

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.
MONDAY, March 21, 1904.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, March 21, 1904, at 7:45 o'clock, in regular session, President James H. Billingsley in the chair.

Present: The Hon. James H. Billingsley, President of the Common Council, and 18 members, viz: Messrs. Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright.

Absent, 2, viz.: Messrs Cooper, Krause.

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

COMMUNICATIONS FROM THE MAYOR.

INDIANAPOLIS, IND., March 14, 1904.

To the Honorable, the President and Members of the Common Council:
Gentlemen: I herewith return to you with my approval and signature General Ordinance No. 19, 1904, and General Ordinance No. 12, 1904.

Respectfully,
JOHN W. HOLTZMAN,
Mayor.

Which was read.

INDIANAPOLIS, IND., March 14, 1904.

To the Honorable, the President and Members of the Common Council:
Gentlemen: I herewith return to you without my approval General Ordinance No. 11, 1904. My reasons for not approving said ordinance are as follows:

Section 1 provides that the "market days" in the public markets in the city shall be Tuesday, Thursday and Saturday, of each and every week, and the opening hour shall be three o'clock, A. M., and the closing hour 12:30 P. M., and the hour for stall owners to vacate three P. M. This section changes the days for the markets on the South Side Market

and would prove a great inconvenience to the public on that account. The ordinance would also close the public markets on the afternoons of Saturday and Saturday evening. As our people have become accustomed to going to the public markets upon Saturday afternoon and evening, this would also prove a great inconvenience to them.

Respectfully,

JOHN W. HOLTZMAN,

Mayor.

Which was read.

REPORTS FROM CITY OFFICERS.

From the City Comptroller:

INDIANAPOLIS, IND., March 21, 1904.

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

Gentlemen: I submit herewith a communication from the Department of Public Works requesting the appropriation of \$65,000 proceeds of the Northwestern avenue bridge bonds, which I recommend to be made. The bond ordinance made no appropriation of the proceeds of the sale, and the money is therefore now in the General Fund. An ordinance for this purpose is inclosed herewith.

Very respectfully,

J. P. DUNN,
City Comptroller.

Which was read.

REPORTS FROM OFFICIAL BOARDS.

From the Board of Public Works:

INDIANAPOLIS, IND., March 21, 1904.

Mr. Jacob P. Dunn, City Comptroller:

Dear Sir: We hereby respectfully request that you recommend an appropriation of \$65,000, the same being the money procured by the sale of bonds authorized by General Ordinance No. 54, 1903, for a bridge over Fall Creek, and that the same be appropriated for the fund for use of this board known as "bridges."

Respectfully,

M. A. DOWNING,
DAVID WALLACE,
JACOB WOESSNER,
Board of Public Works,

Which was read.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Contracts and Franchises:

INDIANAPOLIS, IND., March 21, 1904.

To the President and Members of the Common Council:

Gentlemen: Your Committee on Contracts and Franchises, to whom

was referred General Ordinance No. 15, 1904, have had same under consideration and would respectfully recommend that same do pass.

Respectfully submitted,

J. H. CRALL,
J. L. GASPER,
FRED W. EPPERT,
DANIEL LINUS,
ANDREW H. WAHL,
JAMES D. MORIARITY,
CHAS. G. DAVIS.

Which was read.

Mr. Crall moved that report of committee be concurred in.
Carried.

From the Committee on Contracts and Franchises:

INDIANAPOLIS, IND., March 21, 1904.

To the President and Members of the Common Council:

Gentlemen: Your Committee on Contracts and Franchises, to whom was referred General Ordinance No. 20, 1904, have had same under consideration and hereby recommend that same do pass.

J. H. CRALL,
J. L. GASPER,
DANIEL LINUS,
FRED W. EPPERT,
ANDREW H. WAHL,
JAMES D. MORIARITY,

Which was read.

Mr. Crall moved that report of committee be adopted. Carried.

From the Finance Committee:

INDIANAPOLIS, IND., March 21, 1904.

To the President and Members of the Common Council:

Gentlemen: Your Committee, to whom was referred General Ordinance No. 16, 1904, have had same under consideration and respectfully recommend that the same do pass.

J. L. GASPER,
W. A. RHODES,
FRANK S. FISHBACK,
J. H. CRALL,
M. J. SHEA,
Finance Committee.

Which was read.

Mr. Gasper moved that the report of the committee be received.
Carried.

From the Finance Committee:

INDIANAPOLIS, IND., March 21, 1904.

To the President and Members of the Common Council:

Gentlemen: Your Committee, to whom was referred Appropriation

Ordinance No. 1, 1904, have had the same under consideration and respectfully ask that the same be passed.

J. L. GASPER,
W. A. RHODES,
J. H. CRALL,
FRANK S. FISHBACK,
M. J. SHEA,
Finance Committee.

Which was read.

Mr. Gasper moved that the report of the committee be received.
Carried.

From the Committee on Public Property and Improvements:

INDIANAPOLIS, IND., March 21, 1904.

To the President and Members of the Common Council:

Your Committee on Public Property and Improvements, to whom was referred General Ordinance No. 13, 1904, have had same under consideration and would recommend its passage when amended as follows:

First. That the license for a two-horse wagon shall be \$50.00 per year or \$35.00 for six months.

Second. The foregoing provision shall not be construed so as to apply to any person selling produce of his or her own raising, nor to children under the age of 15 years who sell fruit, matches or stationery on their own account, nor to persons selling newspapers.

CHAS. G. DAVIS,
OTTO HOFMANN,

Which was read.

Minority report:

INDIANAPOLIS, IND., March 21, 1904.

To the President and Members of the Common Council:

Gentlemen: The minority of your Committee, to whom was referred General Ordinance No. 13, 1904, recommend that same do not pass.

JAS. F. SULLIVAN.

Which was read.

Mr. Moriarity moved that the minority report be substituted for the majority report, which motion was lost.

Mr. Davis moved the adoption of the majority report, which motion carried.

From the Committee on Railroads:

INDIANAPOLIS, IND., March 21, 1904,

To the President and Members of the Common Council:

Gentlemen: Your Committee on Railroads, to whom was referred

General Ordinance No. 6, 1904, have had same under consideration and recommend that same do pass.

FRED W. EPPERT,
ALBERT E. COTTEY,
OTTO HOFMANN,
JAMES B. MURRAY,
JOHN WOLSIFFER.

Which was read.

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

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Comptroller:

Appropriation Ordinance No. 2—1904: An ordinance appropriating \$65,000, being the proceeds of the sale of bonds under General Ordinance No. 54, 1903, for a bridge over Fall Creek at Northwestern avenue, to the Department of Public Works, for "bridges," 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 is hereby appropriated from the General Fund, the sum of sixty-five thousand dollars (\$65,000) to and for the use of the Department of Public Works for "bridges."

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 Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Mr. Fishback:

General Ordinance No. 25—1904: An ordinance requiring corporations, companies, firms and individuals maintaining and having pipes or gas mains in the streets, alleys, avenues, lanes and public grounds in the City of Indianapolis, under the provisions of General Ordinance No. 14, 1887, to pay into the city treasury annually a tax of three cents per foot on their gas mains laid or maintained within the limits of the City of Indianapolis, Indiana; providing a penalty for the violation thereof; providing for publication 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 hereafter any corporation, company, firm or individual having or maintaining natural gas mains in the streets, alleys, avenues and public places of said city, under the provisions of General Ordinance No. 14, 1887, shall pay into the treasury of the City of Indianapolis, annually, on or before the last Monday of March of each year, beginning with the present year, the sum of three cents per foot on each and every lineal foot of gas mains laid and maintained in the streets, alleys, avenues, lanes and public grounds of said city, exclusive of service connections.

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 Committee on Finance.

By Mr. Cottey:

General Ordinance No. 26, 1904: An ordinance fixing the time for opening and closing the Market in the Tomlinson Hall Market House of the City of Indianapolis on market days, and fixing the time for opening and closing said market house to the "marketers" on days preceding market days; repealing all ordinances in conflict therewith, and fixing a penalty for the violation thereof.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the market days in the Tomlinson Hall Market House in the City of Indianapolis shall be Tuesday, Thursday and Saturday of each and every week. The opening hour shall be three o'clock, P. M., and the closing hour shall be 12:30 o'clock, P. M., on Tuesday and Thursday, and on Saturday, 10 o'clock, P. M., from November 1st to April 1st, and 11 o'clock, P. M., from April 1st to November 1st. On Tuesday and Thursday the "marketers" shall vacate their stalls at three o'clock, P. M.

Sec. 2. The opening hour to "marketers" on days preceding the market days shall be 8 o'clock, A. M., and the closing hour 4:30 o'clock, P. M.

Sec. 3. When market days fall on National holidays the market shall be held the day preceding the regular market days.

Sec. 4. Any person failing to comply with the provisions of this ordinance shall be fined in any sum not exceeding \$10.00, and each day's violation shall constitute a separate offense.

Sec. 5. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec. 6. This ordinance shall be in full force and effect from and after passage.

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

By Mr. Storm:

General Ordinance No. 27—1904: An ordinance prohibiting the overloading of street cars and to prohibit any street railway company from receiving on board their street cars more passengers than can be comfortably seated and providing a penalty for the violation thereof.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That it shall be unlawful for any person, persons, firm, company or corporation owning or operating street cars in and upon any of their said lines, or the lessee of such person, persons, firm, company or corporation operating any street car line in and upon any of the streets of said city, to overload any car, or permit any of their said cars to be overloaded beyond the comfortable seating capacity or to permit more persons to enter their said cars than they can provide with comfortable seats, or to collect fares from any passenger or passengers not provided with comfortable seats in any car which he may enter as a patron of said company.

Sec. 2. Any person, persons, firm, company or corporation violating any of the provisions of this ordinance shall, upon conviction, be fined in any sum not exceeding the sum of twenty-five dollars (\$25) for each offense so committed.

Sec. 3. This ordinance shall be in force from and after its passage and publication one day each week for two consecutive weeks in the Indianapolis Sentinel, a daily newspaper of general circulation.

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

Mr. Cooper entered Council Chamber and took seat.

ORDINANCES ON SECOND READING.

Mr. Eppert called for General Ordinance No. 6, 1904, for second reading. It was read a second time.

Mr. Eppert moved that General Ordinance No. 6, 1904, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 6, 1904, was read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright and President James H. Billingsley.

Noes, none.

Mr. Crall called for General Ordinance No. 20, 1904, for second reading. It was read a second time.

Mr. Crall moved that General Ordinance No. 20, 1904, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 20, 1904, was read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright and President James H. Billingsley.

Noes, none.

Mr. Davis called for General Ordinance No. 13, 1904, for second reading.

General Ordinance No. 13, 1904, was read a second time.

The amendment to General Ordinance No. 13, 1904, was read a second time.

Mr. Rhodes offered the following amendment to General Ordinance No. 13, 1904:

Amend General Ordinance No. 13—1904: Section 3, strike out: “\$75 per year or \$50 for six months and insert \$30 for each year or any part thereof.

Strike out the words “For each helper on such wagon or vehicle \$30 per year or \$20 for six months.”

Which was read.

Mr. Rhodes moved the adoption of the second amendment, which motion was lost by the following vote:

Ayes, 7, viz.: Messrs. Fishback, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan.

Noes, 13, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Gasper, Hofmann, Linus, Uhl, Wahl, Wolsiffer, Wright and President James H. Billingsley.

Mr. Crall moved the further amendment of striking out Section 4 of General Ordinance No. 13, 1904. The motion carried.

Mr. Davis moved that General Ordinance No. 13, 1904, be amended as recommended by committee. Carried.

Mr. Davis moved that General Ordinance No. 13, 1904, be ordered engrossed, as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 13, 1904, was read a third time and passed by the following vote:

Ayes, 13, viz.: Messrs. Cooper, Cottey, Crall, Eppert, Davis, Gasper, Hofmann, Linus, Murray, Rhodes, Uhl, Wahl and President James H. Billingsley.

Noes, 7, viz.: Messrs. Fishback, Moriarity, Shea, Storm, Sullivan, Wolsiffer, Wright.

Mr. Crall called for General Ordinance No. 15, 1904, for second reading. It was read a second time.

Mr. Crall moved that General Ordinance No. 15, 1904, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 15, 1904, was read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright and President James H. Billingsley.

Noes, none.

Mr. Crall moved to reconsider General Ordinance No. 15, 1904.

Mr. Gasper moved to table Mr. Crall's motion. Carried.

Mr. Gasper called for Appropriation Ordinance No. 1, 1904 for second reading. It was read a second time.

Mr. Gasper moved that Appropriation Ordinance No. 1, 1904, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 1, 1904, was read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright and President James H. Billingsley.
Noes, none.

Mr. Gasper called for General Ordinance No. 16, 1904, for second reading. It was read a second time.

Mr Gasper moved General Ordinance No. 16, 1904, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 16, 1904, was read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright and President James H. Billingsley.
Noes, none.

On motion of Mr. Moriarity, the Common Council, at 9:10 o'clock, adjourned.

J. H. Billingsley
.....
President.

ATTEST:

W. M. Fogarty
.....
City Clerk.