councilman Benjamin offered the following motion:

WHEREAS, Joseph Raible was nominated for the position of Janitor for the Common Council, and has never been elected; therefore be it

Resolved, That he be elected as Janitor for the ensuing term of two years.

Councilman Dowling moved to refer the motion to the Judiciary Committee.

Councilman Thalman moved as a substitute, that the motion be adopted; which was adopted.

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

That the Committee on Public Light ascertain and report why gas mains have not been laid on Morris street, between Meridian street and White River, the gasposts having been erected.

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

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

Gentlemen:—Your petitioner would represent that he has lived for 26 years in what is commonly known as the "Disputed Territory," in the 25th Ward of the City of Indianapolis, and that during the years 1874-75 the city ordered the improvement of Wisconsin street; that it lies adjacent to your petitioner's property, and that your petitioner was assessed and paid the sum of \$159, his share of the improvement of said street.

Your petitioner would further show that Judge Taylor, of the Marion County Superior Court, in the late case of Higgins vs. Sourbeer (said instructions of Judge Taylor to the jury is attached hereto and made a part of this petition) decided that your petitioner is not a voter or tax-payer of the City of Indianapolis.

Your petitioner respectfully asks your honorable body to refund to him the sum of \$159, with 6 per cent. interest from date of payment.

MICHAEL DOHERTY.

Councilman Dowling offered the following motion; which was adopted:

That the City Commissioner be and are hereby directed to immediately and without delay, report back to this Council their action, if any has been taken, in the matter of annexing such portions of unannexed ground north of the line of the Belt Railroad Company, from Washington street on the east, to the corner of the Belt Railroad Company and White River.

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

That the Street Commissioner be, and is hereby, directed to lay gravel on Washington street, from the bridge over White River on said Washington street to the corporation line, as s^on as possible and at his earliest convenience.

Councilman Doyle offered the following resolution:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the Indianapolis Water Company be directed to lay water mains from the corner of Helen and Maryland streets, west on Maryland street to the corner of Geisendorff and Maryland streets, under the direction and supervision of the City Civil Engineer.

And it was adopted by the following vote:

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

NAYS—None.

Councilman Newcomb offered the following motion; which was adopted, and Councilmen Newcomb, Haugh and Edenharter appointed as the Council members of such committee:

That a committee of three of the Council, and two of the Board of Aldermen, together with the City Engineer and Street Commissioner, be appointed to examine the bank of Fall Creek, north of the City Hospital grounds, and report to this Council what steps are necessary to protect said grounds from the rush of said stream.

Councilman Pearson presented the following petitions; which were referred to the Judiciary Committee:

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

Gentlemen—The undersigned petitioner, Abel D. Streight, would respectfully show to the Common Council and Board of Aldermen, that he is the owner of the following described real estate, situated in Marion County, Indiana, to-wit:

Lots one (1), two (2), three (3), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), eighteen (19), twenty (20), thirty-one (31), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39), forty (40), forty-two (42), forty-three (43), forty-four (44), forty-five (45), forty-six (46), forty-seven (47), forty-eight (48), forty-nine (49), fifty (50), fifty-one (51), sixty-one (61), sixty-six (66), sixty-seven (67), sixty-eight (68), sixty-nine (69), seventy (70), seventy-one (71), seventy-two (72), seventy-three (73), seventy-four (74), north half ($\frac{1}{2}$) seventy-seven (77), seventy-eight (78), seven-nine (79) and eighty (80), in Downey's subdivision of Bryant's addition to the City of Indianapolis and that he has been the owner of the same since the 1st day of January, 1876. That on the 27th day of June, 1882, by a decree of the Superior Court in the cause of Wm. H. English et al., vs. the City of Indianapolis, the same being numbered 29446 of said Court, it was decided that the real estate above, described "is not now nor never was legally annexed to the said City of Indianapolis, and is no part of the said city." That the proceedings of the Common Council on the 30th day of March, 1874, annexing the above described real estate was "irregular, illegal and void," and that the City of Indianapolis has been wrongfully and unlawfully exercising dominion and control of said real estate.

That since the said 1st day of January, 1877, your petitioner has paid to the City of Indianapolis, the following sums of money as city taxes on the above described property:

In 1876.....	\$ 65 80
In 1877.....	149 24
In 1878.....	285 44
In 1879.....	75 82
In 1880.....	79 72
In 1881.....	81 33
Total.....	\$737 35

That by the decision of the Court as above cited, these taxes were illegally and wrongfully collected by the said City of Indianapolis.

Wherefore your petitioner asks that the Common Council and Board of Aldermen, instruct the City Treasurer to pay to the said Abel D. Streight or his attorney, the sum of \$737.35, with interest from the date of the payment of said sums as above set out, until the repayment of the same.

ABEL D. STREIGHT,
By R. O. Hawkins, his Att'y.

To the Hon. Boards of Aldermen and Councilmen—Greeting:

Gentlemen:—Your petitioner shows that he has paid tax on Lot 36, May & Wasson's Highland Park addition to city, as follows:

February, 1880, paid.....	\$21 54
January 4, 1881, paid.....	1 60
March 10, 1883, paid.....	3 45
Interest at 6 per cent. on several sums to date.....

and says said lot was never properly annexed to city, and was disannexed in 1883; wherefore he is entitled to a refunding as prayed for.

This January 30, 1884.

MARGARET F. DOLLMAN.

Councilman Rees presented the following communication; which was received:

Hon. ROBERT H. REES, Councilman 12th Ward:

Dear Sir:—I have this day received a postal from the City Clerk, in which he requests the return of all ordinances and papers now in my hands, and I herewith hand you General Ordinance No. 58, 1882, An ordinance creating the office of Pound Master; also a petition of Peter Schmit, relative to the Pogue's Run overflow.

I also hand you a motion requesting the appointment of a Special Committee of the Council, and a like committee of the Board of Aldermen, for the purpose of consulting with the managers of the Union Railway Company, making it the duty of the committee to urge the building of a new Union Depot, and in my opinion the time has now come for the Council and Board to appoint a like committee, and not only urge the building of the depot, but make all reasonable concessions in the way of streets and alleys that said company may require, as the building of the depot will be a great benefit to the city and our citizens in general.

Yours very truly,

WM. H. MORRISON.

Councilman Reinecke offered the following motion; which was adopted

That Fred. Luedman be granted the right to grade and pave the sidewalk in front of his lot on Shelby street, under the direction of the Engineer, at his own expense.

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

That a stone crossing be placed at the intersection of Water and Stevens streets.

Councilman Spahr presented the following petition, accompanied with motion; which was received, and motion adopted:

Indianapolis, Jan. 30, 1884.

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

Gentlemen:—The undersigned, citizens and tax-payers of the city, and persons residing in the First and Second Wards, would respectfully call your attention to the fact, that a large portion of territory embraced within the boundaries of said wards is subject to frequent overflows and damages from water, caused by the defective drainage afforded by the State Ditch. That while that portion of the city which is drained by said ditch has in the past few years been greatly improved, and streets have been improved and graded in such manner as to largely increase the amount of water flowing into said ditch, nothing has been done to improve or increase the capacity of the ditch.

We, therefore, ask that a proper plan and ordinance be adopted by your honorable bodies providing for such an improvement of said drainage as will carry off the water and prevent further damage from overflow.

A. Timberlake, E. F. Norwood, H. J. Craft, F. A. Palmer, M. H. Floyd, Samuel Merrill, H. E. Drew, Horace McKay, W. H. H. Miller, W. D. Bynum, J. B. Elam, John R. Leonard, T. A. Morris, John J. Cooper, Robert B. Duncan, A. E. Fletcher, J. C. Adams, Ingram Fletcher, B. W. Ritter, Geo. Weaver, J. J. Twiname, James F. Carter, G. W. Vansickle, S. Morris, C. A. Greenleaf, B. A. Richardson, D. M. Osburn, C. S. Wright, Beverly Carey, and 400 others.

That the City Attorney, the Committee on Sewers and Drainage and the City Civil Engineer, be, and they are hereby, directed to investigate the matter of draining the northeastern portion of the city, through what is known as the State Ditch, or any other channel made or to be made, so that said portion of said city may be relieved from the accumulation of large bodies of water, and from disastrous floods during heavy rain-falls, and report to this Council the most practical and feasible plan for such drainage, with plans and probable cost of the same, at their earliest convenience.

Councilman Spahr offered the following motions; which were severally adopted:

That the Telephone Company be required to report to this Council, at the next meeting, showing by what authority they are mutilating the trees in Circle Park.

That the Board of Health be required to report to this Council at our next meeting, why they permit the burial of bodies, dying from small-pox, in the daytime, and why they permit the Superintendent of City Hospital, while he has small-pox patients in his charge, to pass about the city at perfect will.

Councilman Spahr presented the following petitions; which were referred to the Judiciary Committee:

Indianapolis, Ind., Jan. 28, 1884.

To the Mayor and Common Council of the City of Indianapolis:

Gentlemen:—The undersigned respectfully represents that the City of Indianapolis has and holds one hundred and seventy-five dollars (\$175.00) of his money, which was assessed against him as benefits resulting to his property situate on north Pennsylvania street, from the opening of Second street from Meridian to Pennsylvania streets, in said city, and was collected from him and received into the treasury of said city, and now remains therein. That the proceedings in opening said Second street, and assessing such benefits, were illegal and void, and confer upon said city no right to hold and retain said money. The undersigned therefore hereby

demands that his said money, \$175.00, be refunded to him, and asks your honorable body to take the necessary proceedings therefor.

ALBERT E. FLETCHER,
By M. B. Williams & W. H. Pickett, Atty's.

Indianapolis, Ind., Jan. 28, 1883.

Gentlemen:—The undersigned respectfully represents that he has a just and valid claim against the City of Indianapolis for the sum of one hundred and seventy-five dollars (\$175.00), money assessed as benefits against the undersigned upon his property situate on North Pennsylvania street, by the opening of Second street, from Meridian to Pennsylvania street, in said city, and received into the treasury of said city and now remaining therein. That the proceedings in opening said Second street and assessing such benefits were illegal and void, and gave to said city no right to retain said money.

The undersigned, therefore, hereby demands that his said money, \$175.00, be refunded to him, through the proper action of your honorable body.

EBENEZER SHARPE,
By M. B. Williams & W. H. Pickett, Atty's.

Indianapolis, January 28, 1884.

To the Mayor and Common Council of the City of Indianapolis:

The undersigned respectfully represents that she has a just and valid claim against the City of Indianapolis, for the sum of three hundred and fifty dollars (\$350.00), money assessed against the undersigned, as benefits resulting to her property, situate on north Pennsylvania street, from the opening of Second street from Meridian to Pennsylvania street in said city, collected from the undersigned and received into the treasury of said city, and now remaining therein. That the proceedings in opening said Second street, and assessing such benefits were illegal and void, and gave to said city no right to retain said money.

The undersigned therefore, hereby demands that her said money, \$350.00, be refunded to her through the proper action of your honorable body.

MARY S. MOORE,
By M. B. Williams & W. H. Pickett, Atty's.

Indianapolis, Ind., Jan. 28, 1884.

To the Mayor and Common Council of the City of Indianapolis:

Gentlemen:—The undersigned respectfully represents that the City of Indianapolis has and holds one hundred and fifty dollars (\$150.00) of his money, which sum was assessed against him as benefits resulting to his property situate on north Pennsylvania street, from the opening of Second street, from Meridian to Pennsylvania streets, in said city, and was collected from him and received into the treasury of said city, and now remains therein. That the proceedings in opening said Second street, and assessing such benefits, were illegal and void, and confer upon said city no right to hold and retain said money. The undersigned therefore hereby demands that said City of Indianapolis refund to him his said money, \$150.00, and asks that your honorable body take the necessary proceedings therefor.

HERMAN MARTENS,
By M. B. Williams & W. H. Pickett, Atty's.

Councilman Thalman presented the following ordinance, accompanied with a proposition; which was read the first time, and referred to the Judiciary Committee and City Attorney:

G. O. 16, 1884—An ordinance concerning the maintenance of the West Market, in the City of Indianapolis, Indiana.

To the Board of Aldermen and Common Council of Indianapolis:

59 Gentlemen:—I am the owner of that piece or tongue of land lying between the National Road and west Washington street, and extending from their intersection back as far as the Canal.

I have recently erected a substantial Market House thereon, having fronts of

200 feet each on these streets and 90 feet in width, with a wood aisle in the middle and appropriate conveniences for a Market House, and believe that in location, plan of construction and means of access the structure is all that could reasonably be desired for the purpose.

I now offer to place this Market House under the control of the city authorities for two years, upon the following conditions, viz:

1. The old West Market shall be forthwith abolished.
2. The structure erected by me shall be recognized as the West Market, and no other shall be established by the city in that part of the city.
3. Oliver B. Phillips shall be duly appointed Market-Master of the said market.
4. I will pay all taxes and insurance, charge the city no rent whatever, and said Market-Master shall pay over to the City Treasurer for the city's benefit twenty-five per cent, of the net receipts of the market, as received by said Phillips as Market-Master.

And I respectfully invite your inspection of the premises and acceptance of this proposition.

February 4th, 1883.

DANIEL E. REAGAN.

Councilman Thalman returned ordinance G. O. 61, 1883, relating to maintenance of West Market, to the files.

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

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

Gentlemen:—Your petitioners, John Coburn and the Connecticut Mutual Life Insurance Company, Henry Coburn, Joseph A. Moore and Mary A. Coburn, respectfully represent that they are the owners in fee-simple of real estate situated on the eastern portion of Vine street; that the Connecticut Mutual Life Insurance Company is the owner in fee-simple of Lot number seventy-nine, in Coburn's subdivision of Out-lot number one hundred and eighty-two (182), and that John Coburn is the owner in fee of Lots numbered thirty-seven, thirty-eight, thirty-nine and forty, in Out-lot numbered one hundred and eighty-two (182); that these lots border upon Vine street the entire distance thereof, east of Ash street, which is one hundred feet, and they are the only adjoining lots; that the eastern terminus of Vine street is on the west line of an alley running north and south along the east line of Out-lot numbered one hundred and eighty-two (182); that this eastern portion of Vine street, between Ash street and the aforesaid alley, is one hundred feet in length, and never has been used or improved as a street for any purpose, inasmuch as there is no outlet to the east, and no building fronting on it, and there probably will never be any building fronting on it, since the space is short, and there is no probability that the street will be extended eastward to Massachusetts avenue through Out-lot numbered one hundred and eighty-three (183), such an extension being of no public benefit whatever, and entailing great expense and loss if made, to no purpose. This street was originally laid out and dedicated by Henry P. Coburn, with the expectation that it would be continued eastwardly to Massachusetts avenue, more than thirty-five years ago, and the same has not been opened or demanded, and is not needed or demanded for public use. A plat of said part of said street is filed herewith, and made a part hereof.

Your petitioners therefore respectfully pray that the said street between Ash street and the alley along the west side of Out-lot number one hundred and eighty-three (183), be vacated, and for all other proper relief.

John Coburn, The Connecticut Mutual Life Insurance Company, by Jos. A. Moore; Henry Coburn, Jos. A. Moore, Mary A. Coburn.

Councilman Thalman offered the following motion; which was adopted:

That the Board of Health be directed to investigate Kingan & Co.'s tanking department, and notify them that the intolerable smells arising therefrom must be abated.

Councilman Trusler offered the following motion; which was referred to the Committee on Bridges, with power to act:

That the Street Commissioner be instructed to repair the abutments and street adjacent to the bridge on Shelby street across Pleasant Run, in a permanent and durable manner.

Councilman Trusler presented the following proposition:

Indianapolis, Jan. 29, 1884.

To His Honor, the Mayor, and members of the Common Council, and

Board of Aldermen of the City of Indianapolis:

Gentlemen:—I see there is a great deal said about what to do with Pogues Run, and a great many plans have been suggested which are very good if carried out, but will cost many thousand dollars. I make the the following proposition: I will furnish the plans for the disposition of Pogues Run, and if said plans are worked to and carried out by the city authorities, will dispense with Pogues Run entirely, except that portion of the Run in the north-eastern portion of the city, providing the city pay me one thousand dollars for my plans in case they are practicable, and in case they are not so practicable, I am not to charge anything for my plans. The cost will be merely nominal compared to what has heretofore been suggested. It probably will cost from one hundred to two hundred dollars to test the practicability of the matter. I request that this matter be treated with respect at least, and not ridiculed until you know more about it.

Yours most respectfully,

SAMUEL LOVE.

Councilman Spahr moved to lay the proposition on the table.

Which failed of adoption, by the following vote:

AYES, 7—viz. Councilmen Benjamin, Dowling, Newcomb, Reinecke, Spahr, Wharton, and Wolf.

NAYS, 15—viz. Councilmen Cowie, Curry, Downey, Edenharter, Gallahue, Haugh Mack, Moran, McClelland, Pearson, Rees, Reynolds, Smither, Thalman, and Trusler.

The proposition was then referred to the Committee on Sewers and Drainage.

Councilman Cowie moved that the Common Council do now adjourn.

Which was adopted, by the following vote:

AYES, 12—viz. Councilmen Cowie, Downey, Doyle, Gallahue, Moran, McClelland, Newcomb, Pearson, Rees, Smither, Thalman, and Wharton.

NAYS, 11—viz. Councilmen Benjamin, Coy, Curry, Dowling Edenharter, Haugh, Mack, Reinecke, Spahr, Trusler, and Wolf.

His Honor, the Mayor, then declared the Common Council adjourned.

JOHN L. McMASTER, Mayor,

President of the Common Council.

Attest: GEO. T. BREUNIG, City Clerk.