

## REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, August 5, 1912.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, August 5, 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 6 members, viz: Messrs. Johnson, Copeland, Denny, Owen, Blumberg and Troy.

Absent, 2, viz.: Messrs. McCarthy and Rubens.

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

## COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., July 17, 1912.

*To the President and Members of the Common Council, City of Indianapolis, Indiana:*

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

Appropriation Ordinance No. 18, 1912, being an ordinance appropriating the sum of \$3,000.00 to and for the use of the Department of Public Health and Charities and fixing a time when the same shall take effect.

Appropriation Ordinance No. 19, 1912, being an ordinance appropri-

ating the sum of \$1,000.00 to and for the use of the Department of Public Health and Charities and fixing a time when the same shall take effect.

General Ordinance No. 44, 1912, being an ordinance providing for the transfer of \$200.00 from a certain fund to a certain fund in and for the use of the Department of Law and fixing a time when the same shall take effect.

I have the honor to remain,

Very truly yours,

S. L. SHANK,  
Mayor City of Indianapolis.

#### REPORTS FROM CITY OFFICERS.

#### From City Controller:

FINANCE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., August 5, 1912.

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

GENTLEMEN: I submit herewith a communication from the Department of Public Safety requesting me to recommend the transfer of the following funds in the Fire Force Accounts:

\$1,000.00 from the "Horse Purchase" fund to the fund known as "Repairs to Buildings."

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

Respectfully submitted,

HARRY R. WALLACE,  
City Controller.

DEPARTMENT OF PUBLIC SAFETY,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., July 31, 1912.

*Mr. Harry R. Wallace, City Controller:*

DEAR SIR: At a meeting of the Board of Public Safety held this date, it was decided to request you to please ask the Common Council to transfer the following funds in the Fire Force Accounts: One Thousand Dollars (\$1,000.00) from the "Horse Purchase" fund to the fund known as "Repairs to Buildings."

There is a balance of \$108.88 only in this fund, and many need repairs to be made immediately.

Respectfully yours,

BOARD OF PUBLIC SAFETY,  
WM. E. DAVIS,  
President.

**From City Controller:**

FINANCE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., August 5, 1912.

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

GENTLEMEN: I submit herewith a communication from the Department of Public Works requesting me to recommend an appropriation of \$500.00 to the fund known as "Automobile Maintenance."

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

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., August 2, 1912.

*Mr. Harry R. Wallace, City Controller, Indianapolis, Indiana:*

DEAR SIR: You are respectfully requested to recommend to the Common Council the passage of an ordinance appropriating to the use of the Department of Public Works for automobile maintenance, the sum of five hundred (\$500.00) dollars.

Yours truly,

C. A. SCHRADER,  
CHARLES L. HUTCHINSON,  
E. J. O'REILLY,  
*Board of Public Works.*

**From City Controller:**

FINANCE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., August 5, 1912.

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

GENTLEMEN: I submit herewith a communication from the Department of Public Works, requesting me to recommend an appropriation of \$200.00 to the Furniture and Fixture fund.

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

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., July 17, 1912.

*Mr. Harry R. Wallace, City Controller, Indianapolis, Indiana:*

DEAR SIR: You are hereby requested to recommend to the Common

Council the passage of an ordinance appropriating the sum of \$200.00 to the Furniture and Fixture fund.

Yours truly,  
C. A. SCHRADER,  
CHARLES L. HUTCHINSON,  
*Board of Public Works.*

**From City Controller:**

FINANCE DEPARTMENT,  
CITY OF INDIANAPOLIS,  
INDIANAPOLIS, IND., August 5, 1912.

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

GENTLEMEN: I submit herewith a communication from the Department of Public Works requesting me to recommend an appropriation of \$7,000.00 to the fund for "Street Repair Asphalt Salaries and Wages."

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

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD,  
INDIANAPOLIS, IND., August 5, 1912.

*Mr. Harry R. Wallace, City Controller, Indianapolis, Indiana:*

DEAR SIR: You are respectfully requested to recommend to the Common Council the passage of an ordinance appropriating the sum of \$7,000.00 to the fund for Street Repair Asphalt Salaries and Wages.

Yours truly,

C. A. SCHRADER,  
CHARLES L. HUTCHINSON,  
E. J. O'REILLY,  
*Board of Public Works.*

**From the Board of Public Health and Charities:**

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,  
OFFICE OF THE BOARD,  
INDIANAPOLIS, IND., May 11, 1912.

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

GENTLEMEN: An officer of this department visited Sellers' Farm on April 29th and reports that in view of the changes in the plant that were being made, conditions were 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, May 10, 1912.

To the President and Members of the Common Council:

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

	Expense.	Balances.
Drugs -----	\$248.55	\$1,523.70
Dry Goods -----	651.81	2,762.98
Electrical Supplies -----	149.85	387.02
Engine Room Supplies -----	146.86	594.29
Furniture Fund -----	28.00	1,263.20
Fuel -----	1,185.83	901.06
Flower Mission Hospital -----	376.33	3,526.54
Gas -----	35.40	257.44
Hardware -----	44.19	306.23
Horse Shoeing -----	4.70	166.80
Incidentals -----	156.75	1,329.03
Laundry Supplies -----	166.89	779.53
Nurses' Fund -----	838.45	5,990.01
Paints and Painting -----	260.89	465.49
Plumbing Supplies -----	18.23	394.08
Provisions -----	2,353.82	15,839.94
Printing and Stationery -----	10.00	66.50
Queensware -----	-----	220.98
Repairs to Buildings -----	59.10	1,760.19
Salaries -----	2,807.92	19,219.74
Stable Supplies -----	69.15	451.05
Surgical Supplies -----	433.27	2,551.84
Telephones -----	28.50	251.55
Tuberculosis Fund: Clinic, \$96.43; Hospital \$254.34 -----	254.34	2,402.94
Contagious Disease Fund -----	106.72	B. of H.
Total -----	\$10,435.55	

Total number of patients treated during the month of April, 1912--8,630  
\$10,435.55 ÷ 8,630 = \$1.21—average cost of one patient per day.

Yours very truly,

C. S. Woods.

### REPORTS FROM STANDING COMMITTEES.

#### From the Committee on Finance:

INDIANAPOLIS, IND., August 5, 1912.

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

GENTLEMEN: We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 21, 1912, being "An ordinance appropri-

ating the sum of \$3,000.00 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 we have had said ordinance under consideration and would recommend that the same do pass.

Respectfully submitted,

WILLIAM H. JOHNSON,  
JOHN BLUMBERG,  
FRED C. OWEN,  
JAMES E. TROY.

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

### From the Committee on Law and Judiciary:

INDIANAPOLIS, IND., August 5, 1912.

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

GENTLEMEN: Your Committee on Law and Judiciary, to which was referred General Ordinance No. 48, 1912, entitled "An ordinance amending Section 1 of General Ordinance No. 11, 1912, (approved March 11, 1912)," beg leave to report that they have had said ordinance under consideration and would recommend that the same be amended as follows: By striking out of and from said ordinance the following words at the end of section 1 thereof, to-wit: "and provided further that this ordinance shall not apply to vehicles which are permitted by law and ordinance to use the sidewalks," and by inserting the following as section 2 of said ordinance, to-wit:

"Section 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed." And by renumbering section 2 (being the section providing for publication as introduced), to be section 3.

And we would respectfully recommend that when said ordinance is so amended the same be passed.

Respectfully submitted,

GEORGE L. DENNY,  
FRED C. OWEN,  
WILLIAM H. JOHNSON,  
JAMES E. TROY.

DEPARTMENT OF LAW,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., July 25, 1912.

*Mr. George L. Denny, Chairman, City:*

DEAR SIR: Replying to your inquiry as to the validity of General Ordinance No. 48, 1912, kindly be advised that the clause to which you refer, reading as follows:

"And provided further that this ordinance shall not apply to vehicles which are permitted by law and ordinance to use the sidewalk," is a clause which in itself has no meaning because there are no vehicles of any class which by law are expressly authorized to use the sidewalks. and the ordinance would be valid without this clause and this clause

has a tendency to create a classification which would render the entire ordinance invalid. The question as to whether or not a baby carriage is a vehicle under the provisions of this ordinance, I think is easily determined by the definition of the word "vehicle," and it is our opinion that a baby carriage is not under the law or definition of a vehicle, a vehicle under the terms of this ordinance, and would be excluded from the provision of this ordinance, without the clause referred, and would not be required to comply with the ordinance. It is our opinion that this last clause would render the ordinance invalid, and should be stricken out. Any doubt as to this ordinance might be settled by a provision designating the kind of power to be used for the vehicle.

Sincerely yours,

MERLE N. A. WALKER,  
*City Attorney.*

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

#### INTRODUCTION OF APPROPRIATION ORDINANCES.

##### By City Controller:

Appropriation Ordinance No. 22—1912: An ordinance appropriating the sum of \$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 dollars (\$500.00) be, and 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 appropriated herein to be added to and form a part of the fund known as "Automobile Maintenance."

SECTION 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. 23—1912: An ordinance appropriating the sum of \$200.00 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 two hundred dollars (\$200.00) be, and 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 appropriated herein to be added to and form a part of the fund known as "Furniture and Fixture."

SECTION 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. 24—1912: An ordinance appropriating the sum of \$7,000.00 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 seven thousand dollars (\$7,000.00) be, and 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 appropriated herein to be added to and form a part of the fund known as "Street Repair Asphalt Salaries and Wages."

SECTION 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. 49—1912: An ordinance providing for the transfer of \$1,000.00 from a certain fund to a certain fund in 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 one thousand dollars (\$1,000.00) be, and is hereby transferred from the "Horse Purchase" fund to the "Repairs to Buildings" fund. All to and for the use of the Department of Public Safety.

SECTION 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 Mr. Denny:

General Ordinance No. 50—1912: An ordinance to prevent the running at large of chickens and other domestic fowls within the city of Indianapolis.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, that it shall be unlawful for any person being the owner or having the care or charge of any chicken or other domestic fowl within the city of Indianapolis to permit the same to run at large within the limits of said city or to escape from the premises owned or rented and occupied by such person.

SECTION 2. Any person found guilty of violation of this ordinance shall be fined not more than \$10 for each offense, and each day that this ordinance shall be violated shall be considered a separate offense.

SECTION 3. This ordinance shall be in full force and effect from and after its publication once each week for two consecutive weeks in the Indianapolis Commercial, a daily newspaper, and published in the city of Indianapolis.

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

ORDINANCES ON SECOND READING.

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

Mr. Johnson moved that Appropriation Ordinance No. 21, 1912, be ordered engrossed, read a third time and placed upon its passage. Carried.

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

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

Noes none.

Mr. Denny called for General Ordinance No. 48, 1912, for second reading. It was read a second time.

Mr. Denny moved that General Ordinance No. 48, 1912, be amended as recommended by the committee. Carried.

Mr. Denny moved that General Ordinance No. 48, 1912, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 48, 1912, was read a third time and passed by the following vote:

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

Noes none.

On motion of Mr. Copeland, the Common Council, at 8:15 o'clock P. M., adjourned.

*Charles B. Stilz*

*President.*

ATTEST:

*Edward A. Ramsay*

*City Clerk.*

