REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND. Monday, March 18, 1912.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, March 18, 1912, at 7:30 o'clock, in regular session, President Charles B. Stilz in the chair.

Present: The Hon. Charles B. Stilz, President of the Common Council, and 8 members, viz: Messrs., Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Blumberg and Troy.

Absent, none.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT, CITY OF INDIANAPOLIS. Indianapolis, Ind., March 11, 1912.

To the President and Members of the Common Council, City: GENTLEMEN: I return herewith with my approval the following ordinances:

Appropriation Ordinance No. 81, 1911, being an ordinance appropriating the sum of \$700.00 to and for the use of the Department of Public Works and fixing a time when the same shall take effect.

General Ordinance No. 11, 1912, being an ordinance concerning the lighting of all vehicles during certain hours, using the streets and other public places in the City of Indianapolis, fixing a time when the same shall take effect, providing a penalty therefor, and repealing all ordinances in conflict therewith.

I have the honor to remain,

Very truly yours,

S. L. Shank,
Mayor City of Indianapolis.

REPORTS FROM CITY OFFICERS.

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS, OFFICE OF THE BOARD. INDIANAPOLIS, IND., March 8, 1912.

To the Honorable Members of the Common Council, Indianapolis, Indiana;

Gentlemen: I am directed by the board to submit to you for your consideration and action thereon, the enclosed ordinance ratifying and confirming a certain contract entered into this the 8th day of March, 1912, by and between the Board of Public Works and the Thomas Madden & Son Company, granting them the right to lay and maintain a sidetrack or switch from the tracks of the C. C. C. & St. L. Ry. Company across St. Paul street, as described in said contract and blue print attached thereto.

Respectfully,

F. J. Noll, Jr., Clerk Board Public Works.

From the Board of Public Health and Charities:

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES, OFFICE OF THE BOARD. INDIANAPOLIS, IND., March 12, 1912.

To the President and Members of the Common Council, Indianapolis:

Gentlemen: An officer of this department visited Sellers' Farm on February the 29th and reports conditions satisfactory.

Yours very truly,

C. S. Woods.

From the Board of Public Health and Charities:

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES. OFFICE OF THE BOARD. Indianapolis, Ind., February 9, 1912.

To the President and Members of the Common Council of the City of Indianapolis:

GENTLEMEN: The Department of Public Health and Charities hereby submits the following balances and expenditures of the various funds of the City Hospital for February, 1912.

	Expense.	Balances.
Drugs\$	534.55	\$2,063.00
Dry goods	49.45	3,633.11
Electrical supplies	204.38	584.37
Engine room supplies	82.81	834.24
Furniture	126.20	1,361.20
Fuel	1,031.64	3,028.75
Flower Mission Hospital	398.19	4.266.09
Gas	33.24	325.24
Hardware	52.22	443.98
Horseshoeing	4.00	180.00
IncidentalsLaundry	164.82	1,566.81
Laundry	162.63	964.19
Nurses' fund	812.43	7,532.27
Paints and painting	6.05	739.58
Plumbing supplies	553.85	433.40
Provisions	2,455.57	20,443.41
Printing and stationery	610.85	84.50
Queensware	51.75	220.98
Repairs to building	42.18	1,844.87
Salaries	2,820.43	24,843.24
Stable supplies	122.01	605.89
Surgical supplies	295.76	3,260.50
Telephones		374.55
Tuberculosis fund—		
Hospital (clinic, \$103.74)	281.36	3,145.49
Contagious fund	187.92	B. of H.
Total	311.084.29	

Total number of patients treated at the City Hospital during the month of February, 1912 ______8,180 $\$11,084 \div 8,180 = \$1.35\frac{1}{2}$ average cost of one patient per day. Yours very truly,

C. S. Woods.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Public Works:

Indianapolis, Ind., March 18, 1912.

To the President and Members of the Common Council of the City of Indianapolis:

GENTLEMEN: We, your Committee on Public Works, to whom was re-

ferred Resolution No. 1, 1912, beg leave to report that we have had said resolution under consideration and would recommend that the same do not pass.

Respectfully submitted.

FRED C. OWEN, CHARLES F. COPELAND, JAMES E. TROY, FRANK E. McCARTHY.

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

From the Committee on Public Works:

Indianapolis, Ind., March 18, 1912.

To the President and Members of the Common Council of the City of Indianapolis:

Gentlemen: We, your Committee on Public Works, to whom was referred General Ordinance No. 10, 1912, being "An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Alabama street from northwest property line of Massachusetts avenue to southeast property line of Ft. Wayne avenue by paving the roadway with wooden block, asphalt, bituminous concrete or brick, except the space of 17.75 feet occupied by street car tracks under and in accordance with Improvement Resolution of the Board of Public Works, No. 6,705, adopted by the Board of Public Works on the 15th day of December, 1911," beg leave to report that we have had said ordinance under consideration and would recommend that the same do not pass. Respectfully submitted.

Fred C. OWEN,
CHARLES F. COPELAND,
JAMES E. TROY,
FRANK E. MCCARTHY.

Mr. Owen moved that the report of the committee be con-

From the Committee on Public Works:

Indianapolis, Ind., March 18, 1912.

To the President and Members of the Common Council of the City of Indianapolis:

Gentlemen: We, your Committee on Public Works, to whom was referred General Ordinance No. 51, 1911, being "An ordinance concerning the wages and compensation of certain employes of the City of Indianapolis, and fixing a time when the same shall take effect," and repealing all ordinances and parts of ordinances in conflict herewith, beg leave to report that we have had said ordinance under consideration

and would recommend that the same be amended by striking out of Section 4, the words and figures two dollars (\$2.00) and inserting in lieu thereof the words and figures one dollar and seventy-five cents (\$1.75) and when said ordinance is so amended we would recommend that the same do pass.

Respectfully submitted,

Fred C. Owen. CHARLES F. COPELAND, WILLIAM H. JOHNSON, JAMES E. TROY, FRANK E. McCarthy.

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

From the Committee on Law and Judiciary:

Indianapolis, Ind., March 18, 1912.

To the President and Members of the Common Council:

Gentlemen: Your committee on Law and Judiciary, to which was referred General Ordinance No. 23, 1912, entitled "An ordinance for the regulation of certain places of amusement," beg leave to report that we have had said ordinance under consideration and would respectfully recommend that the same be amended as follows:

First, by inserting after the word "name" and before the word "of"

in line 16, section one, the words "location or other designation."

Second, by adding at the end of section 2 of said ordinance the words "for more than two engagements in any one year, neither of which engagements shall run longer than one week."

Third, by striking out the word "given" in line 32 of section 3 of said ordinance and inserting in lieu thereof the following: "started or estab-

lished hereafter."

Fourth, by inserting in line 33 of said ordinance after the word "public" and before the word "school" the words "or parochial."

And we recommend that when said ordinance is so amended that the same do pass.

> GEORGE L. DENNY, WILLIAM H. JOHNSON, Fred C. Owen, JAMES E. TROY, GEORGE B. RUBENS.

DEPARTMENT OF LAW, CITY OF INDIANAPOLIS. Indianapolis, Ind., March 16, 1912.

Hon, George L. Denny, City:

Dear Sir: In compliance with your request, I have examined General Ordinance No. 23, 1912, entitled "An ordinance for the regulation of certain places of amusement," and in my opinion this ordinance as drawn is legal as to form.

Very truly yours,

Merle N. A. Walker, City Attorney.

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

From the Committee on City's Welfare:

Indianapolis, Ind., March 18, 1912.

To the President and Members of the Common Council of the City of Indianapolis:

Gentlemen: We, your Committee on City's Welfare, to whom was referred General Ordinance No. 92, 1911, being "An ordinance creating the position of Superintendent of the East Market, defining his duties, fixing his salary, creating a fund to be known as the 'East Market Expense Fund' and defining the purposes thereof, and otherwise regulating the East Market, providing for publication and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration and would recommend that the same do not pass.

Respectfully submitted,

CHARLES F. COPELAND, JAMES E. TROY, JOHN BLUMBERG, FRANK E. MCCARTHY.

Not concurring:
George L. Denny.

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

From the Committee on City's Welfare:

Indianapolis, Ind., March 18, 1912.

To the President and Members of the Common Council of the City of Indianapolis:

Gentlemen: We, your Committee on City's Welfare, to whom was referred General Ordinance No. 21, 1912, being "An ordinance concerning the operation and management of pool room and pool or billiard tables, providing a penalty for violations thereof, and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration and would recommend that the same be amended by striking out of Section 1, the words and letters "twelve p. m. midnight" and inserting in lieu thereof the words and letters

"twelve-thirty a, m," and when said ordinance is so amended we would recommend that the same do pass.

Respectfully submitted.

CHARLES F. COPELAND, JAMES E. TROY, JOHN BLUMBERG, GEORGE L. DENNY, FRANK E. McCARTHY.

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Board of Public Works:

General Ordinance No. 24-1912: An ordinance approving a certain contract granting Thomas Madden Son & Company the right to lay and maintain a sidetrack or switch from the tracks of the C. C. C. & St. L. Ry. Company across St. Paul Street according to blue print attached, in the City of Indianapolis, Indiana.

Whereas, Heretofore, to-wit: on the 6th day of March, 1912, Thomas Madden Son & Company filed its petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION.

March 6, 1912.

To the Board of Public Works, City of Indianapolis:

Gentlemen: We the undersigned respectfully petition the Board of Public Works to grant to us permission to lay and maintain a sidetrack or switch across St. Paul street as shown on Plat herewith attached. THOS. MADDEN SON & CO.

Now, therefore, This agreement, made and entered into this 8th day of March, 1912, by and between Thomas Madden Son & 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 a point on the north track of the C. C. & St. L. Ry. Co., southeast of the east line of St. Paul Street, thence in a northwesterly direction on a curve line across St. Paul Street, in the City of Indianapolis, which is more specifically described as follows: Beginning at a point on the north track of the C. C. & St. L. Ry. Company, 56 feet southeast of the east line of St. Paul Street, thence in a northwesterly direction on a fifteen-degree curve line across St. Paul Street to the property of said Company, all as shown on blue print herewith attached, hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, he 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 St. Paul 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 wriften 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 no wise 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 for-feiture 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 con-

sideration 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 sidetrack 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 8th day of March, 1912.

> THOS. MADDEN SON & CO., Party of the First Part.

CITY OF INDIANAPOLIS. By C. A. Schrader, President. CHARLES L. HUTCHINSON, 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 In-

dianapolis, Indiana, that such contract above set forth be, and the same is hereby in all things confirmed and approved.

Section 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 City's Welfare.

By Mr. McCarthy:

General Ordinance No. 25-1912: An ordinance regulating the payment of the salary or compensation of all officers, heads of departments, clerks, assistants and employes of the City of Indianapolis, Indiana, and repealing all ordinances or parts of ordinances in conflict herewith, 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 on and after May 1st, 1912, all officers, heads of departments, clerks, assistants and employes of the City of In-dianapolis shall receive their respective salaries or wages on the First and Fifteenth days of each month; Provided, however, that when the First or Fifteenth day of the month shall come on Sunday, then in that event such salary or wages shall be paid on the day following; Provided, further that nothing in this section shall apply to laborers or employes who are now being paid weekly.

Section 2. The City Controller of said City of Indianapolis is hereby ordered and directed to prepare the necessary warrants or vouchers for the payment of such salary or wages as provided for in Section 1 of this ordinance.

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after May 1, 1912.

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

By Mr. Copeland:

General Ordinance No. 26—1912: An ordinance concerning the time of payment of salaries of City employes, and fixing a time the same shall take effect, repealing all ordinances and parts of ordinances in conflict therewith.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That all City employes shall receive their salaries and be paid twice each month, and that the said salaries shall be due and payable on the first and fifteenth days of each month respectively; Provided, however, that nothing in this section shall apply to laborers or employes now being paid weekly.

Section 2. All ordinances or parts of ordinances in conflict herewith

are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after April 15, 1912.

Which was read a first time.

Mr Copeland moved that the rules be suspended and General Ordinance No. 26, 1912, be placed upon its passage.

The roll was called and the motion of Mr. Copeland was lost for want of an unanimous vote as follows:

Ayes, 2, viz.: Messrs. Copeland and Rubens.

Noes, 7, viz.: Messrs. Johnson, McCarthy, Denny, Owen, Blumberg, Troy and President Charles B. Stilz.

General Ordinance No. 26, 1912, was thereupon referred to the Committee on Public Safety.

By Mr. Denny:

Special Ordinance No. 44—1912: An ordinance annexing certain territory to the City of Indianapolis, Indiana, and defining the boundary thereof.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the boundary lines of the City of Indianapolis be, and the same are hereby extended, so as to include the following described contiguous territory, all of which is hereby annexed to and made a part of the territory constituting and forming the City of

Indianapolis, in Marion County, Indiana:

Beginning at a point in the intersection of the center line of Fortysecond street, running east with the center line of Illinois street; thence north with the center line of Illinois street one hundred and three and ninety-hundredths (103.90) feet to a point, the said point being six hundred and sixty-six (666) feet north of the center line of section fourteen (14), township sixteen (16) north, range three (3) east; thence west parallel with and six hundred and sixty-six (666) feet distant from the center line of said section fourteen (14) to the west line of said section fourteen (14), the same being the present corporation line of the City of Indianapolis; thence south with the west line of said section fourteen (14), six hundred and sixty-six (666) feet to the center line of said section fourteen (14); thence east with the center line of said section fourteen (14) to a point in the center line of Conser street; thence south with the center line of Conser street to the center line of Carleton avenue; thence east with the center line of Carleton avenue to the center line of Senate avenue; thence north with the center line of Senate avenue to a point one hundred and fifty (150) feet north of the north line of Fortieth street; thence east parallel with and one hundred and fifty (150) feet distant from the north line of Fortieth street to the west line of Capitol avenue; thence north with the west line of Capitol avenue one hundred and seventy (170) feet; thence east parallel with and three hundred and twenty (320) feet distant from the north line of Fortieth street to the east line of Kenwood avenue; thence south with the east line of Kenwood avenue one hundred and seventy (170) feet; thence east parallel with and one hundred and fifty (150) feet distant from the north line of Fortieth street to the center line of Illinois street; thence north with the center line of Illinois street to a point in the intersection of the center line of Illinois street with the center line of Forty-second street running east, being the place of beginning.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication each day for two weeks in the Indianapolis Commercial, a daily newspaper of general circulation, pub-

lished in Indianapolis.

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

By Mr. Stilz:

Special Ordinance No. 45—1912: An ordinance annexing certain territories to the City of Indianapolis, defining a part of the boundary line of said city, 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 boundary lines of the City of Indianapolis be and the same are hereby extended, so as to include the following described contiguous territory, all of which is hereby annexed

to and made a part of the territory constituting and forming the City of Indianapolis, Marion County, Indiana:

Beginning at the intersection of the center line of the right-of-way of the Chicago, Indianapolis and Louisville Railway Company, and the center line of Forty-second street; thence north along the center line of said right-of-way of said railway company, to the intersection of the center line of Forty-sixth street; thence west along the center line of Forty-sixth street to the east line of Central avenue; thence south along the east line of Central avenue to the center line of Forty-second street; thence east along the center line of Forty-second street to the beginning point.

Section 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.

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

ORDINANCES ON SECOND READING.

Mr. Owen called for Resolution No. 1, 1912, for second reading. It was read a second time.

Mr. Owen moved that Resolution No. 1, 1912, be stricken from the files.

Mr. Troy moved to lay the motion of Mr. Owen on the table, which motion carried by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Blumberg, Troy and President Charles B. Stilz.

Noes, none.

Mr. Owen called for General Ordinance No. 10, 1912, for second reading. It was read a second time.

Mr. Owen moved that General Ordinance No. 10, 1912, be stricken from the files.

The roll was called and General Ordinance No. 10, 1912, was stricken from the files by the following vote:

Ayes, 8, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Owen, Blumberg, Troy and President Charles B. Stilz.

Noes, 1, viz.: Mr. Denny.

Mr. Owen called for General Ordinance No. 51, 1911, for second reading. It was read a second time.

Mr. Owen moved that General Ordinance No. 51, 1911, be amended as recommended by the committee. Carried.

Mr. Owen moved that General Ordinance No. 51, 1911, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 51, 1911, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Blumberg, Troy and President Charles B. Stilz.

Noes, none.

Mr. Denny called for General Ordinance No. 23, 1912, for second reading. It was read a second time.

Mr. Denny moved that General Ordinance No. 23, 1912, be amended as recommended by the committee. Carried.

Mr. Denny moved that General Ordinance No. 23, 1912, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 23, 1912, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Blumberg, Troy and President Charles B. Stilz.

Noes, none.

Mr. Johnson called for General Ordinance No. 86, 1911, for second reading. It was read a second time.

Mr. Owen moved that action on General Ordinance No. 86, 1911, be indefinitely postponed.

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

Ayes, 5, viz.: Messrs. McCarthy, Copeland, Owen, Blumberg and Troy.

Noes, 4, viz.: Messrs. Johnson, Rubens, Denny and President Charles B. Stilz.

Mr. Copeland called for General Ordinance No. 92, 1911, for second reading. It was read a second time.

Mr. Copeland moved that General Ordinance No. 92, 1911, be stricken from the files.

The roll was called and General Ordinance No. 92, 1911, was stricken from the files by the following vote:

Ayes, 6, viz.: Messrs. Johnson, McCarthy, Copeland, Blumberg, Troy, and President Charles B. Stilz.

Noes, 3, viz.: Messrs, Rubens, Denny and Owen.

Mr. Copeland called for General Ordinance No. 21, 1912, for second reading. It was read a second time.

Mr. Copeland moved that General Ordinance No. 21, 1912, be amended as recommended by the committee. Carried.

Mr. Copeland moved that General Ordinance No. 21, 1912, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 21, 1912, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Blumberg, Troy and President Charles B. Stilz.

Noes, none.

On motion of Mr. McCarthy, the Common Council, at 9:35 o'clock P. M., adjourned.

ATTEST:

City. Clerk. твария I 2