

## REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, October 19, 1908.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, October 19, 1908, at 7:30 o'clock, in regular session, President William J. Neukom in the chair.

Present: The Hon. William J. Neukom, President of the Common Council, and 19 members, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Eppert, Smither, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Wright and Henry.

Absent, 1, viz.: Mr. Hilkene.

Mr. Wood moved that the reading of the Journal be dispensed with. Carried.

## COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS IND., October 8, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: I return herewith with my approval the following ordinances:

General Ordinance No. 82, 1908, the same being "An ordinance to amend Section 28 of an ordinance entitled 'An ordinance relative to the streets, alleys, sidewalks and public places of the City of Indianapolis;

restraining the making of excavations therein or in the lands adjacent thereto; prohibiting the placing of unauthorized obstructions in or upon the same; securing the public in the free and safe use thereof; revising and re-enacting ordinance provisions now in force, and prescribing penalties for violations of its regulations and requirements,' approved September 2, 1878; fixing a time when the same shall take effect, and providing a penalty for the violation thereof."

General Ordinance No. 79, 1908, being "An ordinance approving a certain contract granting the Cumax Coffee and Baking Powder Company a right to lay and maintain a side-track or switch from the Pennsylvania railroad across Davidson street according to blue print attached, in the City of Indianapolis, Indiana."

General Ordinance No. 55, 1908, being "An ordinance ratifying, confirming and approving the certain contract and agreement made and entered into on the 12th day of June, 1908, between the Indiana Clean Street Company and the City of Indianapolis."

General Ordinance No. 16, 1908, being "An ordinance amending clause a in Section 3, of an ordinance entitled 'An ordinance concerning the compensation of all officers, heads of departments, clerks, assistants and employes of the City of Indianapolis.'"

Appropriation Ordinance No. 35, 1908, the same being "An ordinance providing for the appropriation of the sum of \$10,000 to and for the use of the Department of Public Works."

Appropriation Ordinance No. 34, 1908, the same being "An ordinance providing for the appropriation of \$20,000 to and for the use of the Department of Public Works."

General Ordinance No. 78, 1908, the same being "An ordinance providing for the transfer of certain fund to certain fund, to and for the use of the Department of Public Health and Charities."

General Ordinance No. 71, 1908, the same being "An ordinance ratifying, confirming and approving a certain contract made and entered into on the 3d day of August, 1908, between the City of Indianapolis, by and through its Board of Public Works, and Union Traction Company of Indiana and Indiana Union Traction Company, whereby said companies are authorized to run and operate certain of their cars in said city along certain streets therein described."

I have the honor to remain,

Yours very truly,

C. A. BOOKWALTER,  
*Mayor.*

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS IND., October 17, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: There will be presented to your honorable body, at this evening's meeting, an ordinance calling for the appropriation of \$500 for

the purpose of assisting in the defraying of the expenses of the unveiling of the monument to General Benjamin Harrison, such ceremonies to be held in the City of Indianapolis, on Tuesday, October 27, 1908.

The services of General Harrison to his state and country, in my opinion, warrant this expenditure of public funds, and I would most earnestly urge upon your honorable body that favorable action be had upon this ordinance at the earliest possible moment.

I have the honor to remain,

Yours very truly,

C. A. BOOKWALTER,  
*Mayor.*

#### REPORTS FROM CITY OFFICERS.

#### From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: I herewith submit a communication from the Chairman of the Finance Committee of the Harrison Monument Association, asking me to recommend an appropriation in the sum of \$500 to assist in defraying expenses of the unveiling of the Benjamin Harrison monument.

Believing that our citizens will approve such an expenditure of money by the city, I herewith submit an ordinance providing for the appropriation asked for and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,  
*City Controller.*

INDIANAPOLIS, IND., October 19, 1908.

*George T. Breunig, City Controller, City:*

DEAR SIR: The unveiling of the Harrison Monument will take place on the 27th of this month, and it is expected that many people will be in the city to do honor to the event. The occasion is one that commemorates the life and character of one of Indiana's greatest statesmen, and the public at large is interested in the proper observance of the day. The Executive Committee has estimated that it will need \$2,500 to meet the necessary expenses, and the city is respectfully asked to appropriate \$500 of that amount.

If this suggestion meets your approval, will you kindly submit it to the Council with such recommendation as you see fit to make?

Yours truly,

AQUILLA Q. JONES,  
*Chairman Finance Committee.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: I herewith submit a communication from the Department of Public Health and Charities, requesting me to recommend the transfer of the sum of \$350.00 from the "Cutting Weeds Fund" to the "Horse Board and Transportation Fund."

I herewith submit an ordinance providing for the transfer as requested and recommend its passage.

Respectfully submitted,  
GEO. T. BREUNIG,  
City Controller.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., October 13, 1908.

*George T. Breunig, City Controller, City:*

DEAR SIR: I have been instructed by the Board of Public Health to ask that you transfer \$350 from the Cutting Weeds Fund to the Horse Board and Transportation Fund, for the purpose of purchasing two horses to replace the two horses we now have.

This becomes necessary for the reason that one of the horses is totally disabled from doing the work of this Department, it having been stolen from in front of the Court House, and when recovered it was injured to such an extent that we have not been able to use him since. The other horse never was any good and should be replaced by a good one.

I trust you will take the necessary steps to have this transfer made.

Very truly yours,  
EUGENE BUEHLER,  
Secretary Board of Health.

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: I herewith present a communication from the Department of Public Safety, requesting an additional appropriation in the sum of \$75.00 to be added to the "Transportation Fund" in the Building Inspector's Department.

I herewith submit an ordinance providing for the appropriation as requested and recommend its passage.

Respectfully submitted,  
GEO. T. BREUNIG,  
City Controller.

DEPARTMENT OF PUBLIC SAFETY.  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., October 15, 1908.

*George T. Breunig, City Controller, City:*

DEAR SIR: At a meeting of the Board of Public Safety, held October 14, 1908, I was instructed to request you to please ask the Common Council to appropriate the sum of seventy-five dollars (\$75.00) to the "Transportation Fund" in the Building Department.

The balance in this fund September 30, 1908, was \$79.15, all repairs to bicycles, buggies, harness and boarding horses comes from this fund; the board bill for two horses for October, November and December alone will be \$108.00, and a buggy may break down at any time.

Respectfully yours,

JOHN B. WOOD,  
*Secretary.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: I herewith submit a communication from the Department of Public Works asking for an additional appropriation in the sum of \$1,330.14 to the "Erroneous Assessment Fund."

I herewith submit an ordinance providing for the appropriation asked for and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., October 5, 1908.

*George T. Breunig, City Controller, City:*

DEAR SIR: We respectfully request that you recommend to the Common Council the passage of an ordinance appropriating the sum of \$1,330.14 to pay for an erroneous assessment made against property of the Belt Railway and Union Stock Yards Company, lying outside of the City of Indianapolis.

We have in this office statement from the Chief of the Bureau of Assessments, showing the amount erroneously assessed, also an opinion from the City Attorney stating that the city had no right to assess property outside the corporate limits.

Yours respectfully,

JOSEPH T. ELLIOTT,  
P. C. TRUSLER,  
F. J. MACK,  
*Board of Public Works.*

**From City Controller:**

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: I herewith submit a communication from the Department of Public Works, requesting me to recommend the transfer of the sum of \$2,500 from the "Cistern Fund" to the "Payment of Assessments Fund."

I herewith submit an ordinance providing for the transfer as requested and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., October 12, 1908.

*George T. Breunig, City Controller, City:*

DEAR SIR: There are a number of assessments now standing against city property for street improvements, which we are unable to pay on account of insufficient funds. We will need an additional appropriation of \$2,500 to pay these assessments.

You are, therefore, requested to recommend to the Common Council the passage of an ordinance transferring said sum of money from the "Cistern Fund" to the fund for "Payment of Assessments."

Respectfully,

JOSEPH T. ELLIOTT,  
P. C. TRUSLER,  
F. J. MACK,  
*Board of Public Works,*

**From City Controller:**

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: I herewith submit a communication from the Department of Public Works requesting me to recommend the transfer of the sum of \$25,000 to the "Street Repair Asphalt Plant and Maintenance Fund" from the following funds:

\$10,245.50 from the appropriation heretofore made for "Repairing Permanently Improved Streets (by contract)."

\$3,000 from the "Water Fund."

\$11,754.50 from the "Electric, Gas and Vapor Lights Fund."

I herewith submit an ordinance providing for the transfer as requested and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., October 16, 1908.

George T. Breunig, City Controller, City:

DEAR SIR: As suggested by the Superintendent of the Asphalt Repair Plant, in the enclosed letter, we herewith respectfully request you to recommend to the Common Council the passage of an ordinance appropriating the sum of \$25,000 to the Street Repair Asphalt Plant and Maintenance Fund. We also recommend that said sum of \$25,000 be transferred from other funds as follows:

From the Fund for Streets Repairing Permanently Improved (Asphalt) .....	\$10,245 50
Water Fund .....	3,000 00
Electric, Gas and Vapor Lights.....	11,754 50

Very respectfully,  
JOSEPH T. ELLIOTT,  
P. C. TRUSLER,  
F. J. MACK,  
*Board of Public Works.*

MUNICIPAL ASPHALT REPAIR PLANT,  
OFFICE OF SUPERINTENDENT.  
INDIANAPOLIS, IND., October 16, 1908.

To the Board of Public Works, City of Indianapolis:

We have laid up to date 75,755 square yards of asphalt repairs.

There was a balance on hand on October 2d of \$10,610.95. Bills allowed since then, and pay-rolls, amounted to \$4,935.24, leaving a balance of \$5,635.71.

There are still due asphalt, stonedust, fuel, freight and other material bills amounting to \$16,450.36, this includes asphalt for West Michigan street and some other bills which have not been rendered yet, which would leave our fund short \$10,814.65.

There has been paid, or will be paid back into General Fund \$7,576.69 for private work done up till October 1st.

This amount added to our balance would still leave a shortage of \$3,237.96; with the work of laying binder and surface on West Michigan still to be done, together with other repairs necessary this year. I would ask that \$25,000 be given this Department, making a total of \$90,000 for this Department this year.

Cost of plant, roller, wagons, office, sheds and tools approximated \$20,000, adding \$7,576.69 for private work already completed, and \$10,000 estimated cost of West Michigan street resurface, which will also revert to General Fund, would leave \$52,423.31 for the work already done, 75,755 square yards, and that necessary before the 1st of January, 1909, and a balance also. I would like to leave twelve or fifteen cars of fine sand on hand at the close of the season, as we can start our repair work in spring long before the party furnishing fine sand is allowed to use the roads to haul over. Trusting this will meet your approval, I am,

Yours truly and respectfully,  
SAM R. MURRAY,  
*Superintendent.*

**From Board of Public Works:**

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: I am directed by the Board of Public Works to forward to you, for your consideration and action thereon, the enclosed ordinances the following described improvements:

Improvement Resolution No. 5755, for the improvement of Alabama street from south property line South to north property line Merrill streets, with asphalt roadway, brick gutters, cement walks, approach walks, curbing and sodded lawns.

Improvement Resolution No. 5746, for the improvement of Muskingum street from north property line Emmett to south property line Tenth streets, with brick roadway and curbing.

Improvement Resolution No. 5729, for the improvement of Pine street from north property line Harrison street to C. H. & D. Railroad tracks, with brick roadway and curbing.

Respectfully yours,  
BOARD OF PUBLIC WORKS,  
F. J. Noll, Jr.,  
*Clerk.*

**REPORTS FROM STANDING COMMITTEES.**

**From the Committee on Finance:**

INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: Your Finance Committee, to which was referred Appropriation Ordinance No. 39, 1908, entitled "An ordinance appropriating the sum of \$4,000 to and for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect," begs leave to report that it has had the same under consideration and recommends that said ordinance do pass.

Respectfully submitted,

HARRY E. ROYSE.  
W. A. RHODES.  
H. C. SMITHER.  
BENJ. A. BROWN.  
JOHN L. DONAVON.  
FAY WRIGHT.  
W. O. BANGS.

Mr. Royse moved that the report of the committee be  
curred in. Carried.



**From the Committee on Finance:**

INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: Your Finance Committee, to which was referred Appropriation Ordinance No. 36, 1908, entitled "An ordinance providing for the appropriation of the sum of \$3,400 to and for the use of the Department of Public Safety, and fixing a time when the same shall take effect," begs leave to report that it has had the same under consideration and recommends that said ordinance do pass.

Respectfully submitted,

HARRY E. ROYSE.  
W. A. RHODES.  
H. C. SMITHER.  
BENJ. A. BROWN.  
JOHN L. DONAVON.  
FAY WRIGHT.  
W. O. BANGS.

Mr. Royse moved that the report of the committee be concurred in. Carried.

**From the Committee on Finance:**

INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: Your Finance Committee, to which was referred General Ordinance No. 83, 1908, entitled "An ordinance providing for the transfer of \$1,000 from certain funds to certain funds, to and for the use of the Department of Public Works, and fixing a time when the same shall take effect," begs leave to report that it has had the same under consideration and recommends that said ordinance do pass.

Respectfully submitted,

HARRY E. ROYSE.  
W. A. RHODES.  
H. C. SMITHER.  
BENJ. A. BROWN.  
JOHN L. DONAVON.  
FAY WRIGHT.  
W. O. BANGS.

Mr. Royse moved that the report of the committee be concurred in. Carried.

**From the Committee on Finance:**

INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: Your Finance Committee, to which was referred Appropriation Ordinance No. 37, 1908, entitled "An ordinance appropriating

the sum of \$3,300 to and for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect," begs leave to report that we have had the same under consideration and recommend that said ordinance be amended as follows, to-wit: By striking out of the title thereof the figures "\$3,300," and inserting in lieu thereof the figures "\$2,000;" and also by striking out of the title thereof the words "Department of Public Health and Charities," and inserting in lieu thereof the words "Department of Public Works"; also by striking out of Section 1 of said ordinance, in lines two and three thereof, the words and figures following, to-wit: "three thousand three hundred (\$3,300.00)," and inserting in lieu thereof the words and figures following, to-wit: "two thousand (\$2,000.00)," and also by striking out of line four of said Section 1 the words following, to-wit: "Department of Public Health and Charities" and inserting in lieu thereof the following, to-wit: "Department of Public Works"; and after being so amended, your committee recommends that said ordinance do pass.

Respectfully submitted,

HARRY E. ROYSE.  
W. A. RHODES.  
H. C. SMITHER.  
BENJ. A. BROWN.  
JOHN L. DONAVON.  
FAY WRIGHT.  
W. O. BANGS.

Mr. Royse moved that the report of the committee be concurred in.

#### From the Committee on Finance:

INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: Your Finance Committee, to which was referred Appropriation Ordinance No. 38, 1908, entitled "An ordinance providing for the appropriation of \$100 to and for the use of the Department of Public Safety, and fixing a time when the same shall take effect," begs leave to report that it has had the same under consideration and recommends that said ordinance do pass.

Respectfully submitted,

HARRY E. ROYSE.  
W. A. RHODES.  
H. C. SMITHER.  
BENJ. A. BROWN.  
JOHN L. DONAVON.  
FAY WRIGHT.  
W. O. BANGS.

Mr. Royse moved that the report of the committee be concurred in. Carried.

## From the Committee on Permanent Improvements:

INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: Your Committee on Permanent Improvement, to whom was referred General Ordinance No. 86, 1908, being "An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Muskingum street, or the first alley west of Illinois street, from the north line of Tenth street to the south line of Fourteenth street with brick roadway," have had the same under consideration and would recommend that the same do pass.

Respectfully submitted,

W. A. RHODES.  
JAS. F. SULLIVAN.  
FRED W. EPPERT.  
JOHN F. WOOD.  
J. H. HAMLET.

Mr. Rhodes moved that the report of the committee be concurred in. Carried.

## From the Committee on Permanent Improvements:

INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: Your Committee on Permanent Improvement, to whom was referred General Ordinance No. 85, 1908, being "An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Broadway from south sidewalk of Thirteenth to south sidewalk of Fifteenth streets with cement walks," have had the same under consideration and would recommend that it do pass.

Respectfully submitted,

W. A. RHODES.  
JAS. F. SULLIVAN.  
FRED W. EPPERT.  
JOHN F. WOOD.  
J. H. HAMLET.

Mr. Rhodes moved that the report of the committee be concurred in. Carried

## From the Committee on Permanent Improvements:

INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: Your Committee on Permanent Improvements, to whom was referred General Ordinance No. 80, 1908, being "An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Northwestern avenue from south property

line Fifteenth to south property line Twenty-first streets with asphalt roadway," have had the same under consideration and would recommend that the same do pass.

Respectfully submitted,

W. A. RHODES.  
JAS. F. SULLIVAN.  
J. H. HAMLET.  
JOHN F. WOOD.

Mr. Rhodes moved that the report of the committee be concurred in. Carried.

#### From the Committee on Public Property and Improvement:

INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: Your Committee on Public Property and Improvements, to which was referred General Ordinance No. 81, 1908, entitled "An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Olney street from north property line Tenth street to south property line of Sixteenth street with curbing," begs leave to report that it has had the same under consideration and recommends that the same do pass.

Respectfully submitted,

BENJ. A. BROWN.  
HARRY E. ROYSE.  
JOHN L. DONAVON.

Mr. Brown moved that the report of the committee be concurred in. Carried.

#### From the Committee on Railroads:

INDIANAPOLIS, IND., October 19, 1908.

*To the President and Members of the Common Council:*

GENTLEMEN: Your committee, to whom was referred General Ordinance No. 56, 1908, being "An ordinance approving a certain contract granting E. C. Atkins & Company the right to lay and maintain side-tracks or switches in South Capitol avenue," beg leave to report that they have had same under consideration and recommend that said ordinance do pass.

Respectfully submitted,

JOHN F. WOOD.  
BENJ. A. BROWN.  
FRED W. EPPERT.

Mr. Wood moved that the report of the committee be concurred in. Carried.

## INTRODUCTION OF APPROPRIATION ORDINANCES.

**By City Controller:**

Appropriation Ordinance No. 40—1908: An ordinance appropriating the sum of \$500 to and for the use of the Department of Finance, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of five hundred (\$500.00) dollars be, and the same is hereby appropriated to the Department of Finance to be used in assisting to defray the expenses incident to the unveiling of the Benjamin Harrison Monument.

SEC. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to the Committee on Finance.

**By City Controller:**

Appropriation Ordinance No. 41—1908: An ordinance appropriating the sum of \$75.00 to and for the use of the Department of Public Safety, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of seventy-five (\$75.00) dollars be, and the same is hereby appropriated to and for the use of the Department of Public Safety, such sum to be added to and form a part of the appropriation heretofore made, to the "Transportation Fund" in the Building Inspector's Department.

SEC. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to the Committee on Finance.

**By City Controller:**

Appropriation Ordinance No. 42—1908: An ordinance providing for the appropriation of the sum of \$1,330.14 to and for the use of the Department of Public Works, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of one thousand three hundred and thirty dollars and fourteen cents (\$1,330.14) be, and the same is hereby appropriated to and for the use of the Department of Public Works,

such sum to be added to the appropriation heretofore made for the "Erroneous Assessment Fund."

SEC. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to the Committee on Finance.

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

##### By City Controller:

General Ordinance No. 87—1908: An ordinance providing for the transfer of the sum of \$350.00 from a certain fund to a certain fund, in and for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of three hundred and fifty (\$350.00) dollars heretofore appropriated to the "Cutting Weeds Fund" be, and the same is hereby transferred to the "Horse Board and Transportation Fund" for the use of the Board of Health office, in and for the use of the Department of Public Health and Charities, and said department is hereby authorized to use so much of the amount herein transferred as may be necessary for the purchase of two horses for the Board of Health office.

SEC. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to the Committee on Finance.

##### By City Controller:

General Ordinance No. 88—1908: An ordinance providing for the transfer of the sum of \$2,500 from a certain fund to a certain fund, in and for the use of the Department of Public Works, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of two thousand five hundred (\$2,500) dollars heretofore appropriated to the "Cistern Fund" be, and the same is hereby transferred to the "Payment of Assessments Fund," in and for the use of the Department of Public Works.

SEC. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By City Controller:

General Ordinance No. 89—1908: An ordinance providing for the transfer of the sum of \$25,000 to a certain fund from certain funds, in and for the use of the Department of Public Works, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of twenty-five thousand (\$25,000) dollars be, and the same is hereby transferred to the "Street Repair Asphalt Plant and Maintenance Fund" from the following funds, viz.:

From the appropriation heretofore made for "Repairing Permanently Improved Streets (by contract)," the sum of ten thousand two hundred and forty-five dollars and fifty cents (\$10,245.50); from the "Water Fund," the sum of three thousand (\$3,000) dollars; from the "Electric, Gas and Vapor Lights Fund," the sum of eleven thousand seven hundred and fifty-four dollars and fifty cents (\$11,754.50), in and for the use of the Department of Public Works.

SEC. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By Board of Public Works:

General Ordinance No. 90—1908: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Pine street from the C. H. & D. Railroad tracks to the north property line of Harrison street, with brick roadway and curbing.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 4th day of September, 1908, adopt Improvement Resolution No. 5729, 1908, for the improvement of Pine street from the C. H. & D. Railroad tracks to the north property line of Harrison street, except the crossing of the C. C., C. & St. L. Railroad tracks, with brick roadway and curbing; and

WHEREAS, The said Board of Public Works did at the same time fix the 21st day of September, 1908, at 10 o'clock A. M., as a date to hear all persons interested or whose property is affected by said proposed improvement; and the notice of the passage of said resolution and of the said time for hearing was published on the 5th day of September, 1908, and the 12th day of September, 1908, in the Indianapolis Sun, a daily newspaper of general circulation, printed and published in the City of Indianapolis, and notices by mail duly forwarded as provided by law; and

WHEREAS, On the 21st day of September, 1908, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 30th day of September, 1908, a written remonstrance of the majority of the resident property owners was filed with the Board against the said Improvement of Pine street; and

WHEREAS, On the 2d day of October, 1908, the said Board of Public Works directed that said resolution be referred to the Common Council of the City of Indianapolis, with a request that said Council pass an ordinance authorizing and empowering the said Board of Public Works to make said improvement in accordance with said resolution; now, therefore

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the Board of Public Works of said city be, and the same is hereby authorized and empowered to improve Pine street from the C. H. & D. Railroad tracks to the north property line of Harrison street, except the crossing of the C. C., C. & St. L. Railroad tracks, with brick roadway and curbing, in accordance with Improvement Resolution No. 5729, 1908, adopted by the Board of Public Works on the 4th day of September, 1908.

SEC. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Public Property and Improvement.

#### By Board of Public Works:

General Ordinance No. 91—1908: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Muskingum street from north property line Emmett street to south property line Tenth street, with brick roadway and curb.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 14th day of September, 1908, adopt Improvement Resolution No. 5746, 1908, for the improvement of Muskingum street from the north property line of Emmett street to the south property line of Tenth street, except the crossings of Walnut, St. Clair and Pratt streets, with brick roadway and curb; and

WHEREAS, The said Board of Public Works did at the same time fix the 30th day of September, 1908, at 10 o'clock A. M., as a date to hear all persons interested or whose property is affected by said proposed improvement; and the notice of the passage of said resolution and of the said time for hearing was published on the 15th day of September, 1908, and the 22d day of September, 1908, in the Indianapolis Sun, a daily newspaper of general circulation, printed and published in the City of Indianapolis, and notices by mail duly forwarded as provided by law; and

WHEREAS, On the 30th day of September, 1908, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 6th day of October, 1908, a written remonstrance was filed with the Board against the said improvement of Muskingum street, and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 16th day of October, 1908, the City Civil Engineer



filed his written report, stating that a majority of the resident property owners had signed said remonstrance; and

WHEREAS, On the 16th day of October, 1908, the said Board of Public Works directed that said resolution be referred to the Common Council of the City of Indianapolis, with a request that said Council pass an ordinance authorizing and empowering the said Board of Public Works to make said improvement in accordance with said resolution, now, therefore

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the Board of Public Works of said city be, and the same is hereby authorized and empowered to improve Muskingum street from the north property line of Emmett street to the south property line of Tenth street, except the crossings of Walnut, St. Clair and Pratt streets, with brick roadway and curb, in accordance with Improvement Resolution No. 5746, 1908, adopted by the Board of Public Works on the 14th day of September, 1908.

SEC. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Permanent Improvements.

By Board of Public Works:

General Ordinance No. 92—1908: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Alabama street from south property line South street to north property line Merrill street, with asphalt roadway, brick gutters, cement walks, approach walks, curbing and sodded lawns.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 14th day of September, 1908, adopt Improvement Resolution No. 5755, 1908, for the improvement of Alabama street from the south property line of South street to the north property line of Merrill street, with brick roadway, cement walks, approach walks, curbing and sodded lawns; and

WHEREAS, The said Board of Public Works did at the same time fix the 30th day of September, 1908, at 10 o'clock A. M., as a date to hear all persons interested or whose property is affected by said proposed improvement; and the notice of the passage of said resolution and of the said time for hearing was published on the 15th day of September, 1908, and the 22d day of September, 1908, in the Indianapolis Sun, a daily newspaper of general circulation, printed and published in the City of Indianapolis, and notices by mail duly forwarded as provided by law; and

WHEREAS, On the 30th day of September, 1908, the Board having met in regular session, took final action on said Improvement Resolution, modifying same so as to provide for asphalt roadway as petitioned for by a majority of the resident property owners; and

WHEREAS, On the 5th day of October, 1908, a written remonstrance was filed with the Board against the said improvement of Alabama street, and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 9th day of October, 1908, the City Civil Engineer filed his written report, stating that a majority of the resident property owners had signed said remonstrance; and

WHEREAS, On the 9th day of October, 1908, the said Board of Public Works directed that said resolution be referred to the Common Council of the City of Indianapolis, with a request that said Council pass an ordinance authorizing and empowering the said Board of Public Works to make said improvement in accordance with said resolution; now, therefore

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the Board of Public Works of said city be, and the same is hereby authorized and empowered to improve Alabama street from the south property line of South street to the north property line of Merrill street, with asphalt roadway, brick gutters, cement walks, approach walks, curbing and sodded lawns, in accordance with Improvement Resolution No. 5755, 1908, adopted by the Board of Public Works on the 14th day of September, 1908.

SEC. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Public Property and Improvement.

By Mr. Royce:

General Ordinance No. 93—1908: An ordinance providing for the publication of receipts and expenditures by the City Controller from the various funds in the different departments of the city government, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, That from and after the passage of this ordinance it shall be the duty of the Controller of the City of Indianapolis to publish in at least two daily newspapers of general circulation in said city, and printed in the English language, said publications to appear not later than the tenth day of each calendar month, a statement showing the aggregate receipts for the preceding month by the City of Indianapolis from all sources whatsoever, and the expenditures by funds and the balance on hand in each and every fund, whether such fund be a regular fund or a special fund for a specific purpose. Such publication shall separate the funds so as to show the cash balance on hand on the first calendar day of each month in the general fund subject to special appropriations; the balance on hand that may be held for specific appropriation, whether by issue of bonds or otherwise, and shall show expenditures and balances in all funds as appropriated in the annual appropriation ordinance for the various departments of the city government, as well as expenditures and balances in such special and specific appropriations as may be made from time to time by the Common Council of the City of Indianapolis.

SEC. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

## MISCELLANEOUS BUSINESS.

By Mr. Cottey:

Resolution No. 5, 1908:

WHEREAS, The Common Council of the City of Indianapolis, on the 15th day of June, 1908, ordained and adopted a certain ordinance styled and designated "an ordinance remitting certain city taxes for the year 1907, and directing the repayment of a portion thereof, collected under a disputed assessment and making an appropriation of \$1,000.00 therefor;" and

WHEREAS, In said ordinance the Controller of said City was authorized and empowered to draw his several warrants in favor of the persons having paid certain taxes in such ordinance referred to; and

WHEREAS, In said ordinance the Treasurer in said City is authorized and directed to make proper entries in the tax duplicate of the cancellation for certain unpaid taxes of said lands for the year 1907; and

WHEREAS, Upon investigation it is found that it will be a greater convenience to have such repayment of taxes made through the County Auditor; now therefore be it

*Resolved*, By the Common Council of the City of Indianapolis, Indiana, That the Auditor of Marion County, Indiana, be, and he hereby is authorized and empowered to issue his several Auditor's Certificates in favor of the person or persons assessed for taxes for the year 1907 upon the lots and lands in said ordinance referred to, to and for the amount of such taxes, and to deliver such certificates to the proper person or persons upon the same conditions as said City Controller is authorized in said ordinance to issue his warrants therefor; and said Auditor is further authorized and directed to charge the aggregate amount of said certificates to the several funds in the proportion that said taxes, if paid, would revert to said funds, and such charge and accounting shall be made by such Auditor in his next semi-annual settlement.

Mr. Cottey moved that the rules be suspended and Resolution No. 5, 1908, be placed upon its passage. Carried.

Mr. Cottey moved the adoption of the resolution.

The roll was called and Resolution No. 5, 1908, was adopted by the following vote:

Ayes, 20, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Eppert, Smither, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Wright, Henry and President William J. Neukom.

Noes, none.

## ORDINANCES ON SECOND READING.

Mr. Royse called for Appropriation Ordinance No. 39, 1908, for second reading. It was read a second time.

Mr. Royse moved that Appropriation Ordinance No. 39, 1908, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 39, 1908, was read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Eppert, Smither, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Wright, Henry and President William J. Neukom.

Noes, none.

Mr. Royse called for Appropriation Ordinance No. 36, 1908, for second reading. It was read a second time.

Mr. Royse moved that Appropriation Ordinance No. 36, 1908, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 36, 1908, was read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Eppert, Smither, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Wright, Henry and President William J. Neukom.

Noes, none.

Mr. Royse called for General Ordinance No. 83, 1908, for second reading. It was read a second time.

Mr. Royse moved that General Ordinance No. 83, 1908, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 83, 1908, was read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Eppert, Smither, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Wright, Henry and President William J. Neukom.

Noes, none.

Mr. Royse called for Appropriation Ordinance No. 37, 1908, for second reading. It was read a second time.

Mr. Royse moved that Appropriation Ordinance No. 37, 1908, be amended as recommended by the committee. Carried.

Mr. Royse moved that Appropriation Ordinance No. 37, 1908, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 37, 1908, was read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Eppert, Smither, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Wright, Henry and President William J. Neukom.

Noes, none.

Mr. Royse called for Appropriation Ordinance No. 38, 1908, for second reading. It was read a second time.

Mr. Royse moved that Appropriation Ordinance No. 38, 1908, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 38, 1908, was read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Eppert, Smither, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Wright, Henry and President William J. Neukom.

Noes, none.

Mr. Rhodes called for General Ordinance No. 86, 1908, for second reading. It was read a second time.

Mr. Rhodes moved that General Ordinance No. 86, 1908, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 86, 1908, was read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Eppert, Smither, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Wright, Henry and President William J. Neukom.

Noes, 1, viz.: Mr. Davis.

Mr Rhodes called for General Ordinance No. 85, 1908, for second reading. It was read a second time.

Mr. Rhodes moved that General Ordinance No. 85, 1908, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 85, 1908, was read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Eppert, Smither, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse,

Donavon, Sullivan, Hofmann, Wright, Henry and President William J. Neukom.

Noes, none.

Mr. Rhodes called for General Ordinance No. 80, 1908, for second reading. It was read a second time.

Mr. Rhodes moved that General Ordinance No. 80, 1908, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 80, 1908, was read a third time and passed by the following vote:

Ayes, 14, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Rhodes, Bangs, Portteus, Royse, Donavon, Sullivan, Hofmann, Wright and Henry.

Noes, 6, viz.: Messrs. Eppert, Smither, Uhl, Stickelman, Hartmann and President William J. Neukom.

Mr. Brown called for General Ordinance No. 81, 1908, for second reading. It was read a second time.

Mr. Brown moved that General Ordinance No. 81, 1908, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 81, 1908, was read a third time and passed by the following vote:

Ayes, 18, viz.: Messrs. Brown, Hamlet, Davis, Eppert, Smither, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Wright, Henry and President William J. Neukom.

Noes, 2, viz.: Messrs. Cottey and Wood.

Mr. Wood called for General Ordinance No. 56, 1908, for second reading. It was read a second time.

Mr. Wood moved that General Ordinance No. 56, 1908, be ordered engrossed, read a third time and placed upon its passage.

Mr Uhl called for the "ayes" and "noes."

The roll was called and the motion of Mr. Wood was carried by the following vote:

Ayes, 12, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Eppert, Smith, Uhl, Stickelman, Hartmann, Portteus and President William J. Neukom.

Noes, 8, viz.: Messrs. Rhodes, Bangs, Royse, Donavon, Sullivan, Hofmann, Wright and Henry.

General Ordinance No. 56, 1908, was read a third time and failed to pass by the following vote:

Ayes, 10, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Eppert, Smith, Uhl, Stickelman, Hartmann and President William J. Neukom.

Noes, 10, viz.: Messrs. Davis, Rhodes, Bangs, Portteus, Royse, Donavon, Sullivan, Hofmann, Wright and Henry.

On motion of Mr. Davis, the Common Council at 9:10 o'clock P. M., adjourned.

*Wm J Neukom*  
 -----  
 President.

ATTEST:

*James M Kelly*  
 -----  
 City Clerk.

