

## REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, December 6, 1909.

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

Absent, 2, viz: Messrs. Brown and Hartmann.

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

## COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., November 16, 1909.

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

GENTLEMEN: I am returning herewith, with my approval, the following ordinances:

Special Ordinance No. 6, 1909, the same being "An ordinance annexing a certain territory to the City of Indianapolis, and fixing a time when the same shall take effect."

- General Ordinance No. 30, 1909, the same being "An ordinance to provide for the codification, annotation, indexing and printing and publication of the charter of the City of Indianapolis."

General Ordinance No. 50, 1909, the same being "An ordinance amending Clause C of Section 5 of an ordinance entitled 'An ordinance concerning the compensation of all officers, heads of departments, clerks, assistants and employes of the City of Indianapolis, Indiana, and repealing all ordinances in conflict therewith.'"

General Ordinance No. 51, 1909, the same being "An ordinance regulating the digging of trenches and the making of other forms of excavations in the streets, alleys, sidewalks and public places of the City of Indianapolis, Indiana."

General Ordinance No. 60, 1909, the same being "An ordinance transferring and vesting in the Department of Public Parks of the City of Indianapolis, Indiana, certain parts of Capitol avenue in said city to be converted by the Board of Park Commissioners into a boulevard, with full power and control and management thereof."

Appropriation Ordinance No. 24, 1909, the same being "An ordinance providing for the appropriation of twenty thousand (\$20,000) dollars to and for the use of the Department of Public Works."

Appropriation Ordinance No. 47, 1909, the same being "An ordinance appropriating the sum of \$5,000 to the Department of Finance."

Appropriation Ordinance No. 48, 1909, the same being "An ordinance appropriating \$166.45 to and for the use of the Finance Department."

Appropriation Ordinance No. 49, 1909, the same being "An ordinance appropriating the sum of \$2,000 to and for the use of the Department of Public Works."

Appropriation Ordinance No. 51, 1909, the same being "An ordinance appropriating the sum of \$1,200.00 to and for the use of the Department of Finance."

I have the honor to remain,

Yours very truly,

C. A. BOOKWALTER,  
Mayor.

#### REPORTS FROM CITY OFFICERS.

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: I submit herewith a communication from the Department of Public Works requesting an additional appropriation of \$5,000 for sweeping and cleaning improved streets.

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., December 3, 1909.

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

DEAR SIR: You are hereby requested to recommend to the Common Council the passage of an ordinance appropriating the sum of \$5,000.00 for the Street Cleaning fund.

Respectfully yours,

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

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF THE CITY CONTROLLER,  
INDIANAPOLIS, IND., December 2, 1909.

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

GENTLEMEN: I herewith submit a communication from the Department of Public Works requesting me to recommend an additional appropriation of \$800.00 for automobile maintenance.

I submit herewith 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., December 1, 1909.

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

DEAR SIR: You are hereby requested to recommend to the Common Council the passage of an ordinance appropriating the sum of \$800.00 to pay bills for automobile maintenance.

Respectfully yours,

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

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: I herewith submit a communication from the Department of Public Works asking me to recommend an appropriation in the sum of \$500.00 to be added to the fund known as Assessments Against City Property.

I submit herewith 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., December 1, 1909.

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

DEAR SIR: You are hereby requested to recommend to the Common Council the passage of an ordinance appropriating the sum of \$500.00 to pay assessments against city property for street improvements and sewers.

Respectfully yours,  
JOSEPH T. ELLIOTT,  
F. J. MACK,  
*Board of Public Works.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: I herewith submit a communication from the Department of Public Safety asking me to request the transfer of \$200.00 from the Printing and Stationery fund to the Building Repairs fund for the Police Department.

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

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

DEPARTMENT OF PUBLIC SAFETY.  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., November 24, 1909.

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

DEAR SIR: At a meeting of the Board of Public Safety, held this date, it was decided to ask you to please request the Common Council to trans-

fer the sum of two hundred dollars (\$200.00) in the Police Department funds from Printing and Stationery fund to Building Repairs fund. This is absolutely necessary on account of repairs that must be made at once.

Respectfully yours,

BOARD OF PUBLIC SAFETY,  
Lew W. Cooper,  
*President.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: I herewith present a communication from the Department of Law asking me to recommend the transfer of \$150.00 from the Change of Venue fund to Judgments, Compromises and Costs fund.

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

Respectfully submitted,

GEO. T. BREUNIG,  
*City Controller.*

DEPARTMENT OF LAW,  
CITY OF INDIANAPOLIS,  
INDIANAPOLIS, IND., December 6, 1909.

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

DEAR SIR: I enclose herewith ordinance for transferring \$150.00 from Change of Venue fund to Judgment fund. We have more money than will be needed in the former and are running close in the latter, so I wish you would send this over to the Council this evening.

Yours very truly,

FREDERICK E. MATSON,  
*Corporation Counsel.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: I respectfully recommend the following transfers of certain funds to certain funds in and for the use of the Department of Finance, viz.:

\$200.00 from the Taxes and Taxes Refunded fund to the Blank-books, Printing and Incidentals fund.

\$300.00 from the Taxes and Taxes Refunded fund to the Miscellaneous Expenses of City Officers fund.



I recommend that the accompanying ordinance providing for the above transfers be passed.

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

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., November 22, 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 E. Rauh & Sons the right to lay and maintain a side-track or switch from the main track of the J., M. & I. Railway across Merrill street.

Respectfully yours,  
F. J. NOLL, Jr.,  
*Clerk Board of Public Works.*

At 8:10 o'clock P. M. Mr. Hartmann entered the Council Chamber and took his seat.

#### REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: Your Committee on Finance, to whom was referred Resolution No. 7, 1909, beg leave to report that they have had the same under consideration and would recommend its adoption.

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

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

**From the Committee on Finance:**

INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: Your Committee on Finance, to whom was referred Resolution No. 8, 1909, beg leave to report that they have had the same under consideration and would recommend its adoption.

Respectfully submitted,

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

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

**From the Committee on Finance:**

INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: Your Committee on Finance, to whom was referred General Ordinance No. 58, 1909, being "An ordinance transferring \$2,000 from certain funds to a certain fund 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  
JOHN L. DONAVON.  
H. C. SMITHER.  
FAY WRIGHT.  
OTTO HOFMANN.  
ALBERT E. COTTEY.

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

**From the Committee on Finance:**

INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: Your Committee on Finance, to whom was referred Appropriation Ordinance No. 50, 1909, being "An ordinance appropriating \$6,000 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.  
JOHN L. DONAVON.  
H. C. SMITHER.  
FAY WRIGHT.  
HARRY E. ROYSE.  
OTTO HOFMANN.  
ALBERT E. COTTEY.

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

From the Committee on Finance:

INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: Your Committee on Finance, to whom was referred General Ordinance No. 57, 1909, being "An ordinance providing for the transfer of \$1,000 from a certain fund to a certain fund in and for the use of the Department of Public Works, and fixing a time when the same shall take effect," 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.  
JOHN L. DONAVON.  
FAY WRIGHT.  
HARRY E. ROYSE.  
OTTO HOFMANN.  
ALBERT E. COTTEY.

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

From the Committee on Finance:

INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: Your Committee on Finance, to whom was referred General Ordinance No. 56, 1909, being "An ordinance providing for the transfer of \$500.00 from a certain fund to a certain fund in and for the use of the Department of Public Works, and fixing a time when the same



shall take effect," 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.  
JOHN L. DONAVON.  
FAY WRIGHT.  
H. C. SMITHER.  
HARRY E. ROYSE.  
OTTO HOFMANN.  
ALBERT E. COTTEY.

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

From the Committee on Finance:

INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: Your Committee on Finance, to whom was referred General Ordinance No. 61, 1909, being "An ordinance fixing the salaries of officers and compensation of other members of the police force of the City of Indianapolis," beg leave to report that they have had the same under consideration and a majority of the committee would recommend that the same do pass.

Respectfully submitted,

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

Mr. Rhodes moved that the report of the committee be not concurred in.

Mr. Royse moved as a substitute motion that the report of the committee be concurred in.

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

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

Ayes, 16, viz: Messrs. Cottey, Wood, Davis, Eppert, Smith, Uhl, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilken, Wright, Henry and President Edward J. Stickelman.

Noes, 4, viz: Messrs. Hamlet, Neukom, Smither and Rhodes.

From the Committee on Finance:

INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: Your Committee on Finance, to whom was referred General Ordinance No. 62, 1909, being "An ordinance amending Sections 2 and 3 of an ordinance entitled 'An ordinance grading certain members of the fire force of the City of Indianapolis, Indiana, fixing compensation of the members belonging to the several grades by their length of service, fixing the compensation of certain officers and employes of said force, repealing conflicting ordinances, and fixing the time when and the conditions under which this ordinance shall take effect,'" being General Ordinance No. 85, 1907, approved November 18, 1907, by passing the same over the Mayor's veto, beg leave to report that they have had the same under consideration and the majority of the committee recommend that the same do pass.

Respectfully submitted,

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

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

From the Committee on Judiciary:

INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: Your committee to whom was referred Special Ordinance No. 12, 1909, entitled "An ordinance changing the names of certain streets in the City of Indianapolis, and fixing the time when the same shall take effect," have had the same under consideration and would recommend that the words "Boulevard avenue," in line 5 of Section 1, be amended to read "Shriver avenue," and when so amended would recommend that same do pass.

Respectfully submitted,

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

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

From the Committee on Ordinances:

INDIANAPOLIS, IND., December 6, 1909.

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

GENTLEMEN: Your Committee on Ordinances, to which was referred

Special Ordinance No. 9, 1909, begs to report that it has had the same under consideration and recommends that same be amended to read as follows:

"Special Ordinance No. 9—1909: An ordinance annexing certain territory to the City of Indianapolis, defining the boundaries thereof, providing for the publication of said ordinance 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 boundary of the City of Indianapolis be, and the same is hereby extended as hereinafter described, to include the territory contained within said boundary line, and that the said territory included therein be, and the same is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, Marion County, Indiana, the boundary of the territory so annexed being as follows, to-wit:

"Beginning at the intersection of the center line of Fortieth street with the east property line of the Monon Railroad; thence north along said easterly line of the Monon Railroad to a point at the intersection of the south line of Fiftieth street; thence west in and along the south line of Fiftieth street to a point at the intersection of said south line with the west line of Pennsylvania street; thence north in and along the west line of Pennsylvania street to the intersection of the north line of Fifty-second street; thence west in and along the north line of Fifty-second street to a point three hundred (300) feet west of the west line of Meridian street; thence south parallel with the west line of Meridian street to a point in the center line of Forty-second street; thence east in and along the center line of Forty-second street to the center line of Central avenue; thence south in and along the center line of Central avenue five hundred and eighty-two and six-tenths (582.6) feet, more or less, to a point in the center line of Forty-second street as extended east; thence east in and along the center line of Forty-second street to the center line of College avenue; thence south in and along the center line of College avenue to the center line of Fortieth street; thence east in and along the center line of Fortieth street to the place of beginning.

"SEC. 2. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in the Indianapolis Commercial, a daily newspaper of general circulation, printed and published in said City."

And that said ordinance as so amended do pass.

Respectfully submitted,

OTTO HOFMANN.  
J. H. HAMLET.

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

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

The roll was called and the motion of Mr. Hamlet was lost by the following vote:

Ayes, 5, viz: Messrs. Hamlet, Davis, Portteus, Royse and Hofmann.

Noes, 15, viz: Messrs. Cottey, Wood, Eppert, Neukom, Smither,

Rhodes, Smith, Uhl, Hartmann, Donavon, Sullivan, Hilkene, Wright, Henry and President Edward J. Stickelman.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller:

Appropriation Ordinance No. 52—1909: An ordinance appropriating \$500.00 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 five hundred (\$500.00) 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 amount herein appropriated, to be added to and form a part of the fund known as Assessments Against City Property.

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. 53—1909: An ordinance appropriating \$800.00 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 eight hundred (\$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 fund known as Automobile Maintenance.

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. 54—1909: An ordinance appropriating \$5,000 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 five thousand dollars (\$5,000.00) 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 Sweeping and Cleaning Improved Streets fund.

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

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

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By City Controller:

General Ordinance No. 64—1909: An ordinance providing for transfer of a certain fund to certain funds in and for the use of the Department of Finance, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the following transfers, in and for the use of the Department of Finance, be and are hereby made as follows, to-wit:

The sum of two hundred (\$200) dollars from the Taxes and Taxes Refunded fund to the Blank-books, Printing and Incidentals fund.

The sum of three hundred (\$300) dollars from the Taxes and Taxes Refunded fund to the Miscellaneous Expenses of City Officers fund.

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

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

By City Controller:

General Ordinance No. 65—1909: An ordinance providing for the transfer of \$200.00 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.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of two hundred (\$200.00) dollars be, and the same is hereby transferred from the appropriation heretofore made for use of the Police Department for the Printing and Stationery fund to the Building Repairs fund.

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

Which was read a first time.



Mr. Royse moved the rules be suspended and General Ordinance No 65, 1909, be placed upon its passage. Carried.

Mr. Royse called for General Ordinance No. 65, 1909, for second reading. It was read a second time.

Mr. Royse moved that General Ordinance No. 65, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 65, 1909, was read a third time and passed by the following vote:

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

Noes, none.

#### By City Controller:

General Ordinance No. 66—1909: An ordinance providing for the transfer of the sum of one hundred and fifty dollars (\$150.00) from one fund to another in and for the use of the Department of Law, and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of one hundred and fifty dollars (\$150.00) be, and the same is hereby transferred from the appropriation heretofore made for Change of Venue cases to the fund for Judgments, Compromises, Research and Costs, all in and for the use of the Department of Law.

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

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

#### By Board of Public Works:

General Ordinance No. 67—1909: An ordinance approving a certain contract granting E. Rauh & Sons the right to lay and maintain a sidetrack or switch from the main track of the J., M. & I. Railway across Merrill street, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, Heretofore, to-wit: on the 22d day of November, 1909, E. Rauh & Sons filed their 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, respectfully petition your board for permission to lay and maintain a sidetrack or switch from the main line of the J., M. & I. Railway across Merrill street, as shown on plat.

E. RAUH & SONS,

Per H. RAUH.

NOW, THEREFORE, This agreement, made and entered into this 22d day of November, 1909, by and between E. Rauh & Sons, 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 across Merrill street, in the City of Indianapolis, which is more specifically described as follows:

Commencing at a point in the south line of Merrill street distant two hundred (200) feet eastwardly from the east line of Pennsylvania street, then across said street to a point in the north line of Merrill street, distant one hundred and eighty-six (186) feet eastwardly from east line of Pennsylvania street, as shown on attached blue print, hereby covenant and fully bind themselves, their successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, they 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 Merrill street 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 himself 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

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 22d day of November, 1909.

E. RAUH & SONS,  
Per H. RAUH,  
Party of the First Part.

CITY OF INDIANAPOLIS,  
By JOSEPH T. ELLIOTT,  
*President.*

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. Hamlet (by request):

General Ordinance No. 68—1909: An ordinance defining certain territory within the City of Indianapolis, Indiana, to be residence and suburban part of said city and excluding all shops, inns, taverns or other places where intoxicating liquors are kept for sale to be used in and upon the premises, from said part of said city, and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That all of that part of said City of Indianapolis lying outside of and beyond the following described boundaries, to-wit: Beginning at the intersection of West and North streets in said city, extending thence eastward along said North street to its intersection with East street; thence southward along East street to its intersection with South street; thence westward along South street to its intersection with Delaware street; thence southward along Delaware street to its intersection with Ray street; thence westward along Ray street to its intersection with West street; thence northward along West street to its intersection with North street, the place of beginning, is hereby defined to be a residence and suburban part of said City of Indianapolis, Indiana, and all shops, inns, taverns or other places where intoxicating liquors are kept for sale to be used in and upon the premises are hereby prohibited and excluded from said residence and suburban part of said City of Indianapolis, as herein defined.

SEC. 2. For the purposes of this ordinance that part of the streets named as defining the boundary lines of the residence and suburban parts of said city shall be deemed to be wholly excluded from said residence and suburban part of said city, and the exclusion of shops, inns, taverns and other places where intoxicating liquors are kept for sale to be used upon the premises, as herein provided, shall not apply to any part of either side of said street upon that portion of said street named as such boundary.

SEC. 3. 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 License.

By Mr. Royse:

General Ordinance No. 69—1909: An ordinance regulating the setting and installation of return tubular boilers in heating plants, power plants and other plants where such boilers are used, fixing the distance between boiler shells and grate levels for such installations, 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 it shall hereafter be unlawful for any person, firm, corporation or association to construct or cause to be constructed any heating plant, power plant or other plant wherein return tubular boilers are used, within the corporate limits of said city, without conforming to the schedule of heights or distances between boiler shells and grate levels, as herein provided.

SEC. 2. The distance between the boiler shell and the grate level for



return tubular boilers of the following dimensions, to-wit: 36 inches x 8 feet, 36 inches x 10 feet, 36 inches x 12 feet, 40 inches x 12 feet, 42 inches x 12 feet, 46 inches x 12 feet, 46 inches x 20 feet, 48 inches x 12 feet, 48 inches x 14 feet, 48 inches x 20 feet, shall be not less than 36 inches; the distance between the boiler shell and the grate level for return tubular boilers of the following dimensions, to-wit: 52 inches x 14 feet, 54 inches x 14 feet, 54 inches x 16 feet, 56 inches x 20 feet, 60 inches x 14 feet, 60 inches x 16 feet, 60 inches x 20 feet, shall be not less than 42 inches; the distance between the boiler shell and the grate level for return tubular boilers of the following dimensions, to-wit: 66 inches x 16 feet, 66 inches x 20 feet, 72 inches x 16 feet, 72 inches x 18 feet, 72 inches x 20 feet, shall be not less than 48 inches.

SEC. 3. 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 Safety and Comfort.

By Mr. Roysé:

General Ordinance No. 70—1909: An ordinance providing for the creation and establishment of a bureau of inspection for the prevention of fires within the City of Indianapolis, providing for the inspection of certain buildings, for the appointment of inspectors, defining and fixing their duties and powers, regulating and restricting the storage and disposal of waste material, refuse matter, rubbish, debris and other inflammable materials, providing penalties for the violation thereof, and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be and hereby is created a bureau of inspection for the prevention of fires within said city, to be known as the Fire Prevention and Inspection Bureau; said bureau to consist of one or more persons to be appointed by the Board of Public Safety, upon the nomination in writing by the Chief Fire Engineer from the regular fire force of said city, and no such nomination shall be made for the appointment to said bureau of any member of said fire force of any grade lower than that of first grade fireman.

SEC. 2. The chief of said bureau shall, by virtue of his appointment, have and hold the rank, title and compensation of a captain in the regular fire force, and each assistant, or inspector, shall have and hold a rank, title and compensation not lower than that of a fireman of the first grade. The chief of said bureau and each assistant or inspector shall remain and continue to be members of the fire force and subject at all times to the order and direction of the Board of Public Safety and the Chief Fire Engineer.

SEC. 3. For the purpose of preventing fires within said city it shall be the duty of the chief of said bureau to inspect, or cause to be inspected, all buildings of every kind and character whatsoever now or hereafter used in whole or in part for any purpose for, or by reason of which, the general public is solicited or permitted to enter and frequent such building; to inspect, or cause to be inspected, any public or private sanitarium, hospital, surgical institute, gymnasium, asylum, school house, dormitory, church, theater, hall or other place of public assemblage or resort, any factory, laundry, workshop, repair shop, store room or mercantile establishment of any kind, any hotel, family hotel, boarding house, lodging



house, flat building, apartment house, tenement house, club house, livery stable, boarding stable or sales stable.

SEC. 4. The said chief of said bureau, his assistants, or any of them, shall have the power to order and direct the manner and method of disposing of, or temporarily storing, all inflammable waste material, packing material, excelsior, loose or waste paper, boxes, barrels, rubbish, debris or other inflammable materials and to require any tenant or occupant of any such building to provide suitable receptacles for receiving and containing any such inflammable material. Such chief, or his assistant, shall have the power to require that any such inflammable materials, as herein described, shall be removed from the premises and properly disposed of at the close of ordinary business hours, or to require its storage under proper precautions and safeguards against fire, and, for that purpose, may require that such materials, if stored in any building for a longer period than ten hours, shall be stored in a sealed or closed fireproof receptacle or fireproof room provided with standard fireproof doors. Said chief of such bureau shall have the power to inspect all line shaftings and hangers thereon and to require that all bearings and hangers shall be equipped with metal drop boxes or drip pans.

SEC. 5. Said chief, or his assistant, shall have the power to require that all goods, wares, merchandise, manufactures or other materials or obstructions of any kind shall be so placed or stored in any building as to provide a free and unobstructed passageway for the use of the fire force in case of fire, and to require that all aisles, halls, passageways and doorways, or other openings, shall be kept free from any obstruction of any kind that will interfere with the free passage of the same by members of the fire force in case of necessity to use them.

SEC. 6. Such chief of said bureau, or his assistant, shall have the power to order and require compliance with the provisions of this ordinance, and for that purpose shall, upon the refusal of any person, firm or corporation, or tenant or occupant of any building, to comply therewith, serve, or cause to be served, upon such person, firm or corporation, or tenant or occupant, a written notice to so comply with the provisions of this ordinance, which written notice shall specifically set forth what shall be required from such person, firm, corporation, tenant or occupant and the time in which it shall be required to be done. Such written notice may require such person, firm, corporation, tenant or occupant to comply with the provisions of this ordinance within any reasonable time and may require the immediate removal of any waste or inflammable material, rubbish, debris, etc.

SEC. 7. Any person, firm, corporation, tenant or occupant failing or refusing to comply with the provisions of this ordinance after due service of the written notice herein provided for shall, upon conviction thereof, be fined in any sum not less than five (\$5) dollars nor more than one hundred (\$100) dollars.

SEC. 8. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the Indianapolis Commercial, a daily newspaper printed and published in the City of Indianapolis.

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

By Mr. Smith:

General Ordinance No. 71—1909: An ordinance relating to pawn-brokers, defining who shall be pawn-brokers, providing rate of interest that may

be charged, providing for keeping of record, giving receipts, and providing for penalty for violation thereof.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, That every person whose business it is to take or receive by way of pledge, pawn or exchange, any goods, wares or merchandise, or any kind of personal property whatsoever, as security for the repayment of money loaned thereon, or who purchases personal property or choses in action, on the condition of selling the same back again at a stipulated price, is hereby declared to be a pawn-broker.

SEC. 2. Every pawn-broker shall keep a book in which shall be plainly written in ink, at the time of making each loan, or purchase of goods, an accurate description, in English language, of the goods, chattels or other thing or property pledged or pawned, giving the amount of money loaned thereon, the date the loan was made, the name and residence of the person pawning or pledging the goods, articles or property, and no entry in such book shall be erased, obliterated or defaced after once written.

SEC. 3. It shall be unlawful for any pawn-broker to charge more than eight per centum interest per annum for money loaned on any goods, chattels or personal property of any kind.

SEC. 4. Any and all goods, chattels or personal property of any kind whatsoever received by any pawn-broker as a pledge or pawn as security for the repayment of any money loaned thereon shall be held by such pawn-broker for a period of one year from date of receiving the same before such property may be sold by such pawn-broker for failure of the pledgor to redeem same; and the pledgor may at any time within one year after the date of pledging or pawning of any goods, wares, merchandise or personal property of any kind whatsoever, redeem such property by paying the pledgee or pawn-broker the amount of money received from him, together with interest thereon: Provided, The interest shall not have been deducted from the money received at the time the loan was made.

SEC. 5. It shall be unlawful for any pawn-broker to make any charge whatever, or accept anything of value for making such loan, either directly or indirectly, for the money loaned, except the interest thereon, and any money or property or thing of value received therefor, in addition to the interest charged, shall be a payment on the principal indebtedness.

SEC. 6. It shall be the duty of the pawn-broker, upon receiving any money, property or thing of value as payment upon the indebtedness of any pledgor, less than the full amount due thereof, to deliver to the pledgor a receipt signed by such pledgee or his agent or clerk, stating the amount of the loan, the amount of the payment received, the rate of interest charged, the balance due, the date of the loan and the date of the payment received.

SEC. 7. Any person or his agent who violates any of the provisions of this ordinance shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than ten dollars and not more than fifty dollars, and for a second or subsequent conviction shall be imprisoned in the county jail or workhouse for a period of not less than ten days nor more than thirty days.

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

By Mr. Smith:

General Ordinance No. 72—1909: An ordinance regulating and licensing professional baseball parks, requiring a license fee and prescribing penalties, and fixing the time when same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That it shall be unlawful for any person, firm or corporation to maintain, operate and keep in the said City of Indianapolis, Indiana, or within four miles of the corporate limits thereof, any park or grounds for playing baseball between professional baseball teams where an admission fee is charged without first obtaining a license from the City Controller of said City of Indianapolis to do so.

SEC. 2. The owner or lessee or manager of such park or grounds shall apply to the City Controller for such license, and in said application shall state the name of the person, firm or corporation owning, leasing or managing said park or grounds, give a full description of said park or grounds and the location thereof in said City of Indianapolis, or within four miles of the corporate limits thereof, the name of the ball teams playing there and the dates when the exhibitions are to take place.

SEC. 3. Upon filing said application the said City Controller shall grant license to give an exhibition of baseball at the park or grounds described in the application and shall collect for the use and benefit of said City of Indianapolis a license fee of twenty-five (\$25.00) dollars for each and every day the park or grounds are used for such baseball exhibition: Provided, That application may be made and granted, and the license fee above set out may be paid, for any number of days in advance the licensee may desire.

SEC. 4. Upon the issuance of said license the City Controller shall inform the Chief of Police of said city of the location of the park or grounds, the date when the exhibitions are to take place, the name of the teams participating, and said Chief of Police of said city shall detail a sufficient number of officers to be present at such exhibition and maintain order at said park and grounds.

SEC. 5. Any person, firm or corporation violating the provisions of this ordinance shall be fined in any sum not less than \$50.00 and not more than \$100.00 for each violation, and each day's use of such park or grounds without such license shall be deemed a separate violation.

SEC. 6. This ordinance shall take effect after its passage and publication for two consecutive weeks in the Indianapolis Sun, a newspaper of general circulation in the City of Indianapolis.

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

By Mr. Hofmann:

Special Ordinance No. 13—1909: An ordinance changing the name of Parry avenue, from 901 West Washington street to Oliver avenue, to Stickelman avenue.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the name of the street known as Parry avenue, from 901 West Washington street to Oliver avenue, in the City of In-

dianapolis, Indiana, be and the same is hereby changed to Stickelman 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 Public Morals.

#### MISCELLANEOUS BUSINESS.

MARION COUNTY TAXPAYERS' LEAGUE,  
INDIANAPOLIS, IND., November 22, 1909.

*To the Honorable City Council of Indianapolis, Ind.:*

GENTLEMEN; WHEREAS, An ordinance was introduced in the City Council to increase the salaries of certain city employes to the amount of about \$20,000.00, which, added to a similar item of expense made some months ago, will aggregate about \$85,000.00 annually, adding this large amount to our fixed expenditures; and,

WHEREAS, There is no public demand for such increase; furthermore, a large number of applicants being willing and ready to fill the positions in question at present scale of wages, which is already in excess of that paid for skilled labor, and in addition carries a pension with it; and,

WHEREAS, The citizens are already overburdened with municipal assessments and the city treasury not being in condition to increase expenditures in any direction, according to statement of Controller; therefore, be it

*Resolved*, That the Marion County Taxpayers' League, through its directors, in meeting assembled on this the 22d day of November, 1909, hereby respectfully request of your honorable body not to pass the said ordinance, as inimical to public interest at this time and for the reasons above stated.

Yours very respectfully,

OTTO STECHHAN, *President*.

JOHN F. WHITE, *Secretary*.

#### ORDINANCES ON SECOND READING.

Mr. Rhodes called for General Ordinance No. 56, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that General Ordinance No. 56, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.



General Ordinance No. 56, 1909, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Rhodes called for General Ordinance No. 57, 1909 for second reading. It was read a second time.

Mr. Rhodes moved that General Ordinance No. 57, 1909 be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 57, 1909, was read a third time and passed by the following vote:

Ayes, 19, viz: Messrs. Cottey, Hamlet, Davis, Eppert, Neukom, Smither, Rhodes, Smith, Uhl, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkene, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Rhodes called for General Ordinance No. 58, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that General Ordinance No. 58, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.



General Ordinance No. 58, 1909, was read a third time and passed by the following vote:

Ayes, 19, viz: Messrs. Cottey, Hamlet, Davis, Eppert, Neukom, 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. 50, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Appropriation Ordinance No. 50, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 50, 1909, was read a third time and passed by the following vote:

Ayes, 19, viz: Messrs. Cottey, Hamlet, Davis, Eppert, Neukom, Smither, Rhodes, Smith, Uhl, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilken, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Rhodes called for Resolution No. 7, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Resolution No. 7, 1909, be adopted.

The roll was called and Resolution No. 7, 1909, was adopted by the following vote:

Ayes, 19, viz: Messrs. Cottey, Hamlet, Davis, Eppert, Neukom, Smither, Rhodes, Smith, Uhl, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilken, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Rhodes called for Resolution No. 8, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Resolution No. 8, 1909, be adopted.

The roll was called and Resolution No. 8, 1909, was adopted by the following vote:

Ayes, 19, viz: Messrs. Cottey, Hamlet, Davis, Eppert, Neukom, Smither, Rhodes, Smith, Uhl, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilken, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Rhodes called for General Ordinance No. 61, 1909, for second reading. It was read a second time.

Mr. Portteus moved the Council take a recess of ten minutes to consider General Ordinance No. 61, 1909. Carried.

At 9:20 P. M. President Stickelman called the Council to order.

By Mr. Portteus:

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

I move you to amend General Ordinance No. 61, 1909, by striking out all of the ordinance as introduced except the enacting clause, Item G in Section 1 and Sections 3 and 4, and when so amended I recommend that same do pass.

Mr. Royse moved the Council go into a Committee of the Whole to consider General Ordinance No. 61, 1909. Carried.

President Stickelman called Mr. Hamlet to the chair to preside.

At 9:40 o'clock the Council arose as a Committee of the Whole and reported against the amendment of General Ordinance No. 61, 1909, as introduced by Mr. Portteus.

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

Mr. Royse moved to adjourn.

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

The roll was called and the motion to adjourn was lost by the following vote:

Ayes, 9, viz: Messrs. Cottey, Hamlet, Eppert, Neukom, Smither, Rhodes, Smith, Portteus and Royse.

Noes, 10, viz: Messrs. Davis, Uhl, Hartmann, Donavon, Sullivan, Hofmann, Hilkené, Wright, Henry and President Edward J. Stickelman.

Mr. Rhodes moved that General Ordinance No. 61, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 61, 1909, was read a third time and passed by the following vote:

Ayes, 13, viz: Messrs. Davis, Eppert, Uhl, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkené, Wright, Henry and President Edward J. Stickelman.

Noes, 6, viz: Messrs. Cottey, Hamlet, Neukom, Smither, Rhodes and Smith.

Mr. Rhodes called for General Ordinance No. 62, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that General Ordinance No. 62, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 62, 1909, was read a third time and passed by the following vote:

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

Noes, 2, viz: Messrs. Neukom and Smither.

Mr. Cottey called for Special Ordinance No. 12, 1909, for second reading. It was read a second time.

Mr. Cottey moved that Special Ordinance No. 12, 1909, be amended as recommended by the committee. Carried.

Mr. Cottey moved that Special Ordinance No. 12, 1909, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

Special Ordinance No. 12, 1909, was read a third time and passed by the following vote:

Ayes, 18, viz: Messrs. Cottey, Hamlet, Eppert, Neukom, Smither, Rhodes, Smith, Uhl, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkene, Wright, Henry and President Edward J. Stickelman.

Noes, none.

Mr. Hamlet called for Special Ordinance No. 9, 1909, for second reading. It was read a second time.

Mr. Sullivan moved that Special Ordinance No. 9, 1909, be stricken from the files.

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

The roll was called and Special Ordinance No. 9, 1909, was stricken from the files by the following vote:

Ayes, 14, viz: Messrs. Cottey, Eppert, Neukom, Smither, Rhodes, Smith, Uhl, Hartmann, Donavon, Sullivan, Hilkene, Wright, Henry and President Edward J. Stickelman.

Noes, 3, viz: Messrs. Hamlet, Portteus and Hofmann.

On motion of Mr. Rhodes, the Common Council, at 10:20 o'clock P. M., adjourned.

*Edw. J. Stickelman*

President.

ATTEST:

*James M. Nulty*

City Clerk.

