

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, October 18, 1909.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, October 18, 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 19 members, viz: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Eppert, Smither, Rhodes, Smith, Uhl, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkene, Wright and Henry.

Absent, 1, viz: Mr. Neukom.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., October 6, 1909.

To the President and Members of the Common Council:

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

General Ordinance No. 27, 1909, the same being "An ordinance regulating the distribution of hand bills, circulars and other advertising matter; providing a penalty for the violation thereof, and fixing a time when the same shall take effect."

General Ordinance No. 42, 1909, the same being "An ordinance providing for the transfer of certain funds to certain funds in and for the use of the Department of Public Health and Charities."

General Ordinance No. 46, 1909, the same being "An ordinance to fix the amount of a bond to be given by the City Treasurer for the years 1910 and 1911."

General Ordinance No. 43, 1909, the same being "An ordinance providing for the transfer of certain funds to certain funds in and for the use of the Department of Public Safety."

General Ordinance No. 39, 1909, the same being "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."

General Ordinance No. 49, 1909, the same being "An ordinance ordering and directing the use of voting machines for the city election of 1909 in the City of Indianapolis, Indiana."

Appropriation Ordinance No. 39, 1909, the same being "An ordinance appropriating the sum of \$1,300 to and for the use of the Department of Public Health and Charities."

I have the honor to remain,

Yours very truly,

C. A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., October 12, 1909.

To the President and Members of the Common Council:

GENTLEMEN: I return herewith, with my approval, Resolution No. 3, the same being "A resolution to fix the compensation of the Board of Canvassers of the City of Indianapolis."

I have the honor to remain,

Yours very truly,

C. A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., October 12, 1909.

To the President and Members of the Common Council:

GENTLEMEN: I return herewith, without my approval, Special Ordinance No. 9, 1908, the same being "An ordinance annexing certain territory to the city limits, and fixing a time when the same shall take effect."

In withholding my approval from this ordinance I desire to say that I am compelled to take this action with great reluctance. I am a believer in the growth and expansion of the City of Indianapolis. I am a believer in a greater Indianapolis, but my duty to the people now living within

the present limits compels me to withhold my approval to an ordinance of this character, annexing, as it does, a great amount of property either held in acreage or but recently platted.

The territory sought to be annexed by this ordinance will not contribute anything towards the revenues of the city before 1911, except the small tax levied for the year 1910 upon the property lying within the limits of the town of Broad Ripple.

The argument has been advanced that even though this annexation should be made the territory included within the limits prescribed by the ordinance would not ask of the City of Indianapolis police or fire protection, or electric lights, until such time as the revenues of the city would justify the extension of these municipal services. The experience of the past causes me to doubt the truth of this proposition, although I do not question the good faith of the people who advance it. The territory south of Forty-second street recently annexed to the city demanded light and police protection practically one year before any revenue had been derived from the property included within the new lines. In some instances these lights were given to relieve pressure which could not be withstood, but at the present time adequate light is not furnished within this territory. Many sections of Indianapolis, where people have been paying taxes for years, are at this time inadequately lighted. Every dollar of appropriation made for lighting has been anticipated by lights already installed. Every dollar appropriated for water service has been anticipated by hydrants already in service, while the appropriations for the police department will not permit the appointment of additional men required to properly police the new territory.

I recognize the fact that annexation might contribute to the speedier development of this territory, but simple justice to the people who at this time are not receiving the full measure of service in the way of lights and water and police protection impels me to this action.

I have the honor to remain,

Yours very truly,

C. A. BOOKWALTER,
Mayor.

Mr. Hamlet moved that Special Ordinance No. 9, 1908, be passed over the veto of the Mayor.

Mr. Eppert moved to postpone indefinitely the motion of Mr. Hamlet.

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

Mr. Eppert presented a petition remonstrating against the annexation as follows:

INDIANAPOLIS, IND., October 18, 1909.

To the President and Members of the Common Council:

GENTLEMEN: The undersigned respectfully represent that they are residents of the district lying north of the present city limits, and included in the territory now before the Council for annexation.

We do not wish to take up the time of the Council with a long remonstrance, but respectfully call your attention to the fact that within

the year we have had, caused to be signed and presented to your honorable body, a remonstrance against any annexation at the present time of any territory lying north of Forty-second street. This remonstrance was signed by practically ninety per cent. of the residents of said district, and is now among your files, and, on a number of occasions, we, in a body, comprising sometimes as many as seventy-five people, attended your Council meetings and vigorously protested against the annexation. We are of the same spirit still, and feel that it is neither fair to us nor to the tax payers of the City of Indianapolis to annex at the present time any territory to the city on the north. We are well satisfied with the conveniences we now possess, but desire to say that when the time is ripe for the annexation of this territory we will cooperate with the then existing City Council in bringing same to pass. With no advantage, but, on the other hand, serious disadvantages accruing to the city by reason of such annexation, and with unanimity on our part in desiring that no annexation take place at present, we feel that, in justice to all concerned, no annexation should be had.

Henry F. Brink, Forty-ninth and Pennsylvania streets; August W. Brink, 122 E. Forty-ninth street; Albert Murphy; G. C. Wright, Forty-seventh street and College avenue; R. M. Stokes, Forty-seventh street and College avenue; C. H. Statcup, Forty-seventh street and College avenue; Mrs. J. D. McDonald, Forty-eighth street and Broadway; Mr. Jas. W. Johnston, Forty-eighth street and Broadway; Chas. S. Dargitz, Forty-eighth street and Broadway; W. C. Davis (will be resident inside thirty days); Thos. A. Ressler, 4224 College avenue; O. E. Harlan, 4350 Broadway; J. E. Lawrence, 4324 Park avenue; E. F. Osbon, 4806 Washington bldg.; O. I. Masten, Forty-sixth street and Broadway; H. S. Shepard, Forty-seventh street and College avenue; Fred W. Long, 4851 Broadway; Mrs. A. J. Lambus, 4849 Central avenue; John Schwab.

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Volney Dawson, Hamlin J. Thompson, E. W. Foley, J. O. Brenneman, W. Dawson, Charles Boardman, John V. Johnson, F. Shields.

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C. E. Osbon, 4808 Washington blvd.; Chas. Conant, Forty-ninth street and Central avenue; H. C. Yelvington, Forty-ninth street and Central avenue; O. H. Bennett, 4330 Washington blvd.; W. O. Kimberlin, 4340 Washington blvd.; P. Harity, 4460 Washington blvd.; C. K. Calvert, 4502 Washington blvd.; R. H. Hiles, 4600 Washington blvd.; Wm. A. Hoefgen, Forty-sixth street and Washington blvd.; H. O. Winter, Forty-sixth street and Washington blvd.; Harry W. Conant, 139 E. Forty-eighth street; Ira F. Craig, Forty-fifth and Pennsylvania streets; John H. Quick, 4451 N. Pennsylvania street; H. N. Roetter, 4339 N. Pennsylvania street; Geo. W. Blue, 4420 Illinois street; W. H. Wheeler, Forty-third and Illinois streets; L. H. Oberreich, 4449 N. Pennsylvania street.

INDIANAPOLIS, IND., October 18, 1909.

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operate with the then existing City Council in bringing same to pass. With no advantage, but, on the other hand, serious disadvantages accruing to the city by reason of such annexation, and with unanimity on our part in desiring that no annexation take place at present, we feel that, in justice to all concerned, no annexation should be had.

A. P. Rice, J. S. Hadley, J. L. Rea, J. Ray Davis, Frank Sharp, W. H. Bloss, W. A. Fisher, F. Boyer, J. F. Cruson, A. F. Jonas, James West, Edw. Stevens, E. J. Rust, W. H. Ogden, Albert Southern, Lee Welch, J. P. Quick, J. H. Quick, H. J. Southern, Fred H. Blemmer, Elizabeth Randall, G. W. Foaque, D. P. Darling, A. L. Morrison, Matthew Wright, J. F. Denoon, D. W. Ayres, Elizabeth A. Burnett, C. E. Sunderland, H. B. Davis, H. E. Morrison, Chas. E. Biner, George W. Bounsall, Utten E. Read, D. M. Burrows, D. O. Darling.

INDIANAPOLIS, IND., October 18, 1909.

To the President and Members of the Common Council:

GENTLEMEN: The undersigned respectfully represent that they are residents of the district lying north of the present city limits, and included in the territory now before the Council for annexation.

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Earl S. Keaton, Forty-ninth street, between Pennsylvania street and Washington blvd.; S. H. McIlvain, 4948 Central avenue; C. McIlvain, 4950 Central avenue; Isaac S. Boyer; A. D. Hooker, Fiftieth street and Ashland avenue; F. Courtney, 217 E. Forty-eighth street; E. D. Jacobs, 216 E. Forty-eighth street; Andrew Braem, 215 E. Forty-eighth street; J. J. Barchler, 213 E. Forty-eighth street; Chas. F. Ellis, 124 E. Forty-eighth street; John A. Huetter, 104 E. Forty-eighth street; W. J. Kennedy, Forty-eighth and Pennsylvania streets; I. H. Bryant, Forty-eighth and Pennsylvania streets; T. C. Dow, Forty-eighth and Meridian streets; Mrs. Esther N. Carter, 4834 N. Pennsylvania street; Hatharme C. Noble; O. L. Carter, 4815 N. Meridian street; N. C. Holey, 4907 N. Illinois street; W. M. Storer, 4949 N. Illinois street; J. H. Lease, 4816 N. Illinois street; Wm. Mustard, 4610 N. Illinois street; C. D. Blue, 4550 N. Illinois street; Geo. T. Blue, 4550 N. Illinois street; Albert Blue; John W. Litel, 4521 N. Illinois street; W. O. Ford, 4507 N. Illinois street; Edward Hermann, 4345 N. Illinois street; John M. Westenberg, 4345 N. Illinois street; Iona Dawson, corner Forty-eighth street and Park avenue; Chas. A. Doolittle, 4910 Park avenue; Frank Q. Burke, Forty-ninth street and

Park avenue; A. C. Baker, Forty-ninth street and Park avenue; J. E. Sharp, Forty-ninth street and Park avenue; Parker Gray, Broadway; R. C. Robinson, Broadway and Fiftieth street; W. H. Mote, Broadway; Fred Harsch, College avenue; Mary Harsch, College avenue; Samuel Clark, Park avenue; Wm. S. Dow, Forty-eighth street and Central avenue.

The following persons authorized the signing of their names over the telephone: Geo. I. Purnes, Peter W. Purnes, Rev. R. E. Neighbor, John Hornberger, Bernard O'Connor.

Mr. Royle presented a petition in favor of the annexation as follows:

To the President and Members of the Common Council:

This petition represents 243 citizens directly interested.

This petition covers territory from Forty-second to Fifty-eighth street. Sixty-seven signatures.

We, the undersigned citizens and property owners in the town of Broad Ripple and the territory intervening between the said town and the City of Indianapolis, hereby petition your honorable body to pass a certain ordinance which was passed by your body on the 4th of October, 1909, annexing the town of Broad Ripple and certain intervening territory between Broad Ripple and Indianapolis, which ordinance was vetoed by the Mayor of Indianapolis. Believing that you will never have any occasion to regret the passage of this ordinance, which means the annexation of the most desirable territory around the City of Indianapolis, and the removing of many burdens and inconveniences from these, your petitioners:

S. H. Johnson, John Schoen, John G. Dunn, Sam Griffin, Charles A. Rouse, H. B. McNeely, T. P. Overman, E. R. Dovey, F. E. Nichol, A. W. Mote, M. L. Mote, D. J. Mackillop, Robt. H. Fessler, L. F. Schetter, H. E. Melsheimer, Robt. L. Templeton, J. W. Jackson, C. S. Maxwell, Robt. T. Ramsay, T. W. Mitchell, W. C. Phipps, A. N. Bonham, A. and L. Hosia, Earl Johnston, Thomas Morrow, Sam Bray, G. W. Davis, Chas. W. Sweny, Earl J. Brattain, Robt. Richardson, A. R. Nicholas, J. A. Dunlap, T. H. Peter, R. D. Finley, Katherine H. Church, E. May Birchard, Anna Birchard, Claude M. McElwaine, Mat Temperley, Luther Schumaker, Frank M. Johnston, O. G. Adams, Elgar Watts, C. F. Kiser, W. S. McGregor, C. S. Wallace, E. S. Groff, Nettie Groff, Chas. Morgan, Wm. M. McGuire, R. J. George, Richard George, James Orsborn, George Hubbartt, Frank Osborn, Benjamin J. Osborne, Geo. Kirkpatrick, Lola M. Kirkpatrick, V. K. Archer, Byron Bowen, Henry Wm. Schober, Wm. H. Archer, Alfred T. Rapp, Oren Michael, Wm. K. Sproule, Victor C. Kendall.

To the President and Members of the Common Council:

This petition represents mostly Broad Ripple citizens. One hundred signatures.

We, the undersigned citizens and property owners in the town of Broad Ripple and the territory intervening between the said town and the City of Indianapolis, hereby petition your honorable body to pass a certain ordinance which was passed by your body on the 4th of October, 1909, annexing the town of Broad Ripple and certain intervening territory between Broad Ripple and Indianapolis, which ordinance was vetoed by the Mayor of Indianapolis. Believing that you will never have any occasion to regret the passage of this ordinance, which means the

annexation of the most desirable territory around the City of Indianapolis, and the removing of many burdens and inconveniences from these, your petitioners:

H. M. Johnson, J. C. Stewart, Fred H. Sillery, Geo. Steger, Harry E. Schad, H. Walters, James Overby, Parker Brown, Louis Sahn, C. W. Silvey, B. L. Dixon, Thos. McGhee, C. H. Pearce, Guy McCay, Charles Rinehart, C. E. Lineback, Frank Atkins, Roy Parsley, Frank E. Watts, Frances Whitsell, G. F. Hesler, J. F. Kassebaum, B. L. Blue, G. B. Melick, Myron S. Bourne, J. H. Ferguson, E. G. Kayser, Emsley W. Johnson, J. W. Todd, L. M. Day, J. Shepherd, F. Jos, Janik, Arthur Jackson, Henry Atkins, Ross H. Whiting, Jane Whiting, Edward M. R. Howe, Wm. L. Osborn, W. H. Haston, Harry Todd, Wm. R. Todd, James A. Haffnar, Gordon Melick, D. J. Mackillop, Melvin Bail, Harry Byskett, Emerson Jennings, W. E. Radocker, John A. Gatsford, -O. P. Haston, John W. Whitaker, Horace H. Cramer, Chas. Ferguson, John W. Ferguson, S. R. Myers, E. H. Pursel, A. H. Johnson, Fletcher Johnson, Louisa Cummings, T. R. Ratcliff, Thos. P. Hessong, Mary Rodman, Walter S. Johnson, John Harcourt, D. W. Harcourt, Carl L. Kimmermen, L. Groves, G. D. Groff, Emma Eller, N. Beaver, Simeon Gass, Oscar Morris, Marion Whitesell, Louis Snyder, J. W. Leonard, J. V. Rayer, F. A. Applegate, O. F. Michener, Henry Wm. Schober, E. B. Hesell, J. B. Hessong, A. C. Spivey, F. W. Hesler, J. B. Cornelius, I. O. White, W. F. Bennett, T. N. Bennett M. D., A. Kline, G. W. Hawkins, W. Bradley, O. J. Barthel, W. Z. Barker, F. W. Armholter, E. A. Hoffman, John R. Striebeck, G. B. Bird, Ward Tullis, R. P. Fort, William McCay, G. A. Haston, W. B. Light.

To the President and Members of the Common Council:

This petition represents Broad Ripple citizens. Seventy signatures.

We, the undersigned citizens and property owners in the town of Broad Ripple and the territory intervening between the said town and the City of Indianapolis, hereby petition your honorable body to pass a certain ordinance which was passed by your body on the 4th of October, 1909, annexing the town of Broad Ripple and certain intervening territory between Broad Ripple and Indianapolis, which ordinance was vetoed by the Mayor of Indianapolis. Believing that you will never have any occasion to regret the passage of this ordinance, which means the annexation of the most desirable territory around the City of Indianapolis, and the removing of many burdens and inconveniences from these, your petitioners:

R. C. Light, F. W. Hesler, O. J. Pursel, Samantha King, J. A. King, Davis W. Neal, Chas. Yount, M. L. Eaton, Chas. Eaton, Willie Featherston, Chas. Wilkim, John Richnard, H. B. Darina, W. Sneider, Cyrus Bartlett, T. L. Segel, Elbert Gunning, William H. Earle, Nevada S. Earle, Chas. Wildrick, Frank Featherston, James Willard Featherston, John Leppert, Thos. Devine, Wm. H. Penrod, Jos. Baldus, Louis Ganon, Ford Smith, John Mains, Robt. Whitehead, Oscar Harrison, Frank E. Smith, Sarah E. Hessong, Wesley Wildrick, Chas. F. Surbor, John Jones, Sarah E. Locke, I. T. Sunderland, Clarence E. Blue, Morris Jacman, Charley Jackman, Amos Day, Rachel Ray, Elbert Johnson, L. T. Poe, Fannie Silvey, Amanda E. Pursel, John Ray, Grover C. Parr, E. Q. Parr, Dora Hessong, T. K. Earle, J. V. Kesler, J. D. Day, Luettie Michener, Amanda C. Rodocker, Laura F. Doll, Mary Pursel, C. L. Garshwiler, H. M. Harcourt, D. E. Hudson, Wm. F. Smith, John M. King, C. W. Heady, L. K. Heady, C. A. Culbertson, Richard Roberts, Andy Featherston.

To the President and Members of the Common Council:

We, the undersigned citizens and property owners in the town of Broad Ripple and the territory intervening between the said town and the City of Indianapolis, hereby petition your honorable body to pass a certain ordinance which was passed by your body on the 4th of October, 1909, annexing the town of Broad Ripple and certain intervening territory between Broad Ripple and Indianapolis, which ordinance was vetoed by the Mayor of Indianapolis. Believing that you will never have any occasion to regret the passage of this ordinance, which means the annexation of the most desirable territory around the City of Indianapolis, and the removing of many burdens and inconveniences from these, your petitioners:

Mrs. Eliza Applegate, her X mark; Emmitt Earle.

To the President and Members of the Common Council:

This petition represents property owners near Meridian Heights. Seven signatures.

We, the undersigned citizens and property owners in the town of Broad Ripple and the territory intervening between the said town and the City of Indianapolis, hereby petition your honorable body to pass a certain ordinance which was passed by your body on the 4th of October, 1909, annexing the town of Broad Ripple and certain intervening territory between Broad Ripple and Indianapolis, which ordinance was vetoed by the Mayor of Indianapolis. Believing that you will never have any occasion to regret the passage of this ordinance, which means the annexation of the most desirable territory around the City of Indianapolis, and the removing of many burdens and inconveniences from these, your petitioners:

E. J. Scoonover, Edward E. Stout, Harry Stout, Chas. L. Schmidt, H. E. Smith, H. J. Raffenspuger, Edwin A. Hunt.

To the President and Members of the Common Council:

This petition represents 902 lots. Signed by John H. Holliday, President Union Trust Company, and Silas H. Johnson and Frank P. Johnson.

We, the undersigned citizens and property owners in the town of Broad Ripple and the territory intervening between the said town and the City of Indianapolis, hereby petition your honorable body to pass a certain ordinance which was passed by your body on the 4th of October, 1909, annexing the town of Broad Ripple and certain intervening territory between Broad Ripple and Indianapolis, which ordinance was vetoed by the Mayor of Indianapolis. Believing that you will never have any occasion to regret the passage of this ordinance, which means the annexation of the most desirable territory around the City of Indianapolis, and the removing of many burdens and inconveniences from these, your petitioners:

For Hatherleigh Addition, Central avenue to College avenue, Forty-second to Forty-fourth streets; and Woodcroft Addition, College avenue to Monon R. R., Forty-second to Forty-sixth streets; and Northcroft Addition, College avenue to Monon R. R., Forty-sixth to Forty-eighth streets; and Northcroft Second Section Addition, College avenue to Park avenue, Forty-sixth to Forty-eighth streets; and Washington Heights Addition, Fortieth to Forty-second streets, College avenue to

Guilford avenue; and Oliver Johnson Woods Addition, Forty-fourth to Forty-sixth streets and College avenue to Central avenue.

The Union Trust Company, of Indianapolis, trustee for the adjoining named additions. By John H. Holliday, President.

Frank P. Johnson. Silas H. Johnson.

The roll was called on the motion to postpone indefinitely, resulting in a tie vote as follows:

Ayes, 10, viz: Messrs. Cottey, Eppert, Smith, Uhl, Hartmann, Portteus, Sullivan, Hilken, Henry and President Edward J. Stickelman.

Noes, 10, viz: Messrs. Brown, Hamlet, Wood, Davis, Smither, Rhodes, Royse, Donavon, Hofmann and Wright.

President Stickelman called for the original question.

The roll was called and Special Ordinance No. 9, 1908, failed to pass over the veto of the Mayor by the following vote:

Ayes, 7, viz: Messrs. Hamlet, Wood, Davis, Royse, Donavon, Hofmann and Wright.

Noes, 13, viz: Messrs. Brown, Cottey, Eppert, Smither, Rhodes, Smith, Uhl, Hartmann, Portteus, Sullivan, Hilken, Henry and President Edward J. Stickelman.

REPORTS FROM CITY OFFICERS.

From City Controller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER.
INDIANAPOLIS, IND., October 18, 1909.

To the President and Members of the Common Council:

GENTLEMEN: I herewith present a communication from the Department of Public Works requesting an additional appropriation of \$2,800 for the construction of a fence around the City Hospital grounds.

After a consultation with the Mayor and the Park Board it is deemed advisable to construct a more durable and artistic fence than was at first contemplated, and being fully in accord with the plans of the Park Board and the Board of Health, 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 18, 1909.

George T. Breunig, City Controller, City:

DEAR SIR: It is the desire of the Board of Health and Park Board to construct a fence around the City Hospital grounds, which would be in keeping with the plans of the Park Board for the boulevard adjoining this property. At a meeting of these boards and the Mayor they decided to make a request for an additional appropriation of \$2,800 so as to be able to construct a better fence than was contemplated at the time the original appropriation was made, and as recommended by them, we herewith request that you transmit to the Common Council an ordinance appropriating the sum of \$2,800.

Yours respectfully,

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

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., October 11, 1909.

George T. Breunig, City Controller, City:

DEAR SIR: I have been instructed by the Board of Public Health to ask you to present an ordinance to the City Council requesting an additional appropriation of \$2,800 for the construction of a fence around the City Hospital.

The enclosed letter will explain the reason why an additional appropriation is asked for.

Very truly yours,

EUGENE BUEHLER,
Secretary Board of Health.

INDIANAPOLIS CITY HOSPITAL,
OFFICE OF SUPERINTENDENT.
INDIANAPOLIS, IND., October 11, 1909.

Board of Public Health and Charities:

GENTLEMEN: When I sent a request for an appropriation for a fence I asked for only sufficient to construct a plain iron fence that would simply give us protection from the public use which is made of our grounds and hospital at the present time. The Park Board became very much interested in our improvements and very generously assisted us in putting the grounds in the splendid condition which they are now in, and it is the desire of the Mayor and the Park Board that the fence should correspond with other improvements and be in keeping with the boulevard and general scheme of improvement which is to soon be made. Consequently the Park Board have designed, not only a protective and beautiful fence, but one that will be absolutely permanent, and it is their earnest desire that we construct such a fence along Tenth street, Locke street and a part of Coe street, placing a much cheaper fence along Maxwell and a part of Coe street.

I, therefore, respectfully request you to ask Mr. George T. Breunig, City Controller, to recommend to the Common Council an additional appropriation of \$2,800 for the construction of said fence.

Yours respectfully,

J. L. FREELAND,
Superintendent.

From City Controller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER.
INDIANAPOLIS, IND., October 18, 1909.

To the President and Members of the Common Council:

GENTLEMEN: I herewith submit a communication from the Department of Public Health and Charities asking for an additional appropriation to the Engine Room Fund at the City Hospital.

I herewith submit an ordinance appropriating \$550 to such fund and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,
City Controller.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., October 16, 1909.

George T. Breunig, City Controller, City:

DEAR SIR: We would like to have you ask the City Council for an appropriation to replace the hot water heater and make repairs which resulted from the blowing up of the heater.

The cost of repairs will be \$522.63.

Kindly make the appropriation cover this amount.

Respectfully yours,

E. D. CLARK,
President Board of Public Health.

INDIANAPOLIS CITY HOSPITAL,
OFFICE OF SUPERINTENDENT.
INDIANAPOLIS, IND., October 16, 1909.

Board of Public Health and Charities:

GENTLEMEN: Please request Mr. George T. Breunig, Controller, to ask the Common Council for an additional appropriation of \$522.63 to Engine Room to pay the enclosed bill.

Yours very truly,

J. L. FREELAND,
Superintendent.

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., October 18, 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 attached switch ordinance granting to the Central Veneer Company the right to lay and maintain a sidetrack across Winter avenue, and across the first alley east of Winter avenue.

Respectfully yours,

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

REPORTS FROM STANDING COMMITTEES.**From the Committee on Finance:**

INDIANAPOLIS, IND., October 18, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred Appropriation Ordinance No. 43, 1909, being "An ordinance appropriating \$71.92 to and for the use of the Department of Finance, 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.
FAY WRIGHT.
ALBERT E. COTTEY.
H. C. SMITHER.
OTTO HOFMANN.
JOHN L. DONAVON.
HARRY E. ROYSE.

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

From the Committee on Finance:

INDIANAPOLIS, IND., October 18, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred

Appropriation Ordinance No. 44, 1909, being "An ordinance appropriating the sum of \$20,000 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.
 FAY WRIGHT.
 ALBERT E. COTTEY.
 H. C. SMITHER.
 OTTO HOFMANN.
 JOHN L. DONAVON.
 HARRY E. ROYSE.

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

From the Committee on Finance:

INDIANAPOLIS, IND., October 18, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred Appropriation Ordinance No. 42, 1909, being "An ordinance appropriating \$4,500 to and for the use of the Department of Finance, 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
 FAY WRIGHT.
 ALBERT E. COTTEY.
 H. C. SMITHER.
 OTTO HOFMANN.
 JOHN L. DONAVON.
 HARRY E. ROYSE.

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

From the Committee on Railroads:

INDIANAPOLIS, IND., October 18, 1909.

To the President and Members of the Common Council:

GENTLEMEN: We, your Committee on Railroads, to whom was referred General Ordinance No. 38, 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.
WILLIAM J. NEUKOM.
THEO. PORTEUS.
ALBERT E. COTTEY.
ALBERT E. UHL.

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

INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller:

Appropriation Ordinance No. 45—1909: An ordinance appropriating \$2,800 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 two thousand eight hundred (\$2,800) dollars be, and the same is hereby appropriated out of any moneys in the city treasury not otherwise appropriated, to and for the use of the Department of Public Works, the sum herein appropriated to be added to and form a part of the appropriation heretofore made for the construction of a substantial fence around the City Hospital grounds.

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. 46—1909: An ordinance providing for the appropriation of \$550 to 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 five hundred fifty (\$550) dollars be, and the same is hereby appropriated out of any moneys in the city treasury not otherwise appropriated, to and for the use of the Department of Public Health and Charities, the sum herein appropriated to be added to and form a part of the Engine Room Fund at the City Hospital.

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 Board of Public Works:

General Ordinance No. 52—1909: An ordinance approving a certain contract granting the Central Veneer Company the right to lay and maintain a sidetrack or switch from the west of Winter avenue across said street and across the first alley east of said Winter avenue, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, Heretofore, to-wit: on the 18th day of October, 1909, the Central Veneer Company, of Indianapolis, Indiana, filed its 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: We, the undersigned, hereby petition the Board of Public Works or permission to lay and maintain a switch track across Winter avenue, and across the first alley east of Winter avenue, as shown on the attached blue print.

Now, therefore, This agreement, made and entered into this 18th day of October, 1909, by and between the Central Veneer 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 a sidetrack or switch from one hundred feet west of the west property line of Winter avenue, extending across said street and the first alley east of said Winter avenue, in the City of Indianapolis, which is more specifically described as follows: Beginning at a point one hundred feet west of Winter avenue on the west bound track of the Indianapolis Union Railway Company, extending eastwardly across said Winter avenue, crossing the west property line of said Winter avenue twenty-one feet north of the center line of the Indianapolis Union Railway Company's west bound track, and crossing the east property line of said street thirty-three feet north of the center line of said company's west bound track; thence extending eastwardly near said company's right of way across the first alley east of said Winter avenue, and said Central Veneer Company hereby covenants and fully binds itself, its 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 track 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 track and switch 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 track 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 crossing where said track intersects said Winter avenue and said alley 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 crossing 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 track, 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 track 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 track 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 of 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 track, 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 an additional side-track or switch across Winter avenue and the first alley east of Winter 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 18th day of October, 1909.

CENTRAL VENEER COMPANY,
By H. J. BARNARD *Vice-President*,
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 Mr. Eppert:

Special Ordinance No. 11—1909: An ordinance changing the name of Ruckle street in the City of Indianapolis, Indiana, 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 name of the street known as Ruckle street, extending north from Fall Creek between Central avenue and Park avenue, is hereby changed to Oakwood Road.

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.

INDIANAPOLIS, IND., September 13, 1909.

To the President and Members of the Common Council:

GENTLEMEN: We, the undersigned owners of property abutting on Ruckle street from Fall Creek north, do hereby respectfully petition your honorable body to change the name of said street to that of Oakwood Road:

Geo. M. Merrick, Lot No. 29; J. M. Cookerly, 3253 Ruckle street; F.

B. Smith, 3249 Ruckle street; Mrs. Geo. S. Arnold, 3358 Ruckle street; R. P. Alexander, 3348 Ruckle street; W. O. Thiele, 3352 Ruckle street; F. A. Preston, 3312 Ruckle street; Eugene Weathers, three lots; M. K. Fatout, 3107 Ruckle street; B. C. Fiscus, 3034 Ruckle street; D. T. Brennan, 3020 Ruckle street; The Jose-Balz Co., P. F. Balz, president, lots on Ruckle street; J. F. Darmody, Lot 26 Ruckle street; Dr. A. S. Ayres, Lot 37 Ruckle street; S. C. Hamilton, Lot 23 Ruckle street; College Park Land Co; Chas. I. Maxwell, Lot 51 Ruckle street; Joe Cook, 822 Broadway; Marshall F. Cummings, 3257-3241-3237 Ruckle street; J. B. Barrett, 3261-3263 Ruckle street; John F. McGrainee, 3228 Ruckle street; Wm. D. Walker, 3201-3205 Ruckle street; J. P. Hoster, 2359 Central avenue; J. R. Hinkle, Lot 28; C. W. Maus; C. E. Luring, 3245 Ruckle street.

ORDINANCES ON SECOND READING.

Mr. Rhodes called for Appropriation Ordinance No. 42, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Appropriation Ordinance No. 42, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 42, 1909, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Rhodes called for Appropriation Ordinance No. 43, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Appropriation Ordinance No. 43, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 43, 1909, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Rhodes called for Appropriation Ordinance No. 44, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Appropriation Ordinance No. 44, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 44, 1909, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Smither called for General Ordinance No. 38, 1909, for second reading. It was read a second time.

Mr. Smither moved that General Ordinance No. 38, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 38, 1909, was read a third time and passed by the following vote:

Ayes, 17, viz: Messrs. Brown, Cottey, Hamlet, Davis, Eppert, Smither, Rhodes, Smith, Uhl, Hartmann, Portteus, Donavon, Sullivan, Hofmann, Wright, Henry and President Edward J. Stickelman.

Noes, 3, viz: Messrs. Wood, Royse and Hilken.

On motion of Mr. Uhl, the Common Council, at 8:30 o'clock P M., adjourned.

Edw. J. Stickelman

President.

ATTEST:

James M. Kully

City Clerk.

