

Corporation Counsel,

Yours respectfully,

The City.

Greater for the time than any corresponding period in the history of records in this office, is rapidly increasing, and has been much.

The work in all branches of this department, as shown by the

greater this department.

commendation for the ability and faithfulness with which he has con-

The City Attorney, Mr. Elias DeBorja, is worthy of the highest honors.

services were afforded in regard to licenses, nuisances and police

cases, and have been of great importance, where the utility of such

many cases tried in this court have been appealed to the Superior

cases, and fines have been collected to the amount of \$25,820.92.

There has been trial in the Police Court approximately 9,800

POLICE COURT.

and the other cases was dismissed by the dismissal of the day of trial.

In two of these cases the jury returned a verdict for the defendant.

cases of the Police Court. In each case \$1000.00 damages was awarded.

This department has defended three damage suits against mem-

SEATTLE, WASHINGTON.

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City of

Report of Seattle

Law Dept. for

period Mar. 21, 1898

to Jan. 5, 1900

City of Seattle, Washington

City of Seattle, Washington

The City of Seattle
Law Department

WILL E. HUMPHREY, CORPORATION COUNSEL
EDWARD VON TOBEL, ASSISTANT CORPORATION COUNSEL
ELLIS DEBRULER, CITY ATTORNEY

OFFICE: 604 MUTUAL LIFE BUILDING

SEATTLE, WASHINGTON, Jan. 5, 1900.

Hon. T. J. Humes,
Mayor of The City of Seattle.

Dear sir:--

In compliance with your request, I herewith make the following statement concerning this department:

This report covers a period from March 21, 1898 to January 5, 1900.

Seventy-two cases have been brought against the city and its officers. The city has begun nine actions, seven of which are condemnation proceedings.

CEDAR RIVER.

The most important case was the Cedar River Condemnation Proceedings and matters connected therewith. In this action there were about five hundred defendants, and a right of way twenty-eight miles long and sixty-six feet wide, a section of land at the intake on Cedar River and most all of the shores of Swan Lake were condemned, making in all a total of 1410 acres; the judgments entered therefor aggregating \$26,786.99. This being about one-half of the anticipated cost.

Six important suits have been finally disposed of relating to this work; two in the Supreme Court and four in the Superior Court. In one case in the Supreme Court the right of the city to construct

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(T. J. H.--2.)

SEATTLE, WASHINGTON,

the work was established. In the other the question of the validity of the first contract attempted to be let to Gahan & Byrne, involving \$1,239,271.00, was passed upon. The four suits below were to enjoin the construction of the work under the present contracts made by the city, and involve the validity of contracts for \$1,203,909.00, \$911,004.00, \$213,409.00 and \$79,495.00, respectively.

The city was sustained in all these cases, except the one in the Supreme Court in relation to the first contract attempted to be made with Gahan & Byrne. This department gave an opinion in writing that this contract, if entered into, would be illegal. The Supreme Court so decided.

Although the special ordinance ordering this great improvement contemplated that this department should have special counsel to aid in the work, and the council offered special assistance for this purpose, it was by this office declined, and all work was done by this department alone. The details of this work were very great, but so far not a single error has been found. For this remarkable result great credit is due to the careful and competent work of the assistant corporation counsel, Mr. Edward Von Tobel.

OTHER CONDEMNATION PROCEEDINGS.

The improvement of First Avenue has caused more work and litigation than any matter, except "Cedar River;" but all suits in regard

OFFICE: 604 MUTUAL LIFE BUILDING

(T. J. H.--3.)

SEATTLE, WASHINGTON,

to this improvement have been finally determined, and the total judgments are less than anticipated.

Another important proceeding, already determined to be for the public use and now set for trial, is the condemnation of what is known as the "Yesler Way Slide," on the north side of Yesler Way, between Seventh and Fifth Avenues. This property, after being terraced and surfaced and otherwise improved to prevent sliding into the streets, will be made into a public park.

Owing to the many improvements being made, more condemnation proceedings have been had during the period covered by this report than for all previous time since the organization of the city.

The system recently adopted of assessing adjoining property to pay for property taken ^{for new streets} has greatly increased the work of this department in these proceedings.

SUITS FOR PERSONAL INJURIES.

Suits have been brought against the city for personal injuries, claiming damages to the amount of \$134,314.85. Of these suits, claims to the amount of \$29,729.85 have been litigated and finally determined in court, with the result of only one judgment against the city, and that for \$500. In one for \$5195.00, a verdict was obtained for \$500.00. A motion for new trial is now pending in this case. One case was compromised, and suits are now pending for \$92,350.00.

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(T. J. H.--4)

SEATTLE, WASHINGTON,

This department has defended three damage suits against members of the police force. In each case \$1000.00 damages was asked. In two of these cases the jury returned a verdict for the defendant, and the other case was dismissed by the plaintiff on the day of trial.

POLICE COURT.

There has been tried in the Police Court approximately 8,500 cases, and fines have been collected to the amount of \$52,250.35. Many cases tried in this court have been appealed to the Superior Court, and have been of great importance, where the validity of ordinances were attacked in regard to licenses, nuisances and police powers.

The city attorney, Mr. Ellis DeBruler, is worthy of the highest commendation for the ability and faithfulness with which he has conducted this department.

The work in all branches of this department, as shown by the records in this office, is rapidly increasing, and has been much greater for the time than ^{for} any corresponding period in the history of the city.

Yours respectfully,


Corporation Counsel.