

PROCEEDINGS OF COMMON COUNCIL.

SPECIAL SESSION—SEPTEMBER 28, 1885.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, September 28th, A. D. 1885, at eight o'clock, in special session, pursuant to the following call:

to the Members of the Common Council:

Gentlemen:—Pursuant to the ordinance in such cases made and provided, you are hereby called to meet in special session, Monday evening, September 28th, 1885, at eight o'clock, for the purpose of considering the charges preferred against Councilman James T. Dowling.

Very respectfully,

JOHN L. McMASTER, Mayor.

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, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf.

ABSENT, 4—viz. Councilmen Cowie, Downey, Moran, and Sheppard.

As per the foregoing call, the Common Council proceeded with the consideration of the charges heretofore preferred against Councilman James T. Dowling.

Messrs. Cropsey and Everett, Attorneys, appeared for Councilman Dowling.

The majority and minority reports, together with the following charges, presented to the Common Council at the regular meeting held September 28th, 1885, were read:

to the Hon. JOHN L. McMASTER, Mayor, and the Members of the

Common Council of the City of Indianapolis, except James T. Dowling:

Gentlemen:—The undersigned, members of the Common Council of the City of Indianapolis, and composing a majority of the Special Committee appointed by said Council to make inquiry into certain matters touching the character of James T. Dowling, a member of this body, and challenging his fitness to longer sit as a member thereof, after due inquiry and consideration, present and charge: That said Dowling has been guilty of conduct unbecoming a gentleman and a member of this body, in this, to-wit:

First—That said Dowling, on, to-wit: the first day of August, 1885, while a member of the Common Council of the City of Indianapolis, did publicly charge, state, proclaim and admit, in the presence of various citizens in said city, that he, said

Dowling, did bribe, corrupt and buy, certain members of the Common Council of said city for the years 1882 and 1883, by paying them money, and giving them other things of value, to vote for certain measures and against certain other measures then pending in and before said Council.

Second—That said Dowling, on, to-wit: the first day of August, 1885, while a member of said Council, did publicly charge, state and proclaim, in the presence of numerous citizens in the City of Indianapolis, that he, said Dowling, did bribe, corrupt and buy, certain members of the Common Council of said city for the years 1882 and 1883, by paying them money, and giving them other things of value, to vote for certain measures and against certain other measures then pending in and before said Council, all of which said charges, statements, and proclamations were false.

Third—That said Dowling, on, to-wit: the second day of August, 1885, while a member of said Council, did publicly reiterate, repeat, charge, state and proclaim in the presence of numerous other citizens of said City of Indianapolis, that he, said Dowling, did bribe, corrupt and buy, certain members of the Common Council of said city for the years 1882 and 1883, by paying them money, and giving them other things of value, to vote for certain measures and against certain other measures then pending in and before said Council, and did then and there further state that he had proof thereof in writing that all such statements were true, whereas all of such statements were untrue and false.

Wherefore they ask that said Dowling be expelled.

W. C. NEWCOMB,
PRESTON C. TRUSLER,
Majority of Committee.

Messrs. Cropsey and Everett, Attorneys for the accused, filed the following plea in abatement:

Before the Mayor and Common Council of the City of Indianapolis, in the matter of the charges preferred by the majority report of the committee appointed to investigate certain charges made against James T. Dowling by Robert McClellan and both members of said body.

Comes now James T. Dowling, by his attorneys, James M. Cropsey and H. J. Everett, and enters herein a special appearance to the said charges, for the purpose of making this his special plea to the jurisdiction of said Common Council and in abatement of this proceeding, and not otherwise, and says:

That heretofore, to-wit, on the 7th day of September, 1885, he filed his sworn petition in the Circuit Court of Marion County, Indiana, praying an injunction against this honorable body to restrain and enjoin it from proceeding further against him on the charges preferred; that a temporary restraining order was granted him therein, and the same served on this body at the opening of its session on the evening of said 7th day of September; That a permanent injunction was afterwards by the court refused, and this petitioner filed his bill of exceptions, which was signed and sealed by the court, praying an appeal to the Supreme Court of Indiana, which was by said Circuit Court granted, and he filed his bond, duly approved by the court, in the penal sum of two hundred (\$200.00) dollars, for the faithful prosecution of said appeal; that he ordered a transcript of the proceedings in said Circuit Court to the Supreme Court, which is now being prepared; That said cause is at this time pending and undetermined in the Supreme Court; That said case was brought on and prosecuted in good faith, and the cause of action stated in said petition is true and meritorious, and that the petitioner will be fully able to establish the same.

With due deference to the sincerity and honest motives of this honorable body he says that this Common Council has no jurisdiction either of his person or the subject-matter of the charges herein, in this behalf, for the following reasons, to-wit:

First—With stating a fact outside of and away from this Council Chamber, concerning certain citizens, not members of this Council, with certain offences against the laws of this State; and said charges show that at the time and place named this petitioner was not acting, or attempting to act, as a member of this body in

capacity whatsoever, but that he acted therein as a private citizen only, and not otherwise; That if any offense was by him as a citizen then and there committed, he is amenable to the courts of this State, as any other citizen, and not otherwise.

Second—That said charges attempt to set up a violation of the criminal laws of the State, in this: That it charges this petitioner with having in the years 1882 and 1883, offering and giving to certain, then public officers of the City of Indianapolis, certain bribes, to influence their official action, for which said alleged felony he is amenable only to the criminal laws of the State on presentment by indictment, and not to this Council, or otherwise. And it is not therein charged that said alleged offense was committed in the time of his public duty, or as a member of this body. That his term of office as a member of this Common Council on the day of January, 1884, and not otherwise.

Third—And petitioner says that this body has no power or authority to act, under the ordinance of the Common Council, or on the call addressed to each member thereof by the Mayor, otherwise than as a court to try charges which the Common Council in its legislative capacity has previously prepared; and that this body now is a court under its ordinance, and organized to try such complaint under the forms and rules of law, and in no other form or manner; and he most respectfully shows that the majority and minority report of a certain committee handed to the Clerk their respective reports, which were marked filed by him on the date thereof, and that nothing further was done of and concerning the same; that they were not acted upon by the Council, nor made a part of the proceedings of the Common Council, and now lie as given in upon the table thereof; that they have in no way, manner or shape, been made a part of the proceedings at its regular meeting at that time or any subsequent time, and has never been made known to the Common Council of the City of Indianapolis, at any regular meeting or any meeting to the date of the call and organization of this court; and for these reasons, there is legally no cause before this court for trial.

Fourth—That heretofore, to-wit, on the day of August, 1885, the entire and complete subject-matter of said charges was fully heard and determined by this Common Council; that a committee was appointed and considered the very matters set forth in said charges; that the report of said committee was adopted by unanimous vote of this Council, and said committee was discharged, and said accused was legally discharged by the unanimous adoption of said report. Therefore he says that he ought not again be required to respond for the same alleged offense to this Council.

Fifth—This respondent says that he most respectfully asks this body to acquit him, and that he go hence, because the power conferred by the Constitution of the State of Indiana, and by enactments of the legislative, are for self-preservation only, and not punitive. The power of punishment and expulsion are for the purpose of maintaining deliberative order; that order necessary to the proper discharge of legislative duty—the legitimate duties of the body. That there is no law declaring, and no precedent for expulsion for acts ante-dating the election to the Council from which the expulsion is to be made, nor for anything said or done with reference to such body; that any act done or anything said by the member antecedent to his election, or afterwards, with reference to his acts before that time, does not in any manner disturb the orderly proceedings of the Council in session.

Wherefore this respondent says that this Council has no jurisdiction further to proceed.

J. M. CROSEY & H. J. EVERETT, Attorneys.

STATE OF INDIANA, *Marion County*, ss:

James T. Dowling, being duly sworn, upon his oath deposes and says that the matters in the above and foregoing plea stated as facts, are true.

JAS. T. DOWLING.

Subscribed and sworn to before me this 28th day of September, 1885.

[Seal.]

HARMON J. EVERETT, Notary Public.

Councilman Thalman moved that the City Attorney be directed to demur to the above.

Councilman Spahr offered the following motion:

Moved by the Council, sitting as a court, that the plea in abatement filed by the accused, James T. Dowling, be overruled.

Which was adopted by the following vote :

AYES, 13—viz. Councilmen Benjamin, Gallahue, Haugh, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton.

NAYS, 7—viz. Councilmen Coy, Curry, Doyle, Edenharter, Mack, Reinecke, and Wolf.

Councilman Pearson moved that the speeches be limited to five minutes on each question; which was adopted.

As to the above, the Attorneys filed the following:

The respondent objects, and excepts to the motion and ruling of this body limiting discussions by counsel to five minutes, on any question: 1st, because a court cannot hear a full, fair, open and full discussion of any question unless a complete discussion is had; 2d, because a motion was at the time pending.

CROPSEY & EVERETT, Att'ys.

The Attorneys filed the following plea:

In Re. Dowling:

The respondent moves this honorable court that this court be dissolved, for the reason that this Council has no jurisdiction in this cause. J. T. DOWLING,

By his Attorneys, H. J. Everett & J. M. Cropsey.

On motion by Councilman Spahr, the above plea was overruled, by the following vote:

AYES, 13—viz. Councilmen Benjamin, Gallahue, Haugh, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton.

NAYS, 7—viz. Councilmen Coy, Curry, Doyle, Edenharter, Mack, Reinecke, and Wolf.

The Attorneys filed the following:

In Re. Dowling:

The respondent herein for further plea herein, says that this court has a legal right to hear this respondent as a member of this body, for the reason that the ordinance of this body, he has a right to be heard herein. J. T. DOWLING,

By his Att'ys., H. J. Everett & J. M. Cropsey.

Councilman Newcomb moved that the Common Council do now proceed to take evidence in the case.

Which was adopted, by the following vote:

AYES, 13—viz. Councilmen Benjamin, Gallahue, Haugh, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton.

NAYS, 7—viz. Councilmen Coy, Curry, Doyle, Edenharter, Mack, Reinecke, and Wolf.

Councilman Coy moved that the Attorneys be heard on behalf of their plea of want of jurisdiction.

Which was ruled out of order.

The accused and his Attorneys withdrew their appearance.

The following persons were sworn as witnesses, and examined: W. R. Holloway, M. L. Brown, H. J. Mauer, A. W. Johnson, John Egger, C. T. Bedford, M. D., Allen Caylor.

The Chair then announced that the roll would be called on the charges in the order as presented, and the Councilmen should answer as their names are called, "guilty" or "not guilty."

Those who voted to sustain the charge of guilty in the first specification, are as follows:

Councilmen Benjamin, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf—17.

Those voting not guilty, were:

Councilmen Coy, Curry, and Doyle—3.

Those who voted to sustain the charge of guilty in the second specification, are as follows:

Councilmen Benjamin, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf—17.

Those voting not guilty, were:

Councilmen Coy, Curry, and Doyle—3.

Those who voted to sustain the charge of guilty in the third specification, are as follows:

Councilmen Benjamin, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf—17.

Those voting not guilty, were:

Councilmen Coy, Curry, and Doyle—3.

The charges having been sustained, the Chair then put the question as to the expulsion of Councilman Dowling.

Those voting for his expulsion, are as follows:

Councilmen Benjamin, Gallahue, Haugh, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton—13.

Those voting again his expulsion, are as follows:

Councilmen Coy, Curry, Doyle, Edenharter, Mack, Reinecke, and Wolf—7.

The Statute requiring *that any member of the Common Council may be expelled or removed from office by a two-thirds vote*, the Chair declared the accused as not expelled, not having received the necessary number of votes.

On motion, the Common Council then adjourned.

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

Attest: GEO. T. BREUNIG, City Clerk.

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—SEPTEMBER 28, 1885.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, September 28th, A. D. 1885, at half-past seven o'clock, in regular session.

PRESENT—HON. Brainard Rorison, President of the Board of Aldermen, in the Chair, and Aldermen Bernhamer, King, McHugh, Prier, Pritchard, and Talentine—7.

ABSENT, 2—viz. Aldermen Cobb, and Endly.

The Proceedings of the Board of Aldermen for the regular session, held September 14th, 1885, having been printed and placed on the desks of the Aldermen, said Journals were approved as published.

The following message was read and received:

To the President and Members of the Board of Aldermen:

Gentlemen.—I submit herewith the following papers for your consideration, favorably passed upon by the Common Council, at its regular session, held September 21st, 1885.

For the Common Council:

GEO. T. BREUNIG, City Clerk.

The report from the Committee on Contracts, awarding sundry and various contracts (see pages 577 and 578, *ante*), was read, and the favorable action of the Common Council thereon, was concurred in.

The report from the Mayor (see page 579, *ante*), was read and received.

The report from the City Civil Engineer, submitting certain estimates, (see page 579, *ante*), was read, and the estimates (presented therewith) approved.

The following estimate resolution (see page 579, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Fred. Gansberg, for grading and graveling the first alley west of Arsenal avenue, from Washington street to Market street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 5—viz. Aldermen King, McHugh, Prier, Tallentire, and President Rorison.

NAYS—None.

The following estimate resolution (see page 580, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Isaac C. Snyder, for grading and graveling the roadway of Pine street, from St. Clair street to the first alley south of St. Clair street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 5—viz. Aldermen King, McHugh, Prier, Tallentire, and President Rorison.

NAYS—None.

The following estimate resolution (see page 580, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J. L. Spaulding, for grading, bowldering and curbing the south gutter of Vermont street, and paving with brick the sidewalk thereof, from Tennessee street to Indiana avenue, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 5—viz. Aldermen King, McHugh, Prier, Tallentire, and President Rorison.

NAYS—None.

The report from the City Civil Engineer, submitting certain contracts and bonds (see pages 580 and 581, *ante*), was read and approved.

The following contract and bond (see page 580, *ante*), was read and approved:

Contract and bond of Bernauer & Nickols, for paving with brick the east sidewalk of Union street, between Hanway and Hill streets. Bond, \$500 00; surety, Geo. Wm. Seibert.

The following report from the City Clerk was read:

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

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

George W. Seibert vs. Minnie L. Taylor, for.....\$14 20
John H. Forrest vs Esther L. Adams, for..... 9 60

Respectfully submitted,

GEO. T. BREUNIG, City Clerk.

And the favorable action of the Common Council thereon (see page 581, *ante*), was concurred in, and the precepts ordered to issue, by the following vote:

AYES, 4—viz. Aldermen King, McHugh, Prier, and Tallentire.
 NAYS, 1—viz. President Rorison.

The report from the City Attorney (see page 581, *ante*), was read and received.

The communication from the President of the Citizens' Street Railway Company (see page 581, *ante*), was read and received.

The following report from the Hospital Board, and the resolution accompanying the same, were read, and on motion by Alderman King, the action of the Common Council (see pages 581 and 582, *ante*), was non-concurred in:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Your Hospital Board and Hospital Committee respectfully report that we had Mr. John W. Ralph, a competent engineer and draughtsman, prepare plans and specifications for supplying the City Hospital with steam heating apparatus complete, and after advertising for bids, have received three (3) proposals, as follows:

J. S. Farrell & Co., of Indianapolis.....	\$6,875 00
Porter Steam Heating Co., of Minneapolis Mining Co.....	6,600 00
Kelly & Jones Company, of Pittsburg, Pa.....	6,410 00

Kelly & Jones Company being the lowest and best bid, we recommend the said Kelly & Jones Company be awarded the contract, and that the resolution set below, be adopted.

Respectfully submitted,

W. C. Newcomb,
 P. M. Gallahue,
 Philip J. Doyle,
 Hospital Board.

Will F. A. Bernhamer,
 of the Aldermanic Hospital Committee.

Resolved, That Kelly, Jones & Co., of Pittsburg, Pa., be awarded the contract to furnish steam heating apparatus for the City Hospital, according to the plans and specifications prepared by John W. Ralph, for the sum of \$6,410.00, as soon as the proper contract has been entered into by said company with the Mayor, on behalf of the city, and bond executed to the satisfaction of the City Attorney; twenty (20) per cent. of said \$6,410.00 to be retained until April 1st, 1886.

The report from the Board of Public Improvements was read, and the action of the Common Council (see pages 582 and 583, *ante*), on the 2d, 3d, 5th, 6th, 7th, 9th and 10th clauses, was concurred in.

The report from the Board of Public Improvements and Street Commissioner (see page 583, *ante*), was read and received.

The report from the Board of City Commissioners (see page 584, *ante*), as to the vacation of a certain portion of Eleventh street, so as to make it of a uniform width between Central avenue and the Wash Railroad, and the following resolution (see page 585, *ante*), were read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis That the report of the Board of City Commissioners in the matter of petition of H. M. Hadley et al, asking for the vacation of so much of Eleventh street as will make it of a uniform width of seventy feet between Central avenue and the Wabash railroad be and the same is hereby in all things accepted, adopted and approved, and that in accordance with said report a strip of land along the south side of Eleventh street of various widths, as shown by the plat herewith filed, said strip extending from Central avenue to the Wabash railroad tracks be and the same hereby vacated.

Resolved further, That the petitioners be and they are hereby required to pay to the City Treasurer within twenty days from the adoption of this resolution, the sum of \$47.70, the amount of expenses reported by the City Commissioners as taxed in this matter, and that said petitioners be and they are hereby required to procure and have recorded in the office of the Recorder of Marion County, the proper certified copies of proceedings and maps, as required by law, at their own expense, and that until such expenses are paid, and proceedings and maps recorded as aforesaid, said portion of Eleventh street shall not be vacated or used otherwise than as now.

And the favorable action of the Common Council on the report was concurred in, and the resolution concurrently adopted, by the following vote:

AYES, 6—viz. Aldermen Bernhamer, King, McHugh, Prier, Tallentire, and President Rorison.

NAYS—None.

The resolution naming the places for holding the General City Election, to be held Tuesday, October 13th, 1885, (see pages 587 and 588 *ante*), was read, and the resolution was concurrently adopted, by the following vote:

AYES, 6—viz. Aldermen Bernhamer, King, McHugh, Prier, Tallentire, and President Rorison.

NAYS—None.

Later in the session, Alderman Prier moved a reconsideration of the above vote.

Alderman Bernhamer moved to lay the above motion on the table.

Which failed of adoption, by the following vote:

AYES, 3—viz. Aldermen Bernhamer, King, and McHugh.

NAYS, 4—viz. Aldermen Prier, Pritchard, Tallentire, and President Rorison.

The motion to reconsider was then adopted, by the following vote:

AYES, 4—viz. Aldermen Prier, Pritchard, Tallentire, and President Rorison.

NAYS, 3—viz. Aldermen Bernhamer, King, and McHugh.

Alderman Tallentire offered the following amendment to the original resolution:

To amend the above resolution by striking out the voting place in the second precinct of the Eighteenth Ward, 147 Virginia avenue, and inserting in lieu thereof Engine House on east South street.

Which was adopted, by the following vote:

AYES, 4—viz. Aldermen Prier, Pritchard, Tallentire, and President Rorison.

NAYS, 3—viz. Aldermen Bernhamer, King, and McHugh.

The resolution as amended, was then adopted, by the following vote:

AYES, 4—viz. Aldermen Prier, Pritchard, Tallentire, and President Rorison.

NAYS, 3—viz. Aldermen Bernhamer, King, and McHugh.

The resolution appointing Inspectors and Judges (see pages 585, 586 and 587, *ante*), was read, and was concurrently adopted, by the following vote:

AYES, 6—viz. Aldermen Bernhamer, King, McHugh, Prier, Tallentire, and President Rorison.

NAYS—None.

The report from the Judiciary Committee (see page 589, *ante*), was read, and the favorable action of the Common Council thereon, was concurred in.

The report from the Committee on Public Light (see page 590, *ante*), was read, and the favorable action of the Common Council thereon, was concurred in.

The following clauses from the report of the Committee on Streets and Alleys (see page 591, *ante*), were read:

1. Is a resolution to change the name of Noble street, west of White River, to Traub street, and State street changed to Spaulding. Recommend said resolution be amended to change name of Noble street to Kelly, and State street to Traub, and then adopted.

3. Is a proposition of John W. Ray, to sell to the city certain piece of ground for the purpose of straightening Massachusetts avenue, for five hundred dollars. Recommend said proposition be accepted, providing said conveyance be made for four hundred and fifty dollars.

4. To change the name of Biddle street to Walnut street. Recommend said change be made.

5. Is the matter of opening and widening of the first alley east of the Belt Railroad, from Walnut street to the first alley, so as to intersect with the street that Traub has opened. We recommend that the money appropriated some time ago for opening a street on the bank of the River, be used, or so much of said appropriation as may be necessary for the opening of this street, the property owners interested binding themselves to pay all further expenses in opening and improving said street.

On motion, the first, fourth and fifth clauses were referred to the Committee on Judiciary and Ordinance.

Alderman Prier moved that the action of the Common Council on the third clause of the above report, be concurred in.

Which failed of adoption, by the following vote:

AYES, 3—viz. Aldermen Prier, Tallentire, and President Rorison.

NAYS, 3—viz. Aldermen Bernhamer, King, and McHugh.

On motion, the third clause of the report was then referred to the Committee on Streets & Alleys and Sewers & Drainage.

The petition of J. L. Spaulding, asking an extension time (see page 596, *ante*), was read and granted.

The communication of Frederick Baggs (see page 596, *ante*), was read and the action of the Common Council thereon, was concurred in.

The following motions (see pages 594, 596 and 597, *ante*), were read and concurrently adopted:

That W. H. Travis be granted license to auctioneer goods at No. 71 East Washington street for the period of three months.

That G. W. Walker be allowed to make a bowldered driveway across sidewalk at 522 North California street, the crossing to be made on First street at his own expense and under supervision of City Engineer.

That the sidewalks of Springfield street when improved be graded to a width of twenty feet, and that J. L. Spaulding be permitted to pave and curb the sidewalk in front of lots 6 and 7, square 3, out-lot 12, at his own expense and under the direction of the City Civil Engineer, who is hereby directed to set the necessary grade stakes.

President Rorison presented the following charges; which were referred to the Committee on Hospital and Dispensary:

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

Gentlemen:—Henry W. Ridpath, M. D., prefers the following charges against the management of the Indianapolis City Hospital, as conducted by Dr. W. N. Wishard, Superintendent thereof, and asks that the same be given due consideration:

1st. The Superintendent, Wishard, is neglectful of the comfort, health and rights of the employes of said institution.

2d. That he is grossly neglectful of the interests and welfare of the patients.

3d. That his personal habits and conduct in and about said institution are bad, and such as render him unfit for the discharge of the duties of his position.

4th. That he wilfully, and with gross carelessness, often fails and neglects to make proper disposition of the dead.

HENRY W. RIDPATH.

STATE OF INDIANA, *Marion County:*

Personally appeared before me, William A. Foster, a Notary Public in and for said County and State, Henry W. Ridpath, who subscribed the foregoing statement, and who, being by me duly sworn, upon his oath said the same is true in substance and in fact, this 28th day of September, 1885

Witness my hand and Notarial seal, this 28th day of September, 1885.

[Seal.]

WILLIAM A. FOSTER, Notary Public.

Owing to the resignation of Alderman Cox, at the last meeting, President Rorison presented the following changes of Committees:

- Committee No. 2—Endly, Prier, and King. Finance and Accounts and Claims.
- Committee No. 4—Prier, Endly, and Bernhamer. Hospital and Dispensary.
- Committee No. 7—Pritchard, Tallentire, and McHugh. Police Department.
- Committee No. 12—Prier, Tallentire, and McHugh. Water and Public Health.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Contracts and Bridges, through Alderman Tallentire, submitted the following report; which was concurred in:

the President and Members of the Board of Aldermen:
Gentlemen:—Your Committee on Bridges, to whom was referred the City Civil Engineer's report recommending the painting of all the city iron bridges, would respectfully report that we have examined those bridges, and find that many of them are in a bad state of preservation, and recommend that the work be done as soon as possible.

Respectfully submitted, Thomas Tallentire,
 James McHugh,
 Committee on Bridges.

The Committee on Fire Department, through Alderman Tallentire, submitted the following report; which was concurred in:

the President and Members of the Board of Aldermen:
Gentlemen:—Your Committee on Fire Department, to whom was referred the action of the Council in authorizing the Chief Fire Engineer to purchase uniform cloth at wholesale, and furnish the same to Firemen at cost, recommend that the action of the Council be concurred in.

Respectfully submitted, Thomas Tallentire,
 James McHugh,
 H. J. Prier,
 Committee on Fire Department.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

On motion by Alderman King, the action of the Board in striking out the claims of L. A. Greiner, \$29.25, at the last meeting, was reconsidered, and the same ordered inserted in the next appropriation ordinance.

Alderman McHugh offered the following motion:

That we reconsider our former action on the Viera Street Guides.

Which was adopted, and the action reconsidered by the following vote:

- YES, 4—viz. Aldermen Bernhamer, King, McHugh, and President Rorison.
- AYS, 2—viz. Aldermen Prier, and Tallentire.

The resolution ordering the Street Guides (see pages 517 and 567, *etc*), was read, amended so as to read 250 guides, and was then adopted.

Alderman Bernhamer presented a remonstrance to the proposed filir of the plat of the Pennsylvania Company's addition; which was ordered not printed, and referred to the Judiciary Committee.

President Rorison offered the following motion; which was adopted:

That the Street Commissioner be, and he is hereby, instructed to institute search for the Street Sweeper, and report at the next meeting of this Board wheth he has found the same, and why it is not being applied to the purpose for which was purchased.

The following motion was read and adopted:

That the Street Commissioner be directed to contract for the necessary street sprinkling of the approaches to the State Fair grounds for the present week, at that the same be paid for out of the General Fund, not to exceed \$100.00.

Alderman Prier presented the following petition; which was granted:

Indianapolis, Ind., Sept. 26th, 1885.

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

Gentlemen:—We, the undersigned, representing all the property holders on the east side of Bellefontaine street, between Eighth and Ninth streets, respectfully petition your honorable body to grant a permit for laying a sidewalk of brick from Eighth to Ninth streets, along the east side of Bellefontaine street; said work to be done by the same party that has the contract for laying brick walk on Eighth street from Central avenue to the L., P. & C. Railway track, and at the same price, viz: 28 $\frac{3}{4}$ cents per lineal foot; the work to be done at our own expense, and under the direction of the City Civil Engineer.

A. G. Fosdyke, 120 feet; Jos. Ludlum, by A. G. Fosdyke, 41 feet; M. E. Fosdyke, by A. G. Fosdyke, 41 feet; Sarah J. Dell, by W. H. A. Dell, 151 feet; Jas. Madison, 41 feet; John L. Kring, 41 feet; Homer S. Lathrop, 41 feet; J. D. Campbell.

PENDING ORDINANCES.

The following entitled ordinance was read the second time, and then read the third time:

S. O. 80, 1885—An ordinance to provide for grading and bowldering the north gutter of Merrill street, from Alabama street to the J., M. & I. Railroad tracks.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following entitled ordinance was read the second time, and then read the third time:

S. O. 83, 1885—An ordinance to provide for grading and graveling the first alley south of Sixth street, from Alabama street to Delaware street.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following entitled ordinance was read the second time, and then read the third time:

O. 84, 1885—An ordinance to provide for grading and graveling the first alley west of Alabama street, from Sixth street to the first alley south of Sixth street.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

On motion, the Board of Aldermen then adjourned.

BRAINARD RORISON, President.

Attest: FRANK W. RIPLEY, Clerk.