

# PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—FEBRUARY 2, 1885.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, February 2d, A. D. 1885, 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 21 members, viz: Councilmen Benjamin, Coy, Curry, Dowling, Doyle, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf.

**ABSENT**, 4—viz. Councilmen Cowie, Downey, Moran, and Rees.

The Proceedings of the Common Council for the regular session, held January 19th, 1885, 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 the following street improvements, and for painting bridges, were opened, read, and referred to the Committee on Contracts:

(S. O. 77, 1884)—For grading and bowldering the roadway of Alabama street, from Pogue's Run to the C., I., St. L. & C. Railroad tracks.

(S. O. 91, 1884)—For grading and graveling Beecher street and sidewalks, from Shelby street to the first street east of Shelby street.

(S. O. 129, 1884)—For grading and graveling the first alley north of Third street, from West street to the first alley west of West street.

(S. O. 145, 1884)—For grading and graveling the first alley south of St. Joseph street, from Illinois street to the first alley east of Illinois street.

(S. O. 147, 1884)—For grading and paving with brick, the south sidewalk of Brookside avenue, from Clifford avenue to Omer street.

(S. O. 149, 1884)—For grading and graveling the first alley south of Brookside avenue and Omer street, from Clifford avenue to its eastern terminus.

For painting Shelby and Olive street bridges over Pleasant Run, according to specifications on file in the office of the City Civil Engineer, in Specification Record No. 1, page 112.

## REPORTS FROM COMMITTEE ON CONTRACTS.

Later in the session Councilman Newcomb, in behalf of the Committee on Contracts, submitted the following report:

sig. 8.

[ 59 ]

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

*Gentlemen:*—Your Committee on Contracts and Chief Fire Engineer, to whom was referred the proposals for veterinary services (attendance and medicines) for fire department horses for the year 1885, have examined the same and find them to be as follows:

|                        |                  |
|------------------------|------------------|
| John N. Navin.....     | \$245 per annum. |
| Wm. H. Gribble.....    | 240 per annum.   |
| John Elliott.....      | 180 per annum.   |
| E. H. Pritchard.....   | 180 per annum.   |
| L. A. Greiner, Sr..... | 140 per annum.   |

We recommend that the above contract be awarded to John Elliott, we deeming him the best bidder.

Respectfully submitted,

W. C. Newcomb,  
P. J. Doyle,  
M. M. Reynolds,  
Committee on Contracts.

J. H. WEBSTER, Chief Fire Engineer.

Which was concurred in, by the following vote:

**AYES, 16**—viz. Councilmen Benjamin, Curry, Dowling, Doyle, Edenharter, Galahue, Haugh, Mack, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Shepard, Trusler, and Wolf.

**NAYS, 1**—viz. Councilman Spahr.

#### REPORTS, ETC., FROM CITY OFFICERS.

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

To the Mayor, Common Council and Board of Aldermen :

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

Contract and bond of H. C. Roney, for grading and graveling the first alley west of West street, from Michigan street to North street. Bond, \$300.00; surety, Geo. W. Seibert, Sr.

Contract and bond of J. L. Spaulding, for grading and paving with brick, the sidewalks of California street, from Pratt street to First street. Bond, \$600.00; surety, H. C. Roney.

Contract and bond of Fulmer & Seibert, for grading and graveling the first alley south of North street, from West street to California street. Bond, \$400.00; surety, Hiram Seibert.

Contract and bond of Fulmer & Seibert, for grading and graveling Orange street and sidewalks, from Spruce street to Reid street. Bond, \$1,800.00; surety, Hiram Seibert.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The City Civil Engineer submitted the following report; which was referred to the Committee on Sewers and Drainage:

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

*Gentlemen:*—January 5th and 12th, you passed S. O. 141, 1884, providing for the construction of a two-foot brick sewer in and along Morris street, from Chestnut street to Madison avenue. By Section 1 of said ordinance, house connections are provided for. By Section 3, the adjoining property to the street through said sewer is proposed to be built, is made assessable to the amount of one dollar and fifty cents per lineal foot. By the terms of Sections 1 and 3, it is implied that the sewer is to be built for carrying sewage; and as this sewer is proposed to empty into the Madison avenue sewer, thence into the Ray street sewer, and finally into Pogue's Run, the emptying of house sewage into Pogue's Run, an open stream,

would be a violation of the ordinance upon that subject. Therefore, upon consultation with the City Attorney and City Clerk, I have thought it advisable not to prepare specifications for said sewer until I had informed you of the facts, and asked your instructions.

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

The City Civil Engineer and Chief Fire Engineer submitted the following report; which was received, amount approved, and ordered inserted in the appropriation ordinance:

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—On December 15th, 1884, and January 12th, 1885, you directed us to procure plans for an Engine House, to be built upon the city's Prospect street lot. We desire to report that we have had prepared the plans and specifications complete, ready to receive bids upon, and the same are herewith submitted for your approval. We desire to report further, that the cost of preparing the plans, has been seventy-five dollars (\$75 00), which we have endorsed, and recommend the same be inserted in the appropriation ordinance.

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

J. H. WEBSTER, Chief Fire Engineer.

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 treasury during the month of January, 1885, viz:

|                                       |           |                     |
|---------------------------------------|-----------|---------------------|
| Board of Health.....                  | \$ 153 48 |                     |
| Bridges.....                          | 116 65    |                     |
| City Assessor's Department.....       | 74 25     |                     |
| City Civil Engineer's Department..... | 187 60    |                     |
| City Dispensary.....                  | 304 96    |                     |
| City Hall.....                        | 719 17    |                     |
| City Hospital and Branch.....         | 1,692 73  |                     |
| City Hospital additions.....          | 4,564 25  |                     |
| City Treasurer's per centage.....     | 132 50    |                     |
| Fire Department.....                  | 5,694 92  |                     |
| Gas.....                              | 5,574 33  |                     |
| Incidental.....                       | 69 03     |                     |
| Judgments and costs.....              | 18 40     |                     |
| Market-Masters' fees.....             | 250 73    |                     |
| Parks.....                            | 126 40    |                     |
| Police.....                           | 4,839 69  |                     |
| Printing.....                         | 599 82    |                     |
| Salary.....                           | 5,563 50  |                     |
| Sewers.....                           | 145 28    |                     |
| Station House.....                    | 339 21    |                     |
| Street improvements.....              | 749 70    |                     |
| Street openings and vacations.....    | 562 25    |                     |
| Street repairs.....                   | 816 84    |                     |
| Taxes refunded.....                   | 10 20     |                     |
|                                       |           | \$ 33,305 89        |
| School fund.....                      | \$ 420 46 |                     |
| Sinking fund.....                     | 57 33     |                     |
|                                       |           | 477 79              |
| <b>Total.....</b>                     |           | <b>\$ 33,783 68</b> |

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, 1885.*

RECEIPTS.

|  |    |           |
|--|----|-----------|
| From auction licenses.....                       | \$ | 45 00     |
| From benefits.....                               |    | 73 73     |
| From coal licenses.....                          |    | 16 00     |
| From dog licenses.....                           |    | 2 25      |
| From express licenses.....                       |    | 29 00     |
| From fines and fees.....                         |    | 380 75    |
| From hack licenses.....                          |    | 114 00    |
| From huckster licenses.....                      |    | 6 00      |
| From liquor licenses.....                        |    | 572 00    |
| From Market-masters' fees.....                   |    | 346 89    |
| From market rents.....                           |    | 6 88      |
| From peddlers' licenses.....                     |    | 23 00     |
| From promiscuous.....                            |    | 9 00      |
| From sale of old material—(Fire Department)..... |    | 14 80     |
| From show licenses.....                          |    | 25 00     |
| From taxes current.....                          |    | 11,782 42 |
| From taxes delinquent.....                       |    | 5,742 76  |
|  |    | <hr/>     |
| Total.....                                       | \$ | 19,189 48 |
| Balance on hand January 1st, 1885.....           |    | 68,871 84 |
|  |    | <hr/>     |
|  | \$ | 88,061 32 |

DISBURSEMENTS.

|   |    |           |
|---|----|-----------|
| For Board of Health.....                  | \$ | 151 48    |
| For bridges.....                          |    | 116 65    |
| For City Assessor's department.....       |    | 74 25     |
| For City Civil Engineer's department..... |    | 190 60    |
| For City Dispensary.....                  |    | 305 46    |
| For City Hall.....                        |    | 269 17    |
| For City Hospital and Branch.....         |    | 6,140 58  |
| For Fire Department.....                  |    | 5,687 66  |
| For gas.....                              |    | 5,574 33  |
| For incidentals.....                      |    | 51 03     |
| For judgments and cost.....               |    | 18 40     |
| For Market-Masters' fees.....             |    | 234 05    |
| For parks.....                            |    | 126 40    |
| For police.....                           |    | 4,837 19  |
| For printing.....                         |    | 600 02    |
| For salary.....                           |    | 5,488 50  |
| For school fund.....                      |    | 2,0 5 53  |
| For sewers.....                           |    | 145 28    |
| For sinking fund.....                     |    | 57 33     |
| For Station Houses.....                   |    | 338 56    |
| For street improvements.....              |    | 693 54    |
| For street openings and vacations.....    |    | 526 25    |
| For street repairs.....                   |    | 802 13    |
| For taxes refunded.....                   |    | 10 20     |
|   |    | <hr/>     |
| Total.....                                | \$ | 34,464 59 |
| Balance on hand February 1st, 1885.....   |    | 53,596 73 |
|   |    | <hr/>     |
|   | \$ | 88,061 32 |

TOMLINSON ESTATE.

|   |              |
|---|--------------|
| Balance on hand January 1st, 1885.....  | \$ 64,901 78 |
| Balance on hand February 1st, 1885..... | \$ 64,901 78 |

ADDITIONAL CITY HALL FUND.

|   |              |
|---|--------------|
| Balance on hand January 1st, 1885.....  | \$ 45,749 94 |
| Balance on hand February 1st, 1885..... | \$ 45,749 94 |

SINKING FUND.

|   |              |
|---|--------------|
| Balance on hand January 1st, 1885.....  | \$ 30,845 91 |
| From December taxes.....                | 57 33        |
|   | \$ 30,903 24 |
| Balance on hand February 1st, 1885..... | \$ 30,903 24 |

Respectfully submitted,

I. N. PATTISON, City Treasurer.

To GEO. T. BREUNIG, City Clerk.

The City Clerk submitted the following report:

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—I herewith report the following entitled affidavit now on file in my office for the collection of street improvement assessment, by precept, to wit:

David A. Haywood vs John Wands, for..... \$13 20  
 Respectfully submitted, GEO. T. BREUNIG, City Clerk.

Which was received, and the precept ordered to issue, by the following vote:

**AYES**, 14—viz. Councilmen Coy, Curry, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson. Reinecke, Reynolds, Trusler, Wharton, and Wolf.

**NAYS**—None.

The City Attorney submitted the following report; which was received, and the suggestion in the sixth clause approved:

To the Common Council and Board of Aldermen:

*Gentlemen:*—The following cases, in which the city was interested, have been disposed of during the past two weeks:

1. Mary A. Schwab vs. The City et al., seeking to quiet title to real estate as against a street opening assessment. Dismissed by the plaintiff as to the city, and judgment rendered in favor of the city for costs.
2. C. F. Rafert vs. The City et al., the city being a party for same reason as in the foregoing case. Same disposition and result as above.
3. Robert G. Wilson vs. The City and certain Railroad companies, claiming \$5,000 damages for personal injuries received in falling over Pogue's Run embankment at East street, a few weeks ago, when changes were being made in grade, &c, at that point. Judgment has been rendered in favor of the city on settlement of law questions in her favor on demurrer.
4. The judgment of the General Term of the Superior Court in the suit by the members of the Fire Board against Chief Fire Engineer Webster, has been affirmed in the Supreme Court.
5. In the case of Joshua L. Fatout vs. The School Board and The City, Judge Walker, in special term of the Superior Court, has found for the city. The suit, as

to the city, was an attempt to enforce a mechanic's lien against the south side High School building and grounds, for an unpaid balance of one-half the contract price of said building. The decision is, that such a lien can not be enforced against school property.

6. The same Judge has also decided (although no ruling has as yet been entered of record in the case), that Section 4 of the License Ordinance, found on page 185 of the last edition of the printed ordinances, is in conflict with the Constitution of the United States, and therefore void. The question arises in a prosecution instituted in the name of the city, at the instance of certain resident merchants, against John C. Fullenwider, for selling at auction merchandise not previously offered for sale in stock in this city for three months prior thereto, without paying the weekly license of \$100.00. I am advised that at least one of the other Judges concur with Judge Walker in this opinion; so that it will be useless to go to the General Term, unless it is decided to go on to the Supreme Court. As the city has never derived any revenue from the provisions of this Section, I would not advise an appeal, unless the interested parties who caused the prosecution to be instituted, will agree to pay all costs which may be adjudged against the city. I ask for specific instructions.

Respectfully submitted,

C. S. DENNY, City Attorney.

The Chief Fire Engineer presented the following list of appointments; which were approved:

OFFICE OF THE CHIEF FIRE ENGINEER,  
HEADQUARTERS FIRE DEPARTMENT,  
*Indianapolis, Ind., Feb. 2d. 1885.* }

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen.*—The litigation having ended, which places the Fire Department wholly under my control, I herewith present for your approval the names of the men in the Department, and their respective positions:

Superintendent Fire-Alarm Telegraph—Andrew O. Cherry.  
Driver of Supplies—Stanton Turber.  
Watchman at Headquarters—Thomas Barnitt.

ENGINE COMPANY No. 1.

Thomas Quinn, Captain.

|                             |                            |
|-----------------------------|----------------------------|
| Geo. S. Faulkner, Engineer. | Orrin Tuttle, Reel Driver. |
| William Hinesley, Fireman.  | Jacob Petty, Hoseman.      |
| Free Taffe, Engine Driver.  | Esey Stormer, Hoseman.     |

ENGINE COMPANY No. 2.

Martin McGuff, Captain.

|                                |                                 |
|--------------------------------|---------------------------------|
| George M. Bishop, Engineer.    | George W. Bennett, Reel Driver. |
| Albert Pease, Fireman.         | Samuel Maxwell, Hoseman.        |
| Joseph Smorzka, Engine Driver. | Abraham Findling, Hoseman.      |

ENGINE COMPANY No. 3.

R. H. Brown, Captain.

|                                   |                             |
|-----------------------------------|-----------------------------|
| John Bellis, Engineer.            | John Robinson, Reel Driver. |
| Silas Brattain, Fireman.          | Strawder Glazier, Hoseman.  |
| David E. Williams, Engine Driver. | John Colter, Hoseman.       |

ENGINE COMPANY No. 4.

Charles W. Allen, Captain.

|                              |                             |
|------------------------------|-----------------------------|
| William Delbrook, Engineer.  | John Mountain, Reel Driver. |
| Thomas Barrett, Fireman.     | Albert Hoffmann, Hoseman.   |
| W. Robertson, Engine Driver. | Alexander Haugh, Hoseman.   |

ENGINE COMPANY No. 5.

Charles E. Wesbey, Captain.

|                               |                              |
|-------------------------------|------------------------------|
| Cicero Seibert, Engineer.     | Charles Miller, Reel Driver. |
| James L. Pease, Fireman.      | William Higgins, Hoseman.    |
| Porter Dinnin, Engine Driver. | H. Woodruff, Hoseman.        |

## ENGINE COMPANY No. 6.

John R. Rodgers, Captain.

John W. Stake, Engineer.

Fred. Klumpp, Reel Driver.

C. E. Coots, Fireman.

William Stevens, Hoseman.

George Diller, Engine Driver.

Charles Hamlin, Hoseman.

## HOSE REEL COMPANY No. 7.

William C. Long, First Assistant Chief and Captain of Company No. 7.

John Miller, Driver.

M. Slaven, Hoseman.

Richard Lowry, Hoseman.

## HOSE REEL COMPANY No. 8.

Frank L. Dougherty, Captain.

Cook Butler, Driver.

William Grover, Hoseman.

Samuel James, Hoseman.

## HOSE REEL COMPANY No. 9.

Robert B. Braxton, Captain.

Thomas Smith, Driver.

Thomas Howard, Hoseman.

Samuel Taylor, Hoseman.

## HOSE REEL COMPANY No. 10.

George W. Glenn, Captain.

John R. Toole, Driver.

M. Mountain, Hoseman.

Thomas Russell, Hoseman.

## HOOK AND LADDER COMPANY No. 2.

A. C. Muerer, Captain.

W. Rice, T. W. Stratford, Laddermen; Anthony Voltz, Driver.

## HOOK AND LADDER COMPANY No. 1.

J. H. Davis, Second Assistant Chief and Captain of H. &amp; L. Co. No. 1.

E. R. Leach, Driver; George Holderman, Timothy Nolan, John King and Frank

W. Harvey, Laddermen.

## CHEMICAL ENGINE COMPANY No. 1.

Jos. L. Casper, Clerk of Department and Captain of Chemical Co. No. 1.

W. R. McGinnis, Driver; S. W. Neall, Hoseman.

## WATCH TOWER FORCE.

Frank W. Graham, William Gaston and William Tobin, Watchmen.

All of which I respectfully ask your approval.

J. H. WEBSTER, Chief Fire Engineer.

The Chief Fire Engineer submitted the following report; which was approved, and the amount ordered inserted in the appropriation ordinance:

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

*Gentlemen:*—I respectfully ask for an appropriation of three hundred dollars, for sundry expenses, such as freight, expressage, and many other items where cash has to be paid.

Respectfully,

J. H. WEBSTER, Chief Fire Engineer.

The City Clerk presented the following communication; which was referred to the Judiciary Committee and City Attorney:

Indianapolis, Feb. 2d, 1885.

To the Honorable City Council:

*Gentlemen:*—As you have ordered me sued on my bid, I would say, at the time of my bidding, there was an ordinance on file, giving the contractor the exclusive right to all of the dead animals. I have paid private parties between thirty and forty dollars for their stock within the city limits; besides, the Fertilizing Company have hauled, I think, more horses and cattle from the city than I have, leaving the refuse stock for me to haul. If I would have known the ordinance would not have

passed the Council and Board of Aldermen, I should not have bid over one hundred dollars. I think that you ought to accept fifty dollars in payment of your claim, which I agree to pay.

L. MEHRING.

The Rental Agent submitted the following report; which was received:

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

*Gentlemen:*—I herewith report collections of rents from the Tomlinson Estate, as follows:

|  |          |
|--|----------|
| Mrs. Mary Dwyer, No. 113 north Illinois street.....  | \$ 60 00 |
| Mrs. W. H. Mahan, No. 117 north Illinois street..... | 30 00    |
| Mrs. H. Overman, No. 115 north Illinois street.....  | 30 00    |
|  | <hr/>    |
|  | \$120 00 |
| Less commission, 3½ per cent. ....                   | 4 20     |
|  | <hr/>    |
|  | \$115 80 |
|  | <hr/>    |

Respectfully submitted,

Feb. 2, 1885.

WM. HADLEY, Agent.

#### REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Metropolitan Police Commissioners submitted the following report, accompanied with itemized statement; which was received:

*Indianapolis, Ind., Dec. 31, 1884.*

To the City Council and Board of Aldermen:

*Gentlemen:*—By direction of the Board of Metropolitan Police Commissioners, I respectfully hand herewith a statement of receipts on account of special and reward account..... \$2,127 40  
And memoranda of payments from said account..... 1,030 57

Balance..... \$1,096 83

And have paid the amount of the balance, \$1,096.83, to the City Treasurer.

Respectfully,

D. E. SNYDER, Sec'y.

Councilman Newcomb, in behalf of the Hospital Board, presented the claim of Clark & McGaully, \$135.50, for plumbing at the City Hospital; which was approved, and the amount ordered inserted in the appropriation ordinance.

The Board of Public Improvements submitted the following report; which was concurred in;

To the Mayor and Common Council:

*Gentlemen:*—Your Board of Public Improvements to whom was referred the motion directing the Street Commissioner to proceed to open Shelby street to a uniform width of sixty feet, in accordance with the proceedings of the City Commissioners, recommend that the same be passed.

Respectfully submitted,

M. M. Reynolds,  
Isaac Thalman.

Board of Public Improvements.

The Board of Public Improvements 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 January, 1885:



|                           |          |
|---------------------------|----------|
| Pay-rolls .....           | \$514 90 |
| Blacksmithing .....       | 23 30    |
| Boulders .....            | 2 00     |
| Catchbasins castings..... | 35 59    |
| Cement .....              | 3 00     |
| Coal .....                | 1 60     |
| Cinders .....             | 4 00     |
| Gravel .....              | 79 20    |
| Hardware .....            | 13 77    |
| Miscellaneous.....        | 48 25    |
| Rent stone yard.....      | 89 33    |
| Sewer pipe .....          | 1 90     |

Total.....\$816 84

Of the above amount \$427.97 is for bill and pay-rolls, expenditures in 1884, not in time for payment last month.

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

C. S. RONEY, Street Commissioner.

The Board of Public Improvements presented the following; which was received, and the time extended:

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—On November 24, 1884, the contract for grading and bouldering the first alley west of Illinois street, between Maryland and Georgia stree s; also for paving with brick the east sidewalk of Madison avenue, between Nebraska street and Lincoln Lane, were awarded to me. The time given to complete said contracts was January 1, 1885. It has not been possible for me to do the work this winter. On December 15 I asked an extension of 120 days time, and only 30 days was granted. I would most respectfully ask that the time be extended until May 31, 1885.

D. A. HAYWOOD.

STATE OF INDIANA, County of Marion, ss:

Before me, a Notary Public in and for said county, came David A. Haywood, and swore the matters above set forth are true.

WM. C. PHIPPS, Notary Public.

Recommend the time be extended.

Respectfully submitted, M. M. Reynolds,  
Isaac Thalman,  
Board of Public Improvements.

S. H. SHEARER, City Civil Engineer.

The Board of Health submitted the Mortality report for two weeks, ending January 31st, 1885, showing 77 deaths; which was read and received.

REPORTS, ETC., FROM STANDING COMMITTEES.

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

To the Mayor and Common Council:

*Gentlemen:*—Your Judiciary Committee, to whom was referred sundry papers, report thereon as follows:

1. As to the claim of Charles G. Mueller, for services as Architect in preparing plans for Pest House, we recommend that \$15.00 be paid, provided he will accept the same in full of all demands.

2. We recommend that the petition of O. A. Turner, for license to give athletic exhibitions, be not granted.

3. The claim of Henry F. David, for refunding of \$1.62, on account of double payment of taxes on the same property, is correct, and should be paid.

Respectfully submitted,

W. C. Newcomb,  
Geo. F. Edenharter,  
P. M. Gallahue,  
Judiciary Committee.

To the Mayor and Common Council:

*Gentlemen:*—Your Judiciary Committee and City Assessor, to whom were referred the claims of W. T. Steele and Frank McWhinney, the former for \$25.64, and interest, and the latter for \$104.20, presented December 15, 1884, have examined into the same. In Mr. Steele's case, the street improvement was made after the forfeiture to the State occurred; but as street improvements may be made in front of State property and enforced, where certain State officers are consulted, we do not feel like recommending this claim until we know whether the State refuses to pay the same, or not.

The taxes paid by McWhinney, were paid on levies made before the forfeiture occurred; and as the property was liable at the time the taxes accrued, we know of no reason why the city should refund it. We therefore recommend that these claims be not allowed.

Respectfully submitted,

W. C. Newcomb,  
Geo. F. Edenharter,  
P. M. Gallahue,  
Judiciary Committee.

EUGENE SAULCY, City Assessor.

To the Mayor and Common Council:

*Gentlemen:*—Your Judiciary Committee and City Attorney, to whom certain papers were referred, report thereon as follows:

1. As to the petition of Merrick E. Vinton, to have a \$100.00 assessment against Lot six, in Davidson's addition, for the opening of Hanna street, satisfied of record. The statements made in Mr. Vinton's petition, found at page 49 of the Proceedings, are all true. It is therefore useless to attempt to enforce the claim; and as a refusal to cancel the apparent lien will involve the city in costs, we recommend that the prayer of the petition be granted.

2. G. O. No. 1, 1885, seeks to compel Telephone companies now doing, or which may hereafter do business, in this city, to put in instruments, make connections, and render service to any citizen applying, for a certain price named; and seeks to make it unlawful for any such company to charge more than a specified sum for telephone service, and fixes the time of payment, &c.

There is but one Telephone company doing business in the city. In the ordinance granting it the right to erect its poles, &c., no reservation of the right to regulate the tolls, fix the time of payment, or anything of that kind, was saved by the Council. Under these circumstances, we do not believe the Council can any more dictate what price this company shall charge for its service, than to regulate the price a merchant upon our streets shall charge a citizen for his wares. It can not be said that because there is a clause in the charter of the existing company, reserving the right to repeal the ordinance at any time, that this includes the power to regulate the tolls. That provision only goes to the question of the power to terminate the franchise altogether.

We do not suppose the Council desires to enact an ordinance which would be invalid as to the company now doing business in the city, and to apply only to companies hereafter organizing, as the proper way is evidently to make specific provision in each given case in the ordinance granting the right to enter the city.

3. In the matter of the petition of Harriet Keller, asking that Richter & Twinn, contractors, be restrained from collecting the cost of bowldering Benton street, in front of her property, we find that the Engineer allowed her a fair per cent for the bowlders fit for use, and that the assessment made against her is in ac-

cordance with the statute. We therefore recommend that the prayer of the petition be not granted.

4. Francis M. Wright asks leave to withdraw his proposition to compromise his suit against the city, which was submitted and referred to your committee at the last meeting; and we recommend that he be allowed to do so.

Respectfully submitted,

W. C. Newcomb,  
P. M. Gallahue,  
Geo. F. Edenharter,  
Judiciary Committee..

C. S. DENNY, City Attorney.

The Committee on Printing, through Councilman Trusler, presented the following estimate:

Indianapolis, Jan. 30, 1885.

J. H. WEBSTER, Chief Fire Engineer.

Dear Sir:—We submit herewith approximate estimate of cost of printing five hundred copies Report:

|  |          |
|--|----------|
| 13 pages Small Pica, plain.....          | \$ 8 19  |
| 25 pages Brevier, plain.....             | 27 00    |
| 5 pages Brevier, rule and figure.....    | 18 00    |
| 18 pages Nonpariel, rule and figure..... | 127 00   |
| Paper, press work and binding.....       | 9 85     |
|  | <hr/>    |
|  | \$190 04 |

Respectfully,

HASSELMAN-JOURNAL Co.  
R.

Which was received, and five hundred copies of the annual report of the Chief Fire Engineer ordered printed, by the following vote:

AYES, 15—viz. Councilmen Benjamin, Coy, Curry, Dowling, Doyle, Edenharter, Haugh, Mack, Newcomb, Pearson, Reinecke, Sheppard, Spahr, Wharton, and Wolf.

NAYS, 4—viz. Councilmen Gallahue, McClelland, Reynolds, and Trusler.

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

To the Mayor and Common Council:

Gentlemen:—Your Committee on Public Light, to whom was referred the following ordinances, providing for the erection of lamp-posts, viz:

- S. O. 107, 1884, on Bellefontaine avenue, between Ninth and Tenth streets.
- S. O. 126, 1884, on southwest corner of Wabash street and the first alley east of Tennessee street.
- S. O. 128, 1884, on Home avenue, between Peru and Yandes streets.
- S. O. 130, 1884, on Meridian street, between Eleventh and Twelfth streets.
- S. O. 153, 1884, on Mississippi street, between Herbert and Twelfth streets.
- S. O. 135, 1884, on Chesapeake street, between Meridian street and the first alley west.
- S. O's. 150, 151 and 152, 1884, around Orphan Home, and lamp-post or bracket at the corner of Wabash and Severin alley.

Report the same back without recommendation, believing that the state of the city finances will not justify any further expenditure for public light at present.

Respectfully submitted,

P. M. Gallahue,  
Fred. J. Mack,  
Committee on Public Light.

The Committee on Public Property, through Councilman Mack, submitted the following report:

To the Mayor and Common Council:

*Gentlemen:*—Your Committee on Public Property, to whom was referred the matter of quit-claiming the city's interest in the lot known as the "Park," which has heretofore been used by the city for storing lumber, &c., to Timothy R. Fletcher, the original proprietor, have fully inquired into the rights of the city therein. Unless the city sees fit to improve and use it as a Park, she has no right to attempt to longer control it. And as it is utterly unfit for a Park, and as it would cost the city several hundred dollars immediate outlay to even fence it, we believe she ought to at once release any claim she may have heretofore asserted to it; and we therefore recommend that the Mayor be directed to execute a quit claim deed to Timothy R. Fletcher for said lot

Respectfully submitted,

Fred. J. Mack,  
Theo. F. Smither,  
Wm. Curry,  
Committee on Public Property.

Councilman Spahr moved that the report be non-concurred in.

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

Which failed of adoption, by the following vote:

**AYES, 7**—viz. Councilmen Curry, Gallahue, Haugh, Mack, McClelland, Pearson, and Trusler.

**NAYS, 10**—viz. Councilmen Benjamin, Dowling, Doyle, Edenharter, Newcomb, Reinecke, Reynolds, Sheppard, Spahr, and Wolf.

Councilman Spahr's motion was then adopted.

The Committee on Streets and Alleys, through Councilman Reynolds, 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 August Richter and others, for the opening and extension of the first alley west of Shelby street from its present northern terminus through Lot 1, Dougherty's subdivision of Out-lot 99 to Coburn street, and vacate the present first alley west of Shelby street through said lot, recommend the prayers of petitioners be granted, and that the accompanying resolution relative thereto, be adopted.

Respectfully submitted,

M. M. Reynolds,  
J. W. Wharton,  
Julius F. Reinecke,  
Committee on Streets and Alleys.

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

*Resolved*, That the petition of August Richter, Ambrose Rodgers, W. H. Carle and Fred. Burgman, praying for the laying out and opening and vacating the following alleys, viz: Opening and extending the first alley west of Shelby street, from its present northern terminus, through Lot 1, Dougherty's subdivision of Out-lot 99, to Coburn street, and vacate the present first alley west of Shelby street through said lot, as shown on plat filed with said petition, be referred to the Commissioners, with instructions to assess benefits and damages and to make due report; and that for the purposes of such opening and vacation, the Common Council and Board of Aldermen 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 proper parties to serve, the proper notices upon the Commissioners and property owners.

And it was adopted by the following vote:

**AYES, 17**—viz. Councilmen Benjamin, Curry, Dowling, Doyle, Edenharter, Galahue, Haugh, Mack, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Sheppard, Spahr, Trusler, and Wolf.

**NAYS**—None.

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

To the Mayor and Common Council:

*Gentlemen:*—Your Committee on Streets and Alleys, to whom the following motion was referred: "That the City Attorney be instructed to prepare an ordinance requiring drivers of hacks and express wagons on the public stand to back their vehicles up to the pavement." recommend said motion be not adopted.

Respectfully submitted,

M. M. Reynolds,  
J. W. Wharton,  
Julius F. Reinecke,  
Committee on Streets and Alleys.

#### REPORTS FROM SELECT COMMITTEES.

Councilman Haugh, in behalf of a certain Special Committee, submitted the following report:

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—Your Special Joint Committee appointed to investigate certain matters referred to it as to the affairs of the City Hospital, beg leave to report:

That the difficulties between Dr. Wishard and Dr. Eastman are largely personal; that so far as any discourtesy was shown by Dr. Eastman, it doubtless arose from his zeal in the treatment of a disease that involved the life of his patient; and that in the subsequent action of Dr. Wishard no charge is made of incompetency, or lack of integrity in the management of his trust. We think both gentlemen have given undue weight to the incidents connected with the affair. That while Dr. Wishard's dismissal of Dr. Eastman from the hospital staff was rather more heroic treatment than a diagnosis of the case warranted, nevertheless as he is the Superintendent of the hospital, and responsible for its conduct, the facts do not warrant any interference or action on the part of the city government. With the general admonition to the Hospital Board and Superintendent that the hospital must not be conducted in a way to give any class or coterie of physicians special privileges, we believe it would be inadvisable with this report to suggest any interference with the staff selected by them, but that they be instructed to report at once the names of physicians selected by them to serve on said staff for the approval or disapproval of the city government as provided by law. It is fair to Dr. Wishard to state that no evidence was adduced before the committee that he had ever refused to admit pay patients of whatever school. While under the existing feeling among the various school of physicians it seems impracticable to require that charity patients shall have the character of treatment they prefer, yet the barriers are gradually breaking away and the time is not far distant when a very large class of citizens and taxpayers can have equal rights for the exercise of their preferences (or prejudices) in the hospital they have helped to build and maintain. The time will probably be ripe for your action on this matter about one year from now.

We believe, however, that it is not only right but practicable at this time to enjoin on the hospital authorities that patients who pay for board and trained nurses may also have their own physicians, and we recommend the passage of the following:

*Resolved*, That the Hospital Board and Superintendent be and they are hereby instructed to admit to the benefits of the hospital pay patients upon equal terms and without regard to the school of medicine favored by them, and that any such

pay patient shall have the privilege of the attendance and treatment of his or her physician or physicians without prejudice so far as the facilities of the hospital are concerned.

Respectfully submitted,

Brainard Rorison,  
Will F. A. Bernhamer,  
Jas. A. Pritchard,  
Aldermanic Committee.

Chas. E. Haugh,  
W. C. Newcomb,  
T. F. Smither,  
Fred. J. Mack,  
Council Committee.

I hold that the Hospital Board have full power to appoint staff without concurrence by Council and Board, for the reason that the hospital ordinance upon this subject is not in conflict with any statute of the State. J. S. A. PRITCHARD.

On motion by Councilman Pearson, the above report was concurred in, and the resolution adopted, by the following vote:

AYES, 17—viz. Councilmen Benjamin, Coy, Curry, Dowling, Doyle, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Sheppard, Trusler, and Wolf.

NAYS, 1—viz. Councilman Spahr.

#### 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.

The Chief Fire Engineer introduced the following entitled ordinance, which was read the first and second times, ordered engrossed, and read the third time:

Ap. O. 6, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$1,810.95.]

And it was passed by the following vote:

AYES, 18—viz. Councilmen Benjamin, Curry, Dowling, Doyle, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Sheppard, Spahr, Thalman, Trusler, and Wolf.

NAYS—None.

The Hospital Board introduced the following entitled ordinance, which was read the first and second times, ordered engrossed, and read the third time:

Ap. O. 7, 1885—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, \$1,643.71.]

And it was passed by the following vote:

AYES, 18—viz. Councilmen Benjamin, Curry, Dowling, Doyle, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Sheppard, Spahr, Thalman, Trusler, and Wolf.

NAYS—None.

By the Committee on Accounts and Claims, through Councilman McClelland, the following entitled ordinance was introduced and read the first and second times:

Ap. O. 8, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

Councilman Wharton offered the following amendment to the ordinance; which was adopted:

To amend by inserting the sum of \$6 88 favor of David Umstaedter, amount paid by him for meat stall No. 6, and since revoked.

Councilman Peorson presented the following claim, which was ordered inserted in the ordinance:

THE CITY OF INDIANAPOLIS,

To Dorcas A. Van Blaricum, Dr.

To balance of damages over benefits assessed in the widening of west Washington street, as per assessment record in City Treasurer's office,  
page 1.....\$45 00

I, Dorcas A. Van Blaricum, being duly sworn, on my oath say that I was the owner of the said lot 2, outlot 2, on which damages were allowed at the time of said proceedings; that there were no liens on the same; that said damages have never been paid to me, and that said sum of \$45.00 is now due to me from the City of Indianapolis.

her  
DORCAS A. + VAN BLARICUM.  
mark.

Attest: Walter P. Hanna.

Subscribed and sworn to before me, a Notary Public in and for Marion County, Indiana, on this 24th day of January, 1885.

WALTER P. HANNA,  
Notary Public.

The ordinance was then ordered engrossed, read the third time (amount appropriated \$17,214.31), and passed, by the following vote:

AYES, 18—viz. Councilmen Benjamin, Curry, Dowling, Doyle, Edenharter, Galahue, Haugh, Mack, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Sheppard, Spahr, Thalman, Trusler, and Wolf.

NAYS—None.

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

Ap. O. 9, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Station House. [Amount appropriated, \$395.34.]

And it was passed by the following vote:

AYES, 18—viz. Councilmen Benjamin, Curry, Dowling, Doyle, Edenharter, Galahue, Haugh, Mack, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Sheppard, Spahr, Thalman, Trusler, 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 Doyle:

- S. O. 6, 1885—An ordinance to provide for grading and bowldering the gutters of Maryland street, curbing with stone and paving with brick (where not already done), the sidewalks thereof, from West street to Helen street.
- S. O. 7, 1885—An ordinance to provide for grading and bowldering the gutters of Maryland street, from Missouri street to West street.

By Councilman Pearson:

- S. O. 8, 1885—An ordinance to provide for grading and paving with brick, the north sidewalk of St. Clair street, from Mississippi street to West street.

By Councilman Reinecke:

- S. O. 9, 1885—An ordinance providing for the construction of a brick sewer in and along the following streets and alleys, viz: Beginning at Virginia avenue, and running thence west in and along the first alley south of Merrill street to the third alley east of East street, thence north in and along said alley to Merrill street; thence west in and along Merrill street (where not already properly done), to the first alley east of East street; thence north in and along said alley to the first alley west of Virginia avenue; thence northwest in and along said alley to East street; thence north in and along East street to and connecting with the sewer now in South street.

By Councilman Thalman:

- G. O. 2, 1885—An ordinance providing better sanitary regulations for the City of Indianapolis, and empowering the Board of Health to enforce the observance thereof, and repealing Section 3 of an ordinance entitled "An ordinance regarding public safety, comfort and convenience."

## INTRODUCTION OF MISCELLANEOUS BUSINESS.

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

That Street Commissioner notify J., M. & I. R'y Co. to place sidewalk on north side of South street (where it crosses their tracks) in good condition by planking the walk.

That the Street Commissioner be and is hereby instructed to repair fountain at corner Meridian and South streets.

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

That the Street Commissioner be, and is hereby, directed to remove all lumber, machinery, rubbish and sheds, &c., off of the lot commonly known as the city lot, and to grade the lot and fence the same with a neat fence, to be provided with a gate on each side.



Councilman Haugh presented the following; which was received:

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

*Gentlemen:*—We have been members of the Board of Trustees of the Indianapolis City Hospital, and with no desire to offer gratuitous advice it is our judgment that the most important duty of the staff is the aid rendered the Superintendent and his resident assistants in the discharge of their professional duties, and that the clinics are of secondary importance to the regular consulting work of the staff. While they are important and proper yet they should be incidental to the consulting duties of the staff. It is our judgment that when a Superintendent is placed in charge of the hospital his consultants should be men with whom he can maintain pleasant personal and professional relations and selected by himself.

Peter F. Bryce, F. W. Hamilton, Wm. H. Morrison,  
T. E. Chandler, H. J. Mauer, N. Yoke.

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

That the Street Commissioner be, and is hereby, instructed to lay double stone crossings on the east side of Illinois street across Ray street.

Councilman Newcomb offered the following motion; which was adopted:

That the Committee on Public Light confer with the Gas Company and secure, if possible, a better time table on public lamps than the present one, without any additional cost to the city. Further, that the committee request the Aldermanic Committee on Public Light to act with them.

Councilman Pearson offered the following motion; which was adopted:

That when pay patients are admitted to the hospital the Superintendent be and is relieved of any professional responsibility for such cases.

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

To the Honorable, the Mayor, the Common Council, and the

Board of Aldermen of the City of Indianapolis:

*Gentlemen:*—The undersigned would respectfully represent to your honors, that some ten years ago he was the owner of a lot of ground 61 feet front by 109½ feet deep, fronting on Illinois street, on the line of the proposed opening of Fourth street, from Illinois to Meridian street. In the opening of said street, nearly one-third of said lot was condemned and taken, for which \$1,000 was allowed as damages, and \$3,400 was charged against said lot as benefits, which sum of benefits is more than twice the amount of its present valuation—the City Assessor's valuation being \$1,200. Suit was brought against me for \$4,600, which has been tried in two courts, in both of which the city was defeated; and my attorneys are confident of my success in any court in which it can be tried.

I sold the lot in 1875 in good faith to Mrs. O. Learned, who built a nice fence about it, inclosing it with her ground, graded and sodded it, and built a stable thereon, and paved the sidewalk along Fourth street, neither of us suspecting any lien or claim against it.

Now, for the purpose of quieting all claims, and stopping all litigation on that account, I propose to pay into the city treasury as a compromise, the sum of four hundred dollars in cash, believing that amount to be largely more than I was benefited by the opening of said street.

Respectfully submitted,

Jan. 31, 1885.

WM. S. HUBBARD.

Councilman Pearson offered the following resolution:

SEC. 9.

WHEREAS, A fire has lately occurred at the Insane Asylum, involving the loss of many thousand dollars to the State, and endangering the lives of the inmates of said institution; *And whereas*, said fire has sufficiently and fairly demonstrated the fact that the present system for fire protection at said institution is totally insufficient to protect the property of the State and the lives of the inmates of said Asylum; therefore, be it

*Resolved*, That we suggest and state to the Legislature of the State of Indiana, now in session, that we deem it advisable, for the protection of the institution and the lives of the inmates, that the State should cause immediate arrangements to be made to have said institution connected with the mains of the Indianapolis Water Company, so as to furnish sufficient fire protection for said Asylum; and we consider such system for fire protection the safest and most economical that can be made, and that we pledge to the State the services and assistance of the Fire Department of the City of Indianapolis, in case of fire at said institution, if sufficient fire protection is made at such institution by connection with the mains of said Water Company. And further, that we request and ask the members of the Legislature from Marion County to make such effort immediately as will cause said institution to be securely protected from fire; and that a copy of this resolution be transmitted to the Senate and House of Representatives of the Legislature.

And it was adopted by the following vote:

AYES, 19—viz. Councilmen Benjamin, Coy, Curry, Dowling, Doyle, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Sheppard, Spahr, Thalman, Trusler, and Wolf.

NAYS—None.

Councilman Pearson offered the following resolution:

*Resolved*, That no further extension of water mains, nor erection of lamp-posts, be ordered during the year 1885.

Councilman Edenharter moved to refer the resolution to the Committee on Sewers, to report January, 1886.

Councilman Benjamin moved to refer the resolution to the Finance Committee; which failed of adoption.

Councilman Thalman moved to amend Councilman Edenharter's motion, so that the committee would report at the next regular meeting.

Councilman Edenharter moved to lay the above on the table.

Which was adopted, by the following vote:

AYES, 16—viz. Councilmen Coy, Curry, Dowling, Doyle, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Reinecke, Reynolds, Sheppard, Spahr, Trusler, and Wolf.

NAYS, 3—viz. Councilmen Benjamin, Pearson, and Thalman.

Councilman Benjamin moved to lay Councilman Edenharter's motion to refer, on the table.

Which failed of adoption, by the following vote:

AYES, 3—viz. Councilmen Benjamin, Pearson, and Thalman.

NAYS, 16—viz. Councilmen Coy, Curry, Dowling, Doyle, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Reinecke, Reynolds, Sheppard, Spahr, Trusler, and Wolf.

Councilman Edenharter's motion was then adopted.

Councilman Coy was excused for the remainder of this session.

Councilman Reinecke presented the following petitions, accompanied with motions; which were severally referred to the Judiciary Committee :

Indianapolis, Ind., February 2d, 1885.

To the Mayor, Common Council and Board of Aldermen :

*Gentlemen:*—Street and alley opening, benefit and damage Book No. 1, page 30, Proceedings of the Common Council of 1874 and 1875, pages 1141, 1288, 1452, 1455, 1479 and 1504; and Ordinance Record 3, pages 283 and 284, show a proceeding by which 12 feet off the east end of Lots 1 to 8, in Albert Crane's subdivision, as per Plat Book 3, page 42, of Lots 2 and 4, L. & W. M. R. R. Co.'s sub., P. B. 1, 168, of Out-lot 158, was condemned for an alley, and \$50.00 benefits assessed against Harvey and James W. Crabb, who then owned Lot 7, which, by a series of conveyances, came to me. As the Assessor and Treasurer continued to assess the whole lot, and I could not, by the use of ordinary care, discover that said \$50.00 were unpaid, I offer as a compromise of all the matters involved, the sum of \$12.50 in full of the claims of the city.

Respectfully submitted,

By GEORGE WM. BROWN.

I hereby offer to pay to the City of Indianapolis the sum of \$12 50 on account of the difference between my claim for overpayment of taxes on, and a claim of \$50.00 against Lot 7, in Crane's subdivision of Lots 2 and 4, L. & W. M. R. R. Co.'s subdivision of Out-lot 158, as shown by statement filed herewith.

GEORGE WM. BROWN.

STATE OF INDIANA, Marion County, *set:*

I, Fred. W. Haehner, on oath say that the City of Indianapolis is justly indebted to me for taxes paid by me under the belief that my property was properly in the city limits, which sums are past due, and with the interest thereon wholly unpaid. Wherefore I ask the same be refunded. A statement of the taxes paid is shown below, as exhibit "A."

F. W. HAEHNER.

Subscribed and sworn to before me, this 4th day of January, 1884.

[Seal.]

JOHN L. F. STEEG, Notary Public.

*Exhibit "A."*

| Date.          | Dup. No. | To whom paid.          | Amount. | Interest |
|----------------|----------|------------------------|---------|----------|
| 1877. Sept. 10 | 7,535    | Wm. M. Wiles, Treas'r  | \$11 50 | \$ 6 06  |
| 1878. Aug. 6   | 9,511    | Wm. M. Wiles, Treas'r  | 11 40   | 4 92     |
| 1879. July 7   | 7,867    | Wm. M. Wiles, Treas'r  | 8 35    | 3 14     |
| 1880. July 28  | 7,806    | Wm. G. Wasson, Treas'r | 6 40    | 1 34     |
| 1881. May 16   | 7,923    | Wm. G. Wasson, Treas'r | 6 10    | 1 09     |
| Total          |          |                        | \$43 75 | \$16 55  |

I hereby ask the City of Indianapolis to refund to me the sum of \$60.30, on account of taxes paid by me on real estate not legally annexed to the city, as shown by statement filed herewith.

FRED. W. HAEHNER.

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

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

*Gentlemen:*—The undersigned respectfully petition your honorable bodies for the vacation of two alleys, fully described herein, and according to the plat hereto annexed, to-wit: The alley (12 feet wide) running from Railroad street to Peru street or avenue, between Lots one hundred and thirty (130) and one hundred and thirty-

one (131), in Out-lot forty-five (45), Indianapolis; also, the alley (12 feet wide), running from said Railroad street to Peru street or avenue, between Lots one hundred and twenty-nine (129) and one hundred and thirty (130), in said Out-lot forty-five (45), Indianapolis, and between North and St. Clair streets. And your petitioners will ever pray, &c.

*Indianapolis*, Feb. 2, 1885.

R. A. King, Sarah Suydam, W. B. Allen & Co.,  
Henry Coburn, Chas. E. Coffin, Petitioners.

Councilman Trusler offered the following motion; which was adopted:

That the City Civil Engineer be instructed to examine the sidewalks on Prospect street, and report as to the best manner of draining the same, and making them passable in wet weather.

Councilman Smither offered the following motion; which was adopted:

That the Street Commissioner be instructed to clean the old White River Bridge, as there is a very heavy weight on floor of same.

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

That the Street Commissioner be directed to put in foot bridges at crossings on Indiana avenue, between North street and Fall Creek, at once.

Councilman Doyle offered the following motion; which was adopted:

That Mr. Collier, owner of lots 210 and 212 on Maryland street, between Missouri and West streets, be permitted to lay a bouldered driveway across the sidewalk of said lots, said work to be done at his own expense, and under the direction of the City Civil Engineer.

On motion, the Common Council then adjourned.

JOHN L. McMASTER, Mayor,  
President of the Common Council.

Attest: GEO. T. BREUNIG, City Clerk.