

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—JANUARY 15, 1883.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, January 15th, A. D. 1883, at seven o'clock, in regular session.

PRESENT—Hon. Daniel W. Grubbs, Mayor, and *ex officio* President of the Common Council, in the Chair, and 22 members, viz: Councilmen Brundage, Bryce, Caylor, Cole, Coy, Dean, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

ABSENT 3—viz. Councilmen Bedford, Cowie, and Hartmann.

The proceedings of the Common Council for the regular session, held January 1st, 1883, and for the adjourned session, held January 5th, 1883, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

OPENING AND REFERRING SEALED PROPOSALS FOR PUBLIC IMPROVEMENTS.

Sealed proposals for making the below described street improvements, were opened, read, and referred to the Committee on Contracts:

(S. O. 156, 1882.) For grading, bowldering and curbing the gutters of Liberty street, from New York street to Michigan street.

(S. O. 176, 1882.) For grading and graveling the first alley west of Maxwell street, from Elizabeth street to Coe street.

REPORTS, ETC., FROM CITY OFFICERS.

The City Clerk submitted the following report:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report the following entitled affidavits now on file in my office, for collection of street assessments, by precepts, to-wit:

Fred. Gansberg vs. Stoughton J. Fletcher and Francis M. Churchman, for	\$17 92
John Schier vs. Franz X. Wimmer, for.....	4 00
John Schier vs. Franz X. Wimmer, for... ..	4 00

And recommend you order the precepts to issue.

Respectfully, Jos. T. MAGNER, City Clerk.

On motion, the above report was concurred in, and precepts ordered to issue by the following vote:

AYES, 13—viz. Councilmen Brundage, Bryce, Coy, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Mauer, Pearson, Pritchard, and Reichwein.

NAYS, 1—viz. Councilman Thalman.

The City Attorney submitted the following report:

Indianapolis, January 15, 1883.

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

Gentlemen:—The motion for a new trial in the case of Sarah Kingsbury, et al., vs. The City, has been overruled, and final judgment, so far as the lower court is concerned, entered in favor of the city. I do not believe an appeal will be taken, but the plaintiff's attorney informs me that his clients will most likely pay the costs and take a new trial as a matter of right. He also tells me that suits will be brought by the Davidson heirs to quiet title to other streets within the boundaries of the old Noble farm.

Since your last meeting, the case of Mason J. Osgood, Trustee, vs. The City and James A. Bruce, to quiet title to the Bruce farm, on Fall Creek—a portion of which was deeded, (or attempted to be deeded), to the city, by George Bruce, in 1873, for park purposes—has been tried before his honor, Judge Taylor, of the Superior Court, and decided in favor of the plaintiff. In addition to the many other weak points in the city's claim to this land, it was discovered after the trial had progressed for a day, that the city had never received any deed for the land. In other words, the deed which was made by George Bruce, was found to be to "The City of Indiana." The court very kindly allowed me to file a cross-complaint, even at that stage of the case, averring the misprision of the Notary in writing the deed, and asking a reformation thereof, and allowed me to show the intention of the grantor to make the deed to the city of Indianapolis; but the plaintiff also showed by the same witness, that the city never paid anything whatever for the conveyance; so that, if the court had otherwise felt inclined, the law would not have permitted it to make the reformation. But Judge Taylor put his decision on other grounds, holding that the city had no equity in her claim, having failed to improve the land for park purposes, as agreed, and having voluntarily deeded back some of the other pieces which were accepted on the same terms, without the consent of Bruce or his grantees. A new trial can be had as a matter of right, on the payment of costs. If this is desired by you, I ask instructions to that effect.

On last Thursday afternoon, too late for me to see but a small number of the members of your honorable bodies, I was notified by the Committee on Benevolent and Scientific Institutions of the House of Representatives, to meet with them at 7 o'clock that evening, at the consideration of the bill now pending before the Legislature for the construction of a sewer from the Female Reformatory to connect with the city's sewer on Washington street. The Reformatory management and the Government were both represented, and the impression seemed to prevail that the city was ready and willing to join with the State in the expense of building the sewer. Believing that a majority of your membership is opposed to paying one-half of the cost out of the city treasury, I took the position before the committee that the bill, as it now reads, ought not to be recommended. I tried to show the committee that the city has already done her share in constructing one-half or more of the line of sewer from the Reformatory to the River.

I respectfully suggest that you appoint a committee at once, to look after this matter, before the General Assembly, as speedy action of some kind will probably be had, which ought not to be allowed to pass without the city's interests and views being fully represented and presented.

Respectfully submitted,

C. S. DENNY, City Attorney.

On motion, the *first clause* of the above report was received.

On motion by Councilman Thalman, the City Attorney was instructed to take no further action on the matter as set forth in the *second clause*.

As to the *third clause*, Councilman Morrison offered the following motion; which was adopted:

That a committee of six (6) be appointed, said committee to consist of His Honor, the Mayor, City Attorney, City Civil Engineer, President of the Board of Aldermen and the Chairman of the Finance Committee of the Council and Board of Aldermen, to consult with the State and United States authorities, and report what can be done with regard to the matter, as requested by the City Attorney.

Councilman Thalman offered the following motion:

That the special sewer committee be instructed to agree with the State authorities that if they will put in a sewer, not less than 2½ feet, from the Reformatory to State and Ohio streets, and from thence to Pine and Washington streets a six (6) foot sewer, and a 7½ foot sewer from thence to East street, that the city will agree to extend the Washington street sewer to East street, and grant the free use of the sewer from thence to the river, and forever keep it in good repair.

Councilman Cole's motion to refer the above to the foregoing special committee, failed of adoption.

Councilman Weaver moved to reconsider the action by which the foregoing motion, as offered by Councilman Morrison, was adopted.

Which motion was adopted, and the action reconsidered.

On motion by Councilman Weaver, the motion as offered by Councilman Thalman, was referred to the special committee on Legislative matters.

REPORTS, ETC., FROM OFFICIAL BOARDS.

Councilman Bryce, in behalf of the Hospital Board, submitted the following report; which was received:

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

Gentlemen:—We present a short report in reference to the City Hospital matter, and the necessity for at once adopting some way of relief.

We take it for granted that every one who has been to the hospital, and examined for themselves, or who may have inquired into the matter at all, knows that in its present condition it is entirely unfit to carry out the object for which it is designed; and in very cold weather the greatest trouble exists in keeping the inmates warm. This is in consequence of the rickety and dilapidated condition of the frame portion of the edifice, although stoves are plenty, and a great deal of coal consumed. There is quite a difference of opinion in regard to the healthfulness of the present locality, and perhaps a more healthful location might be found; but according to the evidence, we find that those having most to do with the hospital, have the least to complain of its unhealthfulness. In witness, we suggest the following names: Drs. Harvey, Comingore, Eastman, Chambers, Marsee, Kitchen, and Van Vorhis, with our present Superintendent, Dr. Wishard. Four of these gentlemen have served as Superintendent, and if that is not sufficient, we will take the general result; and we find it to compare favorably with any other hospital in the country. Now we must conclude that there is not much in the claim of insalubrity of location set forth, or it is more than counterbalanced by superior medical skill, or something else. But if we wait until every supposed objection has been removed, and every person, from preacher or professor down, who may have an opinion on

this subject will be satisfied, we will never have an addition to the present hospital, nor a new hospital in any other location. There was a report extant that Mr. Simon Yandes intended making a donation of his property on the corner of South and Delaware streets for city hospital purposes, and so your board took the liberty of waiting upon him, and ascertained that he had given no cause for said rumor; and when asked if he would exchange the property in question for the present city hospital property, he refused to make the exchange, and further declines to offer the property for sale to the city, as he believes the city has no right to buy; and he also would wish to have the consent of the owners of the contiguous property. We consider this matter as closed, especially when we consider the valuation put upon the property, which is in the neighborhood of twenty-five thousand dollars.

There are some great advantages in the present location over any one more centrally situated, that have never been taken into consideration; such as its complete retirement, its freedom from dust and all disagreeable noises, and its fine, spacious grounds, which, shaded by trees and bushes, render it particularly pleasant and attractive to the invalid and the convalescent patient, tending to hasten their cure.

The board calls attention to the plan recommended by Dr. Wishard, and approves it, namely, in erecting and maintaining a few rooms at the City Dispensary, to be used as a receiving hospital for cases that might be injured by removal to the hospital proper—such as railroad and other severe accidents, and cases of great physical prostration. The board have carefully considered all questions bearing on this matter *pro* and *con*, and conclude the only thing practicable, is to proceed with the improvements we have heretofore recommended.

Very respectfully yours,

Peter F. Bryce,
H. J. Mauer,
C. T. Bedford,
Hospital Board.

Councilman Bryce presented the following communication; which was received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We would respectfully call your attention to the proposition now pending before your honorable body, relative to the erection of a new City Hospital upon the site now occupied by the old hospital buildings. We desire to say that this is a question to which we have given the most careful and earnest attention, and call your especial notice to the following facts, viz:

The present location presents many advantages not to be obtained elsewhere. Among those that are especially essential to the location of a good hospital, are large and well-situated grounds, direct sewerage into a stream of constantly running water, and freedom from noise and dust, and the many other disadvantages and annoyances so incident to a centrally located hospital. The only advantage that could possibly accrue from a change of location, is the accessibility of a central location for emergency cases; and this is fully provided for by the plan heretofore recommended by the present Superintendent of the Hospital, viz: that a few rooms be erected and properly equipped for a receiving hospital in connection with the City Dispensary, for cases too badly injured or sick for immediate transportation to the hospital. Even if this is not done, it is, in our judgment, far better to place the new hospital buildings upon the present site than elsewhere. We do not believe the present location is now more subject to the prevalence of malarial diseases than any other obtainable location. It cannot be too strongly emphasized that the surroundings of the present hospital are far better at present than they ever have been, and they will constantly be improved. With the thorough drainage proposed of the hospital grounds, and the erection of the substantial buildings—the plans of which we have carefully examined and fully approve—we believe our city will be furnished with as good hospital accommodations as will be needed for many years.

We respectfully submit that the names attached to this petition represent more service and experience in connection with the present City Hospital, than is repre-

sented by the same number of names to be obtained in the profession of this city; and we ask that it receive your most careful and earnest consideration. Hoping that the contract for the erection of the new building now pending before your honorable body, will receive immediate favorable action,

We are, respectfully,

R. N. Todd, M. D.; T. B. Harvey, M. D.; F. J. Van Vorhis, M. D., ex-Superintendent of City Hospital; John M. Kitchen, M. D., Surgeon in charge, 1861-1865, (during the war); P. H. Jamison, M. D.; Jno. A. Comingor, M. D.; Joseph A. Eastman, M. D.; J. W. Marsee, M. D., ex-Sup't. of City Hospital; Henry Jameson, M. D.; E. Hadley, M. D., ex-Sup't. of City Hospital; Ira Doan, M. D., ex-House Physician of City Hospital; John Chambers, M. D.; A. B. Lewis, M. D., W. H. White, M. D., present House Physicians.

Councilman Bryce moved that the contract be awarded to Peter Routier, at the price and according to the plans, etc., as presented by the report of the Hospital Board (see pages 590 and 591, *ante*).

Councilman Dowling requested the privilege to withdraw the minority report of a certain special committee, as presented by him, (see page 659, *ante*); which request was granted.

The motion as offered by Councilman Bryce, was then adopted by the following vote:

AYES, 16—viz. Councilmen Brundage, Bryce, Caylor, Cole, Egger, Fultz, Knodel, Mauer, Morrison, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS, 6—Councilmen Coy, Dean, Dowling, Harrold, Koller, and Pearson.

Councilman Ward, in behalf of the Dispensary Board, submitted the following report; which was received, and the annual report ordered printed in compiled book of annual reports:

To His Honor, the Mayor, and Common Council:

Gentlemen:—We herewith submit the annual report of Dr. J. J. Garver, Superintendent of the City Dispensary. In submitting the same, we would state that the Dispensary seems to be growing in the favor of those for whose benefit the charity was intended, as is evidenced by an increase from year to year of the number of sick poor applying for medical treatment. As the city grows in population, there is also an increase in the number of sick poor, and necessarily some increase in the annual expense of the Dispensary.

By figures furnished us by the Superintendent from the various yearly reports, we find during the year ending May 31st, 1880, that 3,472 patients were treated, at an expense of \$2,278.03. During the year ending May 31st, 1881, 3,599 patients were treated at an expense of \$2,900.57, and for the year ending May 31st, 1882, 7,554 persons were treated, including 1,560 persons vaccinated, at an expense of \$3,231 16. The County Commissioners give annually \$1,500 towards defraying the expenses of the Dispensary, making the expense to the city very light.

In the opinion of your board, the sick poor are as well or better treated, and at less expense, than by the contract system, adopted in the county, outside of the city, or perhaps by any other plan.

Respectfully submitted,

B. Ward,
John Egger,
B. W. Cole,
Dispensary Board.

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

Report of Deaths in the City of Indianapolis, from the 31st day of December, 1882, to the 15th day of January, 1883.

Under 1 year.....	14
1 to 2 years.....	2
2 to 5 ".....	2
5 to 10 ".....	2
10 to 15 ".....	1
15 to 20 ".....	4
20 to 25 ".....	4
25 to 30 ".....	2
30 to 40 ".....	4
40 to 50 ".....	2
50 to 60 ".....	2
60 to 70 ".....	12
70 to 80 ".....	2
80 to 90 ".....	2
90 to 100 ".....	1
100 and upwards.....	0
Unknown.....	0
Total.....	56

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

REPORTS FROM STANDING COMMITTEES.

The Committees on Accounts and Claims, and Judiciary, through Councilman Brundage, submitted the following report; which was concurred in:

Indianapolis, Jan. 15th, 1882.

To the Mayor and Common Council:

Gentlemen:—Your Committees on Claims and Judiciary, to whom was referred petition of David V. Burns, showing that from January 1st, 1882, to June, 1882, he rendered legal services for the city—assisting the City Attorney in the preparation and trial of several large and very important suits against the city—and that the services rendered were well worth \$687.50.

This is the only extra assistance given the City Attorney, for which the city has been asked to pay; and we therefore recommend the claim be allowed and paid. The City Attorney has, during his entire term, given half his salary for assistance, and we think it but right that the city should pay for this extra service rendered from January to June, 1882, when his salary was about \$1,500 per year.

Respectfully submitted,

Ed. Brundage,
John Egger,
Committee on Claims.

James Pritchard,
N. Yoke,
John W. Fultz,
Judiciary Committee.

The Committee on Judiciary, through Councilman Pritchard, submitted the following report; which was concurred in:

Indianapolis, January 15, 1883.

To the Mayor and Common Council:

Gentlemen: Your Judiciary Committee, together with the City Attorney, to whom was referred sundry papers, report thereon as follows, to-wit:

The first is the petition of F. McWhinney, showing that on February 9, 1880, at city tax sale, he bought the following lots:

Lot 21, Square 26, Bell's sub-division Johnson's addition	\$12 25
Lot 26, Square 26, Bell's sub-division Johnson's addition.....	12 25
Lot 27, Square 26, Bell's sub-division Johnson's addition.....	12 25
Lot 28, Square 28, Bell's sub-division Johnson's addition.....	13 54

\$50 29

And subsequently paid taxes, on January 4, 1881, on four lots, of... 11 78

Total.....\$62 07

Petition shows further that all of said property was taxed double on the duplicate, and taxes paid in name of *one* and sold in the other.

City Treasurer informs your committee that the facts stated in petition are true.

We therefore recommend that \$62.07, with interest from dates of payment, be refunded to petitioner.

The second is the petition of S. A. Fletcher & Co., showing that on February 9, 1880, at city tax sale, they purchased Lot 7, in Wooten's sub-division of A. E. Fletcher's second addition, for the sum of \$21.67, and deed was made to same under said sale, May 9, 1882, costing petitioners further sum of \$2.35

Further, that on February 21, 1881, said Lot 7 was condemned and appropriated by the city for a public street, and called *Newman* street.

The City Assessor informs your committee that the facts stated in petition are true.

We therefore recommend the following sums be refunded to petitioners, to-wit:

February 9, 1880, paid	\$21 67
January 9, 1883, interest to date.....	3 90
May 9, 1882, deed and recording the same.....	2 35
January 9, 1883, interest, eight months	10

Total.....\$28 02

The third is the petition of S. A. Fletcher & Co., showing that at city tax sale, February 9, 1881, they bought

Lots 19 and 21, Kapp's sub-division Morris' addition, for..	\$15 50
Subsequent taxes paid.....	13 55

Total.....\$29 05

Interest, 6 per cent., to date

5 90

\$34 95

Also purchased Lot 21, same addition, February 12, 1881, paying...\$ 8 83

Subsequently paid..... 12 82

\$21 65

Interest, 6 per cent., to date..... 3 89

\$25 54

Petitioners ask that the two sums \$34.95 and \$25.54 be refunded, for the reaso

that all of said lots were forfeited to the State under a school fund mortgage, March 24, 1879. Our Supreme Court has decided that on property in this condition all taxes are wiped off, accruing between the date of the mortgage and date of deed to State.

We therefore recommend that the two sums, \$34.95 and \$25.54, be refunded to petitioners.

The fourth is the petition of S. A. Fletcher & Co, showing the same state of facts as to Lot 19, Square 8. south-east addition, as set out in item 3 of this report.

Petitioners are entitled to purchase price at tax sale, taxes subsequently paid, including interest on same, all amounting to \$36.22.

We recommend that the sum of \$36.22 on this account be refunded to petitioners.

The fifth is the petition of S. A. Fletcher & Co., showing that on February 11, 1880, they purchased, at city tax sale, the "west one half of one hundred feet on Wisconsin street, west of Lot 32, C. & C. Railroad Co.'s addition," paying the sum of \$51.88. Taxes subsequently paid and interest to date brings the sum up to \$71.57. This sum they ask to have refunded, for the reason that the above described property was a *myth*; that Elliott & Butler had tried to make an abstract of title to same and failed, there being no such property as above described.

The City Assessor informs your committee that the same described property has been on the city tax duplicate since 1865, in name of M. Mayer, and that he has paid taxes on same up to 1879, when he allowed it to go delinquent, and in February, 1880, the same was sold for taxes as his property to these petitioners.

Your committee recommend that this matter be referred to the City Civil Engineer and City Assessor, with instructions to locate and fix boundaries of same, if possible.

The sixth is a motion that John J. Cooper be given permission to connect with the Reid street sewer for the purpose of draining surface water, he paying the customary fee for such privilege.

We recommend that the motion be passed.

The seventh is the matter of employing some person to hunt up property not returned for taxation, and ascertain the best terms we could for doing said work.

We report the following bids received, to-wit:

Henry C. Campbell, 16½ per cent. of the amount of taxes collected.

Terrell Patterson, 15 per cent. of the amount of taxes collected.

J. W. Whorten, 14 per cent. of the amount of taxes collected, and to be paid when the taxes are paid in on the property found.

We recommend that the contract be given to J. W. Whorten, he being the lowest and best bidder.

Respectfully submitted,

James A. Pritchard,
N. Yoke,
John W. Fultz,
Judiciary Committee.

C. S. DENNY, City Attorney.

The Committee on Streets and Alleys, through Councilman Weaver, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom sundry papers were referred, would report:

The first is S. O. 170, 1882. An Ordinance to provide for paving the sidewalks of Merrill street, from East street to Virginia avenue, together with petition for same.

Recommend said ordinance be passed.

The second is S. O. 159, 1882. An ordinance to provide for paving and curbing the north sidewalk of Louisiana street, from East street to Noble street, together with a remonstrance against said improvement.

Recommend said ordinance be passed.

The third is a petition of Francis S. Chatard et al, asking for the vacation of an alley between Lots 14 and 15, Wishmeiers and Peele's sub-division of Out-lot No. 49, together with a remonstrance against said proposed vacation, and bond for payment of all damages by said petitioners.

Your committee believe the bond is good and sufficient, but do not believe said vacation should be made. Therefore recommend that the prayers of the petitioners be not granted.

The fourth is a motion adopted by the Board of Aldermen, October 23, 1882, that the Street Commissioner be directed to clean the gutters on Wilkins street, between Chestnut and Mulberry streets, so as to carry off the water on said street.

Recommend that the work be done as soon as the weather is favorable.

Respectfully submitted,

George Weaver,
B. W. Cole,
Sim. Coy,

Committee on Streets and Alleys.

The Committee on Streets and Alleys, through Councilman Weaver, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition of John Wachter, Jr., E. C. Sewall, et al, asking that seven and one-half ($7\frac{1}{2}$) feet off of the north side of lot number seven (7), McQuat's addition, be condemned for alley purposes. We recommend the prayer of the petitioners be granted, and the accompanying resolution adopted.

Respectfully submitted,

George Weaver,
Sim. Coy,
B. W. Cole,

Committee on Streets and Alleys.

The following resolution, presented with the above report, was read:

Resolved, That the petition of John Wachter, Jr., E. C. Sewall, Ovid D. Butler, James Stevenson, I. H. Stevenson, W. C. Hobbs and J. S. Smith, praying for the laying out and opening of the alley on the north side of lot seven (7) of McQuat's addition to the city of Indianapolis, between Seventh street and Lincoln avenue, from Park avenue to first alley east, together with the plat, petition, etc., be referred to the Commissioners, with instructions to assess benefits and damages, and to make due report; and that for the purpose of such opening, the Common Council do propose to appropriate such real estate and property as may be necessary therefor.

The said Commissioners are instructed to return, as part of their report, all petitions and notices. The City Clerk is hereby directed to issue, and the City Marshal to serve, the proper notices upon the City Commissioners; and the petitioners are hereby required to serve the proper notices upon all interested parties as may be designated by the City Commissioners.

And it was adopted by the following vote:

AYES, 19—viz. Councilmen Brundage, Bryce, Caylor, Cole, Dean, Egger, Fultz, Harrold, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Weaver.

NAYS—None.

By consent, Councilman Morrison offered the following resolution:

WHEREAS, A bill has been introduced in the House of Representatives of this State, by a member of the Marion County delegation, providing for a Metropolitan Police System for the city of Indianapolis; said bill provides for a very large increase over the amount now paid by the city for its Police Department, amounting to thirty-eight thousand dollars per annum in excess of the amount now paid by the city of Indianapolis;

Whereas, The Constitution of the State, Section 220, of the Revised Statutes, by its provisions, limits the city from ever becoming indebted, in any manner, or for any purpose, to an amount in the aggregate exceeding two (2) per centum on the value of its taxable property; the indebtedness of the city is now more than two (2) per cent. of her taxables, therefore, with the constitutional provision, and the law of 1877, we, as a Council, cannot, in any manner, increase the debt of the city, or make proper levy to maintain said police system.

Whereas, The city of Indianapolis is much more in need of legislation providing for a special levy for Sinking Fund, in order that proper provisions may be made looking to the payment of her debt, as the rate of interest now paid by this city costs the citizens and tax payers more per annum than the entire cost of the Police and Fire Departments of the city.

Whereas, A committee of the Council, with a like committee from the Board of Aldermen, have reported to the Council that the City Hospital, now in use, is totally unfit for hospital purposes, and that the foundation, roof, weatherboarding and floors are old and decaying, and that said building should be torn down, that said buildings are unfit to furnish protection to the sick, from rain and cold, and provision must be made for the erection of a new City Hospital.

Whereas, The citizens and tax payers are now demanding of the city government that the streets be kept in proper repair, and when once they make the streets, by ordinance, that it then becomes the duty of the city to keep said streets in a good and safe condition; and in order to do this, expenses in the Police Department must not be increased.

Whereas, Petitions have been presented asking the city to erect a Market House and City Hall, and other improvements are also demanded of the city, providing for a Work House, and the purchase of burial grounds; said improvements have not, or cannot be made, owing to the limited amount of revenue derived from taxation, after the annual interest is paid; therefore; be it

Resolved, by the Common Council and Board of Aldermen of the city of Indianapolis, that we most respectfully ask the Legislature not to pass the law providing for a Metropolitan Police System, creating an increase of the present force, and that if said bill is passed, that the Legislature provide in said bill for the State to make provision for the payment of said Metropolitan System; and that the City Clerk be directed to prepare a copy of this preamble and resolution, and have the same properly presented before the State Legislature.

And it was adopted by the following vote;

AYES, 17—viz. Councilmen Brundage, Bryce, Caylor, Cole, Dean, Egger, Knodel, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS, 5—viz. Councilmen Coy, Dowling, Fultz, Harrold, and Koller.

Councilmen Coy and Dowling were excused for the remainder of this session.

By consent, Councilman Egger offered the following motion; which was adopted:

WHEREAS, Under the resolution adopting the City Commissioners' report in regard to the widening and straightening of East street, at the intersection of Morris street, no money has or can be tendered to Mrs. Powers for her property to be taken for said improvement; *And whereas*, no bond has yet been executed by the petitioners to save the city harmless on account of the condemnation of said property; *And whereas*, the husband of Mrs. Powers is detained in Boston, Mass., by a broken limb, and cannot return home before April; therefore,

Moved, That the city officers take no further steps toward the condemnation of said property, or opening of said street, till the further order of the Council and Board of Aldermen.

REPORTS FROM SELECT COMMITTEES.

Councilman Ward, in behalf of a certain select committee, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen.—Your joint select committee, appointed by Council and Board of Aldermen in August last, to examine and destroy all cancelled city warrants up to January 1, 1877, would respectfully report: That with the assistance of Deputy City Clerk Geo. T. Breunig, the said cancelled warrants were examined and destroyed by burning them on January 6, 1883.

Respectfully submitted,

B. Ward,
H. B. Stout,
John W. Fultz,
Council Committee.

Councilman Weaver, in behalf of a certain select committee, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen.—Your Committee on Insecure Buildings, to whom G. O. 70, 1881, was referred, together with certain amendments offered March 6th, 1882, after careful examination of said ordinance and proposed amendments, recommend said amendments be placed in the ordinance, and the ordinance passed.

Respectfully submitted,

George Weaver,
Frederick Hartmann,
H. B. Stout,
Committee on Insecure Buildings.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read; and, on motion, the Common Council adhered to their former action:

To the Mayor and Common Council:

Gentlemen.—The Board of Aldermen, in regular session held in the Aldermanic Chamber, Monday evening, January 8th, 1883, referred the following motion back to the Common Council, with the recommendation that the Chief of Police be instructed to notify the property owners:

"That the Street Commissioner be instructed to notify the property owners on Fletcher avenue to clean the dirt from the sidewalk, between Dillon and Olive streets; and if not done in ten days, to do the work, and collect from the property owners."

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read; and, on motion, was referred to the Committee on Contracts:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber Monday evening, January 8th, 1883, concurred in your action of September 18th, 1882, in adopting the following motion, after amending the same by adding thereto, so as to read as follows:

"That hereafter, all bonds given for the performance of any contract for street, sewer or like improvement, shall be for one-third more than the estimated cost of the improvement; and in no case shall the contractor be required to give a bond to exceed that amount.

"And every contract and bond shall contain a provision for liquidated damages in the sum of ten (10) per cent. of the amount of said contract for failure to comply with its provisions."

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read; and, on motion, the Common Council adhered to their former action:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session held in the Aldermanic Chamber Monday evening, January 8th, 1883, non-concurred in your action in recommending that the taxes be refunded to the following persons, for the reason "that the city is not in any sense the guardian of their investments, and in granting certificates, does not give any warranty whatever."

S. A. Fletcher & Co., Lots 38 and 39, in McGill's subdivision of Square 93; certificate 14,380. (See page 712, *ante*.)

Wm. C. Anderson, part of Lot 37, Square 10, southeast addition, and Lot 34, Woodruff's subdivision Morris' addition. (See page 712, *ante*.)

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read; and, on motion, was referred to the Committee on Streets and Alleys:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber January 8th, 1883, concurred in your action as to the vacation of a portion of Sanders street, with the recommendation that *ten* feet on each side of said street be vacated, instead of *fifteen* feet; and further amended the resolution, referring the matter to the City Commissioners, by adding the following:

"Resolved, further, That said Commissioners be, and they are hereby, directed to carefully estimate and submit as a part of their report, the cash value of the ten feet of ground acquired by each property owner on said street, respectively, by reason of said vacation, if finally made and approved."

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

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 Brundage, for Dowling:

S. O. 1, 1883—An ordinance to provide for grading and graveling the alley between Illinois and Eddy streets, running from the first alley south of Garden street to Rogue's Run.

By Councilman Yoke:

G. O. 2, 1883—An ordinance requiring the Cincinnati, Indianapolis, St. Louis and Chicago Railroad Company to station and maintain a flagman at the intersection of said company's track and Pine street.

Councilman Yoke presented the following petition; which was referred to the Committee on Railroads:

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

Gentlemen:—The undersigned would respectfully represent and show to your honorable body, that they are desirous of procuring the Cincinnati, Indianapolis, Saint Louis & Chicago Railway Company to lay a switch alongside their main track in front of the premises occupied by your petitioner, to-wit: Lots 15 to 24, inclusive, in the Indianapolis, Cincinnati & Lafayette R. R. Co's addition to the city of Indianapolis; that such switch would cross Pine street, in the city of Indianapolis; and your petitioner would humbly pray for authority to construct said switch across said Pine street.

A sketch of said premises is hereto attached, so as to give a better idea of the same. And as in duty bound, your petitioner will ever pray, etc.

EDWARD WILLIAMS,
per N. Yoke.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Bryce offered the following motion; which was adopted:

That two patrolmen be specially appointed to attend to the enforcing of the ordinance regulating the running of trains inside of the city limits; that one of said officers be taken from the Park Policemen, and the other from the regular force.

Councilman Koller offered the following motion; which was referred to the Committee on Streets and Alleys:

That the City Civil Engineer be, and is hereby, directed to prepare plans and specifications, and advertise for sealed proposals for the erection of an iron railing to be placed on the north end of Washington street culvert over Pogue's Run.

Councilman Harrold was excused for the remainder of this session.

Councilman Morrison presented the following petition and motion; which were referred to the Judiciary Committee:

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

Gentlemen:—Your petitioner, James Mahoney, was awarded a contract for grading and graveling the first alley south of Prospect street, from Olive street to Laurel street; and it appears from an estimate allowed for said work, that an assessment was made against Lot seven (7), Square three (3,) in the name of Thomas C. Reading, for \$32.65. A precept was laid on said lot, and there were no bidders, for the reason that the State held a lien on said lot, and the property was forfeited to the State, leaving me no recourse whatever to recover my claim against the said property. I therefore petition your honorable bodies to make good to me the said sum of \$32.65, assessed against said property; and your petitioner will ever pray.

JAMES MAHONEY.

That the above petition be, and is hereby, granted, and that the amount be included in the next appropriation ordinance.

Councilman Pearson offered the following motion; which was referred to the Committee on Public Property, with power to act:

That the express men who stand on Circle street, be allowed to erect a small building, at their own expense, in Circle Park, south side, just west of the Meridian street entrance, for the purpose of placing a few benches and stove therein, in order to keep them warm during the winter months; said building to be removed by the express men on the first day of April, 1883.

Councilman Stout presented the following invitation; which was accepted:

Invitation to the members of the Council and other city officers, to attend the Shooting Match, this, Friday afternoon, January 19th inst., given by the Henry Clay Club, at 2 P. M., the north end of Ash street.

Councilman Thalman presented the following petition; which was referred to the Board of Public Improvements:

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

Gentlemen:—The undersigned respectfully represents that he is the owner of the houses numbered 117 and 119, on the east side of south Illinois street; that in last September or October, in pursuance of an order of the city authorities, he had the pavement in front of said property re-laid, and put in complete and perfect order; that in the very next month the same was torn up by John Schier, who claims to have acted under an authority from the city, and is now asking pay from your petitioner for said work. Your petitioner respectfully represents that if anything is to be paid Mr. Schier, it should be paid by the city, as your petitioner had the work done as ordered by the city, and has fully paid for the same. The order above referred to is attached to this petition, and herewith submitted.

Very respectfully,

January 15, 1883.

WM. H. ENGLISH.

Councilman Ward offered the following motion; which was adopted:

That the Police be instructed by the Chief, to batter enforce the ordinances of the city against persons depositing ashes and garbage in the streets and alleys.

Councilman Yoke presented the following petition; which was referred to the Committee on Public Light, with power to act:

Indianapolis, Dec. 30, 1882.

To the Common Council and Board of Aldermen:

Gentlemen:—The undersigned, residents of Huron street, most respectfully petition your honorable bodies to re-light the lamp in front of No. 207, Huron street and extinguish the lamp in front of, or near No. 190, Huron street.

Your petitioners believe that the above would make a fair distribution of light on this part of the street.

George W. Coffin, 207; David Heistand, 211; J. T. Shepard, 215; Elizabeth Greene, 217; Mrs. Amanda Mendenhall, 229; John E. Preston, 197.

On motion, the Common Council then adjourned.

DANIEL W. GRUBBS, Mayor,
President of the Common Council.

Attest: JOS. T. MAGNER, City Clerk.