

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, September 6, 1909.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, September 6, 1909, at 7:30 o'clock, in regular session, President Edward J. Stickelman in the chair.

Present: The Hon. Edward J. Stickelman, President of the Common Council, and 15 members, viz: Messrs Brown, Cottey, Hamlet, Davis, Neukom, Rhodes, Smith, Uhl. Royse, Donavon, Sullivan, Hofmann, Hilkene, Wright and Henry.

Absent, 5, viz: Messrs. Wood, Eppert, Smither, Hartmann and Portteus.

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

REPORTS FROM CITY OFFICERS.

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., September 3, 1909.

To the President and Members of the Common Council:

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

Improvement Resolution No. 6030 for the improvement of the first alley west of Missouri street, from south property line South street to

north property line Empire street, with wooden block, asphalt, bitulithic or brick roadway.

Improvement Resolution No. 6068 for the improvement of Central avenue, from south property line Thirty-eighth street to south curb line Fortieth street, with cement walks and curbing.

Improvement Resolution No. 6055 for the improvement of the first alley east of Central avenue, from north property line Nineteenth street to south property line Twentieth street, with wooden block, asphalt, bitulithic or brick roadway.

Respectfully yours,

F. J. NOLL, Jr.,
Clerk Board of Public Works.

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., September 4, 1909.

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 attached switch ordinance granting to the Indianapolis Union Railway Company the right to lay and maintain two additional tracks across South Meridian street and Bluff avenue.

Respectfully yours,

F. J. NOLL, Jr.,
Clerk Board of Public Works.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

INDIANAPOLIS, IND., September 6, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred General Ordinance No. 31, 1909, being "An ordinance transferring the sum of \$100 from a certain fund to a certain fund to and for the use of the Department of Public Safety, and fixing a time when the same shall take effect," beg leave to report that they have had the same under consideration and would recommend that the same do pass.

Respectfully submitted,

W. A. RHODES.
OTTO HOFMANN.
H. C. SMITHER.
FAY WRIGHT.
JOHN L. DONAVON.
ALBERT E. COTTEY.

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

From the Committee on Finance:

INDIANAPOLIS, IND., September 6, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred Appropriation Ordinance No. 31, 1909, being "An ordinance appropriating the sum of \$11,500 to and for the use of the Department of Public Works, and fixing a time when the same shall take effect," beg leave to report that they have had the same under consideration and would recommend that the same do pass.

Respectfully submitted,

W. A. RHODES.
 OTTO HOFMANN.
 H. C. SMITHER.
 FAY WRIGHT.
 HARRY E. ROYSE.
 JOHN L. DONAVON.
 ALBERT E. COTTEY.

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

From the Committee on Finance:

INDIANAPOLIS, IND., September 6, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred Appropriation Ordinance No. 32, 1909, being "An ordinance providing for the appropriation of \$7,000 to and for the use of the Department of Public Works, and fixing a time when the same shall take effect," beg leave to report that they have had the same under consideration and would recommend that the same do pass.

Respectfully submitted,

W. A. RHODES.
 OTTO HOFMANN.
 H. C. SMITHER.
 FAY WRIGHT.
 HARRY E. ROYSE.
 JOHN L. DONAVON.
 ALBERT E. COTTEY.

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

From the Committee on Finance:

INDIANAPOLIS, IND., September 6, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred Ap-

appropriation Ordinance No. 33, 1909, being "An ordinance appropriating \$2,500 to and for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect," beg leave to report that they have had the same under consideration and would recommend that the same do pass.

Respectfully submitted,

W. A. RHODES.
OTTO HOFMANN.
H. C. SMITHER.
FAY WRIGHT.
HARRY E. ROYSE.
JOHN L. DONAVON.
ALBERT E. COTTEY.

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

From the Committee on Finance:

INDIANAPOLIS, IND., September 6, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred Appropriation Ordinance No. 34, 1909, being "An ordinance appropriating \$11,000 to and for the use of the Department of Public Parks, and fixing a time when the same shall take effect," beg leave to report that they have had the same under consideration and would recommend that the same do pass.

Respectfully submitted,

W. A. RHODES.
HARRY E. ROYSE.
ALBERT E. COTTEY.
OTTO HOFMANN.
JOHN L. DONAVON.
FAY WRIGHT.

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

From the Committee on Finance:

INDIANAPOLIS, IND., September 6, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred Appropriation Ordinance No. 35, 1909, being "An ordinance appropriating \$900 to and for the use of the Department of Public Safety, and fixing a time when the same shall take effect," beg leave to report that they

have had the same under consideration and would recommend that the same do pass.

Respectfully submitted,

W. A. RHODES.
ALBERT E. COTTEY.
OTTO HOFMANN.
JOHN L. DONAVON.
FAY WRIGHT.

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

From the Committee on Finance:

INDIANAPOLIS, IND., September 6, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred Appropriation Ordinance No. 36, 1909, being "An ordinance appropriating \$2,000 to and for the use of the Department of Public Works, and fixing a time when the same shall take effect," beg leave to report that they have had the same under consideration and would recommend that the same do pass.

Respectfully submitted,

W. A. RHODES
HARRY E. ROYSE.
ALBERT E. COTTEY.
OTTO HOFMANN.
JOHN L. DONAVON.
FAY WRIGHT.

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

From the Committee on Finance:

INDIANAPOLIS, IND., September 6, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred Appropriation Ordinance No. 37, 1909, being "An ordinance appropriating \$15,000 to and for the use of the Department of Public Works, and fixing a time when the same shall take effect," beg leave to report that they have had the same under consideration and would recommend that the title of the ordinance be changed to read \$13,000 in place of \$15,000, and in section one where \$15,000 appears that the same be changed to read

\$13,000, and when the ordinance is so amended we would recommend that it do pass.

Respectfully submitted,

W. A. RHODES.
HARRY E. ROYSE.
ALBERT E. COTTEY.
OTTO HOFMANN.
JOHN L. DONAVON.
FAY WRIGHT.

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

From the Committee on Judiciary:

INDIANAPOLIS, IND., September 6, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Judiciary, to whom was referred Special Ordinance No. 7, 1909, entitled "An ordinance receiving the Nathan Morris Memorial Fountain as a gift to the City of Indianapolis and agreeing to certain terms and conditions," have had the same under consideration and would recommend that same do pass.

Respectfully submitted,

ALBERT E. COTTEY.
JAS. F. SULLIVAN.
HARRY E. ROYSE.

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

From the Committee on Ordinances:

INDIANAPOLIS, IND., September 6, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Ordinances, to whom was referred Special Ordinance No. 8, 1909, entitled "An ordinance to change the name of Boswell street to Ashland avenue," beg leave to report that we have had same under consideration and recommend that same do pass.

Respectfully submitted,

J. H. HAMLET.
OTTO HOFFMANN,
JOHN L. DONAVON,

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

From the Committee on Railroads:

INDIANAPOLIS, IND., September 6, 1909.

To the President and Members of the Common Council:

GENTLEMEN: We, your Committee on Railroads, to whom was referred General Ordinance No. 34, 1909, beg leave to report that we have had the same under consideration and would recommend that said ordinance do pass.

Respectfully submitted,

H. C. SMITHER.
ALBERT E. UHL.
ALBERT E. COTTEY.
WILLIAM J. NEUKOM.

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.**By Board of Public Works:**

General Ordinance No. 35—1909: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve the first alley west of Missouri street, from the south property line of South street to the north property line of Empire street, with wooden block, asphalt, bitulithic or brick roadway.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did, on the 9th day of July, 1909, adopt Improvement Resolution No. 6030, 1909, for the improvement of the first alley west of Missouri street, from the south property line of South street to the north property line of Empire street, with wooden block, asphalt, bitulithic or brick roadway; and

WHEREAS, The said Board of Public Works did at the same time fix the 28th day of July, 1909, 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 12th day of July, 1909, and the 19th day of July, 1909, in the Indianapolis Commercial, 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 28th day of July, 1909, the Board having met in regular session, postponing further action on said resolution to July 30, 1909; and

WHEREAS, On the 30th day of July, 1909, the Board having met in regular session, took final action on said improvement resolution, the same being confirmed without modification; and

WHEREAS, On the 9th day of August, 1909, a written remonstrance of

a majority of the resident property owners was filed with the Board against the said improvement; and

WHEREAS, On the 20th day of August, 1909, the said Board of Public Works directed that an ordinance ordering said improvement be submitted to the Common Council for their consideration and action thereon; 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 are hereby ordered to improve the first alley west of Missouri street, from the south property line of South street to the north property line of Empire street, with wooden block, asphalt, bitulithic or brick roadway, in accordance with Improvement Resolution No. 6030, 1909, adopted by the Board of Public Works July 9, 1909, and confirmed July 30, 1909.

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 Sewers, Streets and Alleys.

By Board of Public Works:

General Ordinance No. 36—1909: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Central avenue, from south property line Thirty-eighth street to south curb line Fortieth street, with cement walks and curbing.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did, on the 2d day of August, 1909, adopt Improvement Resolution No. 6068, 1909, for the improvement of Central avenue, from the south property line of Thirty-eighth street to the south curb line of Forty-second street, with cement walks and curbing; and

WHEREAS, The said Board of Public Works did at the same time fix the 25th day of August, 1909, 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 3d day of August, 1909, and the 10th day of August, 1909, in the Indianapolis Commercial, 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 25th day of August, 1909, the Board having met in regular session, took final action on said improvement resolution, modifying the same so as to provide for sidewalks from the south property line of Thirty-eighth street to the south curb line of Fortieth street; and

WHEREAS, On the 26th day of August, 1909, a written remonstrance of a majority of the resident property owners was filed with the Board against the said improvement; and

WHEREAS, On the 1st day of September, 1909, the said Board of Public Works directed that an ordinance ordering said improvement be submitted to the Common Council for their consideration and action thereon; 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 are hereby ordered to improve Central avenue, from the south property line of Thirty-eighth street to the south curb line of Fortieth

street, with cement walks and curbing, in accordance with Improvement Resolution No. 6068, 1909, adopted by the Board of Public Works August 2, 1909, and confirmed August 25, 1909.

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. 37—1909: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve the first alley east of Central avenue, from north property line Nineteenth street to south property line Twentieth street, with wooden block, bitulithic or brick roadway.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did, on the 23d day of July, 1909, adopt Improvement Resolution No. 6055, 1909, for the improvement of the first alley east of Central avenue, from the north property line of Nineteenth street to the south property line of Twentieth street, with wooden block, asphalt, bitulithic or brick roadway; and

WHEREAS, The said Board of Public Works did at the same time fix the 18th day of August, 1909, 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 26th day of July, 1909, and the 2d day of August, 1909, in the Indianapolis Commercial, 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 18th day of August, 1909, the Board having met in regular session, took final action on said improvement resolution, the same being confirmed without modification; and

WHEREAS, On the 18th day of August, 1909, a written remonstrance of a majority of the resident property owners was filed with the Board against the said improvement; and

WHEREAS, On the 27th day of August, 1909, the said Board of Public Works directed that an ordinance ordering said improvement be submitted to the Common Council for their consideration and action thereon; 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 are hereby ordered to improve the first alley east of Central avenue, from the north property line of Nineteenth street to the south property line of Twentieth street, with wooden block, asphalt, bitulithic or brick roadway, in accordance with Improvement Resolution No. 6055, 1909, adopted by the Board of Public Works July 23, 1909, and confirmed August 18, 1909.

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. 38—1909: An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain two additional tracks across Meridian street and Bluff avenue, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, Heretofore, to-wit: on the 3d day of September, 1909, filed his petition before the Board of Public Works of the City of Indianapolis as follows:

PETITION.

To the Board of Public Works, City of Indianapolis:

GENTLEMEN: The undersigned hereby petition your honorable body for the right to lay two additional tracks across South Meridian street and Bluff avenue, said tracks to lie parallel with the present tracks of the Belt railroad across said streets.

One track to lie 13 feet center to center south of the present east-bound main track of the Belt railroad, and one track to lie 13 feet center to center north of the present west-bound main track of the Belt railroad. Both tracks to cross each of the streets heretofore mentioned.

NOW, THEREFORE, This agreement, made and entered into this 3d day of September, 1909, by and between the Indianapolis Union Railway Company of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth, That the party of the first part, being desirous of securing a right of way for sidetracks across Meridian street and Bluff avenue, in the City of Indianapolis, which is more specifically described as follows: One track to lie parallel with and 13 feet center to center south of the present east-bound main track of the Belt railroad across South Meridian street and Bluff avenue; One track to lie parallel with and 13 feet center to center north of the present west-bound main track of the Belt railroad across South Meridian street and Bluff avenue (blue print marked Exhibit "A" attached), hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said tracks upon the terms and conditions hereinafter set forth, to-wit;

(1) They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said tracks shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said tracks shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said tracks.

(3) The crossings where said tracks intersect South Meridian street and Bluff avenue shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be

permitted to obstruct such crossings or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, upon the written order of said Board, made for any good cause affecting the interest of the city or the public welfare, to take up and remove said tracks, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said tracks or causing the same to be done said Board shall in nowise become a trespasser.

(5) The party of the first part agrees to pave between said tracks to the entire satisfaction of the second party, and in case said tracks shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification in writing of ten (10) days, said Board shall do or cause the same to be done at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party or the first part herein binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said tracks, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending against any such claims.

(7) Any violations of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated by said Board, as hereinbefore set forth.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain two additional side-tracks across South Meridian street and Bluff avenue in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

In Witness Whereof, We have hereunto set our hands this 3d day of September, 1909.

THE INDIANAPOLIS UNION RY. CO.,

By A. A. ZION, *Superintendent*.

Party of the First Part.

CITY OF INDIANAPOLIS,

By JOSEPH T. ELLIOTT,

President.

P. C. TRUSLER,

F. J. MACK,

Board of Public Works,

Party of the Second Part.

AND, WHEREAS, Said contract has been submitted by the Board of Public Works to the Common Council of the City of Indianapolis, for its consideration and action, now, therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That such contract above set forth be, and the same is hereby in all things confirmed and approved.

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 Railroads.

By Board of Public Works:

General Ordinance No. 39—1909: An ordinance ratifying, confirming and approving the certain contract made and entered into on the 30th day of August, 1909, between the City of Indianapolis and the Indianapolis Hauling Company for the collection, removal and disposal of ashes and sweepings in the City of Indianapolis, and fixing the time when the same shall take effect and the period it shall remain in force.

WHEREAS, Heretofore, to-wit: on the 30th day of August, 1909, the Board of Public Works accepted the proposal of the Indianapolis Hauling Company and entered into the following contract with said company for the collection, removal and disposal of ashes and sweepings from certain flat buildings in the City of Indianapolis, to-wit:

This agreement, made and entered into on the 30th day of August, 1909, by and between the City of Indianapolis, in Marion County, Indiana, by and through its Board of Public Works, party of the first part, and the Indianapolis Hauling Company, party of the second part.

Witnesseth, That the party of the first part, under and by virtue of the powers conferred upon it by the act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, does hereby agree to pay to the said Indianapolis Hauling Company, party of the second part, the sum of twelve thousand dollars (\$12,000) per annum for a period beginning thirty (30) days after the approval of said contract by the Common Council and ending on the first day of October, 1918, payable in equal quarterly installments of three thousand dollars (\$3,000) on the first days of January, April, July and October of each year during said period as full payment for the collection, removal and disposal of all ashes and sweepings, as defined in said specifications, accumulating within the present corporate limits of the City of Indianapolis, beginning thirty (30) days after the approval of this contract by the Common Council and ending October 1, 1918. Payments for collecting and removing ashes and sweepings from any additional territory which may be annexed to said city after the taking effect of this contract shall be paid for in accordance with Specification No. 20, under which the proposal of said Indianapolis Hauling Company was submitted and accepted (and on which this contract is made with the party of the second part), which specifications and general stipulations are hereby made a part of this contract, and which read as follows:

SPECIFICATIONS.

1. The contractor shall collect and remove all ashes, as defined in these specifications, accumulating from steam, hot water or power plants,

and stoves, furnaces or fire places in flat buildings used exclusively for dwellings within the present corporate limits of the City of Indianapolis, and in any extensions thereof; also all sweepings, as defined in these specifications, accumulating from said flat buildings: *Provided*, That the term "flat buildings" as used herein shall be construed to apply only to such flat buildings from which the collection of ashes and sweepings is not already provided for by contract.

2. The word "ashes" wherever used herein shall be taken to mean the unconsumed residue from all materials used as fuel in steam, hot water or power plants, and taken from stoves, furnaces or fire places in flat buildings, and used exclusively for the benefit of such flat buildings. And the word "sweepings" wherever used herein shall be taken to mean all sweepings, including paper, cans, bottles, wall paper, fabrics, shoes, discarded tin ware, iron and other similar material from said flat buildings: *Provided*, however, that such ashes and sweepings shall not contain any garbage, building material, dirt, plastering, grass, weeds or such like matter.

3. Ashes and sweepings shall be collected at all above mentioned places in the city, from the first day of May until the first day of November each year during the existence of this contract, once each two weeks; from the first day of November until the first day of May, during each year of the existence of this contract, collections shall be made once each week; and such collections shall be made once each week during the entire year if required in writing by the Board of Public Health and the Board of Public Works.

4. The Board of Public Works of said city shall have power to grant permission to any person, persons, firm or corporation, or to the contractor, to remove his or their own ashes, provided they are delivered and removed to such point as may be agreed upon by the contractor and the Board of Public Health, and in the manner provided for in these specifications: *Provided*, however, that no ashes shall be deposited or left within the corporate limits of said city except clean ashes containing no rubbish or decaying or putrescent matter, nor unless such clean ashes shall be moistened before depositing so as to prevent dust; and provided also that all sweepings and all ashes containing sweepings, or otherwise unclean, shall, at all times, be removed by the contractor beyond the corporate limits of the city.

5. The contractor for the collection, removal and disposal of ashes and sweepings under this contract to be made shall, for said purpose, provide himself with tight vessels, tanks or boxes of ample capacity, mounted on two or four wheels, which shall be securely and tightly covered on top with canvas or tarpaulin, or in such other manner to be approved by the Board of Health, so as to prevent the contents thereof from escaping or being blown about; and each vessel, tank or box, when unloaded after the delivery of each load to the point of disposal, shall be so cleaned that no ashes or sweepings shall remain therein; and the vehicles drawing any such vessel, tank or box shall be at all times so loaded and driven that none of the material may escape. The vehicles drawing or carrying such vessel, tank or box shall have on both sides thereof a sign with the words "City Contractor Ash Cart," or "City Contractor Ash Wagon," painted thereon, together with the number of the vehicle in black letters not less than four inches in height on white background, the number of the wagon to be selected and registered in the office of the Board of Health and Charities, and the equipment shall always be maintained in a first class condition.

6. The contractor, before beginning collection under this contract, shall divide the city into districts, and shall deliver to the Board of Public Health and Charities a list of the boundaries of each district and the day of the week on which he plans to make collections. The Board

of Public Health and Charities may, within thirty days after the beginning of such collections according to such districts, make such changes, alterations and additions thereto as may, in the judgment of said Board, be necessary to insure the efficiency and thoroughness of such collections. Thereafter, on November 1st and April 1st in each year of this contract, such contractor shall revise such districts and deliver such revised list to the Board of Public Health and Charities, which may, for thirty (30) days, make such changes, alterations or additions to such districts as, in the judgment of said Board, may be necessary to insure the efficiency and thoroughness of such collections. Nothing in this provision shall be construed to mean that the contractor shall not at all times furnish good and sufficient equipment to collect and remove all ashes and sweepings as hereinbefore provided. The contractor shall not be permitted to depart from the time fixed for collection, except by obtaining the written consent of the Board of Public Health and Charities, the object being that all collections from flat buildings in each district shall be made on certain days, and as nearly at the same hour of the day as possible.

7. The contractor will furnish the owner or custodian of each flat building, on May 6th and November 6th of each year, with a printed list of the days on which he will make collections, stating in such list the time of day, as nearly as possible, when such collections will be made. The printed list shall be on cardboard not less than eight inches by ten inches in dimension, and shall contain such information incident to such collectors as the Board of Public Health and Charities shall desire.

8. It will be the duty of every owner or custodian, or persons occupying such flat buildings within the City of Indianapolis, under a proper ordinance or ordinances enacted or to be enacted by the Common Council, to provide or cause to be provided, and at all times to keep or cause to be kept or provided portable vessels for holding ashes or sweepings, said vessels to be of proper construction and kept with handles on the outside, said vessels to be of a size to be easily handled by two men. Said vessels shall be placed outside of said flat buildings in a convenient place for the collector on the day collection is to be made, and shall be of a capacity of not less than one bushel. All such vessels shall be accessible to the collector when called for, and if removed by him shall be returned by him to said place or places without unnecessary delay, and no person, except for such purpose authorized, shall in any manner interfere with said vessels or the contents thereof. In case of dispute the Board of Public Health and Charities shall decide as to the location to be selected for the placing of vessels by the owner or custodian or tenants.

9. The contractor for collection will be required to furnish to the Board of Public Health and Charities immediate notice of the failure of any person to have ashes ready for collection on the day set for such collection.

10. Upon complaint or complaints having been made of a failure on the part of the contractor to properly collect ashes or sweepings, or of disposing unclean ashes within the city, or any other violation of these specifications, it will be the duty of the Board of Public Health and Charities to investigate such complaint or complaints, and if, in its judgment, such failure to collect was solely the fault of the contractor it shall report such violation or violations of the contract to the Board of Public Works, who shall, upon the next succeeding allowance made to the contractor for work done, deduct a sum not less than \$1.00 and not exceeding \$5.00 for each and every violation so reported, and the contractor will be required to relinquish all right, title and interest in and to such deductions.

11. It shall be the duty of the Board of Public Health and Charities to investigate all complaints made of failures on the part of owners, custodians or tenants to comply with the provisions of the ordinance

requiring the placing of vessels for emptying by the contractor, and to prosecute all offenders under such provisions.

12. The contractor shall provide himself with an office, conveniently located and furnished with a telephone. A clerk shall be regularly employed to answer all complaints made and to promptly dispose of the same.

13. The Board of Public Works and the Board of Public Health and Charities shall be the exclusive judges as to whether the terms and conditions of the contract are being complied with. The Board of Public Works, upon the written complaint of the Board of Public Health and Charities that the terms of the contract are not being complied with, shall call upon the sureties upon the bond to carry out the provisions of such contract to the satisfaction of the Board of Public Health and Charities and the Board of Public Works, and on their failure so to do, after a written notice by the Board of Public Works of five days, the city, by and through its Board of Public Works, shall have the right to declare the contract null and void and to relet the work or any part thereof, and such annulment shall not entitle the contractor to any claim for damages which may arise from such failure; or, instead, the Board of Public Works shall have the power to provide for the collection and removal of such ashes and sweepings as it may deem best for the interest of the city. The cost of such collection and removal shall be paid from any sum to which said contractor would have been entitled had he completed the contract, and when that sum shall be exhausted, then out of any money which shall be appropriated for such purposes by the Common Council until the term for which the contract was originally made shall have expired; and the City of Indianapolis shall be entitled to maintain a suit in any court of competent jurisdiction against said contractor and his sureties to recover the money so appropriated, expended and paid out, and in such suit the amount of the city's recovery shall be such sum as it was compelled to expend in order to procure the collection and removal of ashes and sweepings which the contractor should have collected and removed under the contract.

14. The contractor shall pay any judgment which may be taken against said city, either alone or jointly with said contractor, on account of any injury or damage to persons or property by reason of the carrying out of this contract caused by the fault of the contractor: *Provided*, That if the city is sued alone for such injury or damages due notice to the contractor to appear and defend said action shall be given.

15. A proper contract to the approval of the Board of Public Works shall be entered into, and all the terms and conditions of said contract and specifications shall be binding upon the parties, their successors and assigns.

16. The Board of Public Works, subject to the terms and conditions of the contract, shall make and allow quarterly payments of the amount due therefor at the end of each quarter of the fiscal year, and the sum so allowed shall thereupon be due and payable to the contractor, and said Board shall issue to the contractor a proper voucher therefor.

17. The contractor shall give to the residents of said city and county preference in the employment of all labor necessary in performing the contract, and failing to do so shall forfeit to said city the sum of five dollars for each failure to observe this stipulation.

18. The contractor shall report to the Board of Public Health and Charities at the end of each month the amount of ashes and sweepings collected, making, at the same time, any other suggestions he may desire to make or giving such other information as may be required by said Board of Public Health and Charities.

19. The contractor shall be required to haul, so far as possible, all ashes and sweepings collected through the alleys in the city, not making

use of the prominent business or residence streets, and subject to the control and supervision of the Board of Public Health and Charities.

20. Whenever, after the contract for the collection, removal and disposal of ashes and sweepings shall have been in force and effect, there shall be annexed to the City of Indianapolis any additional territory the Board of Public Works may order and direct the contractor to begin and continue to collect ashes and sweepings within such annexed territory according to the terms and conditions of the specifications hereinbefore provided, and the amount of compensation for such additional service shall be determined in proportion to the area annexed to said city and the area of said city at the date of the beginning of such contracts for the collection, removal and disposal of ashes and sweepings.

21. All ashes and sweepings shall, upon being removed, become the property of the contractor, and he shall find places for their disposal within thirty days after this contract is approved by the Common Council, subject to the approval of the Board of Public Works and the Board of Public Health.

22. Contractor shall furnish bond in the sum of twenty thousand dollars (\$20,000) for the faithful performance of his contract. Such bond shall be executed by a responsible surety company or two freeholders, residents of the City of Indianapolis, each of said freeholders to qualify as the owner of real estate in Marion County, Indiana, in the sum of twice the value of the amount of such bond.

23. Contractor shall agree to complete all equipment, vehicles and other equipment contemplated in these specifications within thirty days after the contract shall have been approved by the Common Council of the City of Indianapolis.

24. The contract shall be in force and effect for a period beginning thirty (30) days after the approval of said contract by the Common Council and ending October 1, 1918.

GENERAL STIPULATIONS.

1. The contractor shall not assign or transfer the contract or sublet any of the work embraced in it without the consent of the Board of Public Works.

2. The contractor shall conform to the directions of the Board of Public Health and Charities as to the time in which the ashes and sweepings shall be collected, as to the intervals between the collection of the ashes and sweepings and the mode of doing the same.

3. If any machine or machines intended for use are patented the bidder must exhibit proof of his right to use the machine or machines in the City of Indianapolis, and will further be required to execute a bond of indemnity holding the city harmless from any suits for infringement of patent which may arise under the contract.

4. Whenever the contractor is not present on the work orders will be given by the Board of Public Health and Charities, or its duly authorized agent, to the superintendent or overseers who may have immediate charge thereof, and shall by them be received and strictly obeyed. And if any person employed on the work shall refuse or neglect to obey the directions of the Board of Public Health and Charities, or its duly authorized agents, in anything relating to the work, or shall appear to the said Board of Public Health and Charities to be incompetent, disorderly or unfaithful, he shall, upon the orders of said Board of Public Health and Charities, be at once discharged and not again employed on any part of the work.

5. The contractor shall be required to observe all city ordinances relating to the obstructing of streets, keeping open passageways and protecting the same where exposed, and maintaining signals and generally to obey all the laws and ordinances; and said contractor shall agree to

indemnify and save harmless the City of Indianapolis from all suits and actions of every kind and description brought against the city for or on account of any injuries or damages received or sustained by any party or parties, or by or from the contractor, his servants or agents, in the fulfillment of the contract; and it shall be further agreed that so much of the money due to the contractor under and by virtue of the contract as shall be considered necessary by the Board of Public Works may be retained until all suits or claims for damages as aforesaid shall have been settled and evidence to that effect furnished to the satisfaction of said Board of Public Works.

6. To prevent all disputes and litigation it shall be further agreed by the parties to said contract that the Board of Public Health and Charities shall in all cases determine the amount or quantity of the work which is to be paid for under the contract, and it shall, with the aid of the Board of Public Works, decide all questions which may arise relative to the execution of the contract on the part of the contractor, and its estimates and decisions shall be final and conclusive.

7. Nothing in these specifications shall be construed as a waiver or surrender by the city of any of its police powers, or of the right of the Common Council, at any time hereafter, to pass necessary and reasonable police ordinances, or of the Board of Public Health and Charities to adopt necessary and reasonable rules or regulations in the interest of public health and welfare in relation to any of the matters contained in these specifications, or in any contract based upon these specifications.

INSTRUCTIONS TO BIDDERS.

1. Bids will be received by the Board of Public Works of the City of Indianapolis, Indiana, at its office, Majestic Building, until the hour of 10 o'clock a. m. on the 27th day of August, 1909, for the collection, removal and disposal of all ashes and sweepings according to the specifications and stipulations therefor on file in the office of said Board and adopted on the 16th day of August, 1909.

2. Proposals must be signed by the bidder submitting them with their signatures in full. Any one signing a proposal as the agent of another, or others, must file with it legal evidence of his authority so to do.

3. The Board of Public Works reserves the right, prior to awarding the contract, to require the names of all persons connected with the bidder, that it may determine the reliability and standing of all such persons and their ability to conform to the requirements of the proposed contract.

Should the successful bidder not be incorporated at the time the contract is awarded, such bidder may, before such contract is entered into, incorporate under the laws of Indiana for the purposes herein contemplated.

4. Each bidder or firm of bidders shall accompany his or their bid with an affidavit that such bidder or bidders have not, directly or indirectly, entered into any combination, collusion, undertaking or agreement with any other bidder or bidders to maintain the price of any work or service bid upon, or to be done or furnished under the proposed contract, or to prevent any bidder or bidders to refrain from bidding on such contracting work, and that such bid is made without regard or reference to any other bid or bids, and without any agreement, understanding or combination, either directly or indirectly, with any other person or persons with reference to such bidding in any way or manner whatever.

5. All prices must be written in words as well as figures.

6. Each bidder must furnish with his bid a certified check on some reputable bank doing business in the City of Indianapolis, made payable to the order of the Board of Public Works in the amount of \$5,000, which sum shall be forfeited to the City of Indianapolis as liquidated damages in case the bidder submitting the same shall be awarded the

contract and shall not execute the same within ten days after the acceptance of the bid, and furnish the bond required within ten days after the approval of the contract by the Common Council of the City of Indianapolis by ordinance and the taking effect of the same.

7. In case the contract be not awarded to the bidder, or be not approved by ordinance of the Common Council as aforesaid, within ninety (90) days after the approval of said contract by the Board of Public Works, or if so awarded and approved and the contract and bond duly executed, said certified check shall be returned to the bidder on request or demand.

No bid will be considered by the Board of Public Works which is not accompanied by such certified check.

8. Proposals must be in sealed envelopes addressed to the Board of Public Works of the City of Indianapolis, Indiana, and endorsed "Proposal for the collection, removal and disposal of ashes and sweepings in the City of Indianapolis." Such proposals must be on the form of bidding sheet attached thereto, which will be furnished on application to the Board of Public Works.

9. Bids shall be submitted in a lump sum, stating the price per year.

10. The Board of Public Works reserves the right to reject any or all bids.

Approved August 16, 1909.

JOSEPH T. ELLIOTT,
President,

P. C. TRUSLER,

F. J. MACK,

Board of Public Works.

The payments under this contract shall be made at the rate of \$3,000 a quarter at the end of each quarter, beginning thirty (30) days after the approval of said contract by the Common Council and ending on the first day of October, 1918: *Provided*, That any additional amounts to be paid on account of the extension of the corporate limits of said city in accordance with Specification No. 20 aforesaid, under any action of said Board of Public Works that may be had thereunder, shall also be added to said quarterly sum of three thousand (\$3,000) dollars from quarter to quarter.

It is further agreed that said party of the second part shall file a bond in the sum of twenty thousand dollars (\$20,000) to be approved by the Board of Public Works, payable to the City of Indianapolis upon the condition that the said party of the second part, its successors or assigns, shall at all times faithfully discharge the requirements of this contract and comply with all of its items and provisions. Said bond shall be so filed and approved before the taking effect of this contract.

It is further agreed that in case the party of the second part, its successors or assigns, shall violate any of the terms, conditions or obligations herein contained, then, and in that event, the Board of Public Works of the City of Indianapolis may, at its option, cancel this contract, and the same shall become null and void; and in such event a right of action for a breach of the contract shall immediately accrue upon the bond of said party of the second part and the amount mentioned in said bond shall be deemed due the City of Indianapolis, Indiana, as liquidated damages for violation of the terms of this contract and the City of Indianapolis shall be entitled to judgment upon said bond for the full amount thereof.

It is further agreed and understood that the collection and removal of ashes and sweepings under the terms and conditions of this contract shall begin thirty (30) days after its approval by the Common Council.

It is further agreed by the party of the second part that it will accept from the said party of the first part the said sum of twelve thousand dollars (\$12,000) per annum, with such additional amounts as will be-

come due for additional work covered by added territory, as defined in Specification No. 20, for each year of the term of said contract, in full for said collection, removal and disposal of said ashes and sweepings as defined and stipulated in said specifications above set out.

To each and all of the terms, provisions and conditions of this contract the City of Indianapolis, party of the first part, by and through its Board of Public Works, and the Indianapolis Hauling Company, party of the second part, do fully agree and bind themselves, their successors and assigns.

In testimony whereof, we have hereunto set our hands and seals, in triplicate, on this 30th day of August, 1909.

C. A. BOOKWALTER, *Mayor*.

CITY OF INDIANAPOLIS,

By JOSEPH T. ELLIOTT,
President,

P. C. TRUSLER,

F. J. MACK,

Board of Public Works.

INDIANAPOLIS HAULING COMPANY,

By JAMES R. HENRY, *President*.

[Seal.]

ATTEST:

CHARLES GEMMER, *Secretary*.

AND WHEREAS, Said contract and agreement has been submitted by said Board of Public Works of said City of Indianapolis to the Common Council of said city for its action thereon; therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the foregoing contract and agreement made and entered into on the 30th day of August, 1909, by the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Hauling Company be, and the same is hereby in all things ratified, confirmed and approved.

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 Contracts and Franchises.

By Mr Uhl:

General Ordinance No. 40—1909: An ordinance regulating the use of firearms and fireworks within the City of Indianapolis, Indiana, fixing the penalty for the violation thereof and the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That no person shall, at any time, discharge or set off anywhere within the city, or have in his possession for such purpose, any toy pistol, toy gun, toy cannon, blank cartridge, firecracker exceeding two inches in length and one-quarter of an inch in diameter, torpedo exceeding three-fourths of an inch in diameter, any substance consisting of chlorate of potash and sulphur, or device for discharging or exploding such substances by concussion, nor shall any person at any time discharge or set off anywhere within the city, or have in his

possession for such purpose, firecrackers of any size or fireworks which contain any explosive more powerful than black gunpowder.

SEC. 2. Any person violating any of the provisions of this ordinance shall be subject to a penalty of not less than five (\$5.00) dollars nor more than two hundred (\$200) dollars for each offense, and a separate offense shall be regarded as committed each day during which such person shall continue such violation.

SEC. 3. This ordinance shall be effective from and after its passage and publication once each week for two consecutive weeks in the Indianapolis Daily Commercial of Indianapolis, Indiana.

Which was read a first time and referred to the Committee on Public Safety and Comfort.

By Mr. Royse:

Special Ordinance No. 10—1909: An ordinance changing the names of certain streets in the City of Indianapolis, Indiana, and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, That the name of Elm street be changed to Pleasant avenue, and that the name of Pleasant street be changed to Pleasant avenue.

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 Ordinances.

MISCELLANEOUS BUSINESS.

By Mr. Neukom:

Resolution No. 4—1909:

Be it Resolved, That the attached list of names be elected to serve as Election Inspectors for the city election to be held on Tuesday, November 2, 1909.

FIRST WARD.

- | | |
|----------|-----------------------|
| Precinct | 1—Walter Sears. |
| | 2—David H. Styer. |
| | 3—Chas. E. Buchanan. |
| | 4—Geo. Baker. |
| | 5—Al. Pease. |
| | 6—Robert T. Williams. |
| | 7—Wm. W. Hyde. |
| | 8—Willis G. Sale. |
| | 9—Jacob D. Hoss. |
| | 10—David Greenwood. |

SECOND WARD.

- Precinct 1—Newton J. McGuire.
2—E. G. Ritchie.
3—David A. Myers.
4—J. E. Spratt.
5—R. D. Fisher.
6—Elton B. Elliott.

THIRD WARD.

- Precinct 1—Schuyler A. Haas.
2—H. C. Campbell.
3—C. C. Gilmore.
4—Al. Moore.
5—Geo. Adams.
6—Wm. Lawrence.
7—Wm. Taylor.
8—Alonzo Hodge.

FOURTH WARD.

- Precinct 1—Chas. P. Benedict.
2—Joseph Kreber.
3—M. P. Woody.
4—W. F. Landis.
5—O. D. Cosler.
6—Thad. Gurley.
7—Harry Hunnicut.
8—Robert Taylor.
9—John Ford.
10—F. B. McCord.

FIFTH WARD.

- Precinct 1—C. M. Chatten.
2—D. E. Smith.
3—John O. Brown.
4—Robert Locklear.
5—Thos. Judd.
6—Fred. Hague.
7—Dr. B. F. Prunk.

SIXTH WARD.

- Precinct 1—W. A. Rhodes.
2—E. O. South.
3—Frank C. Olive.
4—W. H. Cooper.
5—J. U. Miller.
6—Ernest H. Tripp.
7—Chas. Cook.

SEVENTH WARD.

- Precinct 1—Louis Bauer.
 2—Harry Hildebrand.
 3—Emerson Druly.
 4—John Bowlus.
 5—Chas. Black.
 6—Fred. Newhouse.
 7—Jos. Menges.
 8—Geo. Woodward.

EIGHTH WARD.

- Precinct 1—Chas. Worrell.
 2—H. C. Allen.
 3—Henry Frazier.
 4—Vincent Carter.
 5—Lawrence B. Davis.
 6—Wm. W. Webb.

NINTH WARD.

- Precinct 1—John Ray.
 2—Jos. Milner.
 3—Chas. Trobaugh.
 4—Chas. R. Jones.
 5—Gust. Rosberg.
 6—E. B. Whitehead.
 7—Harry Seibert.
 8—Geo. A. Taffe.
 9—Cassius L. Hogle.

TENTH WARD.

- Precinct 1—Peter Franzman.
 2—James G. Hamilton.
 3—Edward Christie.
 4—Isaac Norman.
 5—Elmer U. Shields.
 6—David J. Smock.
 7—Harry Wilcox.
 8—Wm. R. Gray.
 9—Geo. Strebel.
 10—Geo. W. Summers.

ELEVENTH WARD.

- Precinct 1—Fred. Huchkert.
 2—Marion Caldwell.
 3—John Weaver.
 4—Chas. Coulon.
 5—Valentine Meier.
 6—Henry Schafer.
 7—Chas. Mueller.
 8—Frank Hamilton.
 9—James Fagler.

TWELFTH WARD.

- Precinct 1—Chas. W. Crowe.
- 2—Chas. Storey.
- 3—Thos. Clayton.
- 4—John Sullivan.
- 5—Chas. Pinder.
- 6—Henry Grayson.
- 7—Geo. H Cox.

THIRTEENTH WARD.

- Precinct 1—David Dillon.
- 2—Albert Keyes.
- 3—Bert. Overstreet.
- 4—Austin Daugherty.
- 5—Geo. F. Lay.
- 6—Wm. Countney.
- 7—Theo. List.
- 8—Frank Milburn.
- 9—Ola Bailey.

FOURTEENTH WARD.

- Precinct 1—Samuel Denny.
- 2—Robert Baskerville.
- 3—John F. Ahern.
- 4—Edgar Parker.
- 5—Francis T. Gurley.
- 6—Frank Mitchell.
- 7—Shuble Cravens.

FIFTEENTH WARD.

- Precinct 1—James Haught.
- 2—Alpheus L. Roberts.
- 3—Louis E. Smith.
- 4—Jacob Foltz.
- 5—Fred. S. Gorham.
- 6—Henry Klintworth.
- 7—Elmer R. Gore.
- 8—Karl F. Rommel.

Mr. Neukom moved the rules be suspended and Resolution No. 4, 1909, be placed upon its passage Carried.

Mr Neukom moved Resolution No. 4, 1909, be adopted.

The roll was called and Resolution No 4, 1909, was adopted by the following vote:

Ayes, 15, viz: Messrs. Brown, Cottey, Hamlet, Davis, Neukom, Rhodes, Smith, Uhl, Donavon, Sullivan, Hofmann, Hilken, Wright, Henry and President Edward J. Stickelman.

Noes, none.

ORDINANCES ON SECOND READING.

Mr. Rhodes called for General Ordinance No. 31, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that General Ordinance No. 31, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 31, 1909, was read a third time and passed by the following vote:

Ayes, 15, viz: Messrs. Brown, Cottey, Hamlet, Davis, Neukom, Rhodes, Smith, Uhl, Donavon, Sullivan, Hofmann, Hilkené, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Rhodes called for Appropriation Ordinance No. 31, 1909, for second reading. It was read a second time.

Mr Rhodes moved that Appropriation Ordinance No. 31, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 31, 1909, was read a third time and passed by the following vote:

Ayes, 15, viz: Messrs. Brown, Cottey, Hamlet, Davis, Neukom, Rhodes, Smith, Uhl, Donavon, Sullivan, Hofmann, Hilkené, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Rhodes called for Appropriation Ordinance No. 32, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Appropriation Ordinance No. 32, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 32, 1909, was read a third time and passed by the following vote:

Ayes, 15, viz: Messrs. Brown, Cottey, Hamlet, Davis, Neukom, Rhodes, Smith, Uhl, Donavon, Sullivan, Hofmann, Hilkene, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Rhodes called for Appropriation Ordinance No. 33, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Appropriation Ordinance No. 33, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 33, 1909, was read a third time and passed by the following vote:

Ayes, 15, viz: Messrs. Brown, Cottey, Hamlet, Davis, Neukom, Rhodes, Smith, Uhl, Donavon, Sullivan, Hofmann, Hilkene, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Rhodes called for Appropriation Ordinance No. 34, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Appropriation Ordinance No. 34, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 34, 1909, was read a third time and passed by the following vote:

Ayes, 15, viz: Messrs. Brown, Cottey, Hamlet, Davis, Neukom, Rhodes, Smith, Uhl, Donavon, Sullivan, Hofmann, Hilkené, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Rhodes called for Appropriation Ordinance No. 35, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Appropriation Ordinance No. 35, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 35, 1909, was read a third time and passed by the following vote:

Ayes, 15, viz: Messrs. Brown, Cottey, Hamlet, Davis, Neukom, Rhodes, Smith, Uhl, Donavon, Sullivan, Hofmann, Hilkené, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Rhodes called for Appropriation Ordinance No. 36, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Appropriation Ordinance No. 36, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 36, 1909, was read a third time and passed by the following vote:

Ayes, 15, viz: Messrs. Brown, Cottey, Hamlet, Davis, Neukom, Rhodes, Smith, Uhl, Donavon, Sullivan, Hofmann, Hilkené, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Rhodes called for Appropriation Ordinance No 37, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Appropriation Ordinance No. 37, 1909, be amended as recommended by the committee. Carried.

Mr. Rhodes moved that Appropriation Ordinance No. 37, 1909, be ordered engrossed as amended, read a third time and placed upon its passage Carried.

Appropriation Ordinance No. 37, 1909, was read a third time and passed by the following vote :

Ayes, 15, viz: Messrs. Brown, Cottey, Hamlet, Davis, Neukom, Rhodes, Smith, Uhl, Donavon, Sullivan, Hofmann, Hilkene, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Cottey called for Special Ordinance No. 7, 1909, for second reading. It was read a second time.

Mr. Cottey moved that Special Ordinance No. 7, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 7, 1909, was read a third time and passed by the following vote:

Ayes, 14, viz: Messrs. Cottey, Hamlet, Davis, Neukom, Rhodes, Smith, Uhl, Donavon, Sullivan, Hofmann, Hilkene, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Hamlet called for Special Ordinance No. 8, 1909, for second reading. It was read a second time.

Mr. Hamlet moved that Special Ordinance No. 8, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 8, 1909, was read a third time and passed by the following vote:

Ayes, 14, viz: Messrs. Cottey, Hamlet, Davis, Neukom, Rhodes, Smith, Uhl, Donavon, Sullivan, Hofmann, Hilken, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Uhl called for General Ordinance No. 34, 1909, for second reading. It was read a second time.

Mr. Uhl moved that General Ordinance No. 34, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 34, 1909, was read a third time and passed by the following vote:

Ayes, 15, viz: Messrs. Cottey, Hamlet, Davis, Neukom, Rhodes, Smith, Uhl, Royse, Donavon, Sullivan, Hofmann, Hilken, Wright, Henry and President Edward J. Stickelman.

Noes, none.

On motion of Mr. Hilken, the Common Council at 8:35 o'clock P. M., adjourned.

Edw. J. Stickelman

President.

ATTEST:

James M. Nulty

City Clerk.