

## REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, April 4, 1904.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, April 4, 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 19 members, viz: Messrs. Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Krause, Linus, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright.

Absent, 1, viz.: Mr Cooper.

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

## COMMUNICATIONS FROM THE MAYOR.

INDIANAPOLIS, IND., March 22, 1904.

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

Gentlemen: I return herewith with my signature and approval, General Ordinance No. 6, 1904; General Ordinance No. 16, 1904; General Ordinance No. 20, 1904; General Ordinance No. 15, 1904; Appropriation Ordinance No. 1, 1904.

Respectfully,

JOHN W. HOLTZMAN,  
Mayor.

Which was read.

INDIANAPOLIS, IND., March 30, 1904.

To the President and Members of the Common Council:

Gentlemen: I herewith return General Ordinance No. 13, 1904, without my approval, for the following reasons:

The business of the hawker and peddler is one that calls for police supervision and, for that reason, justifies a reasonable license fee. The present ordinance provides that for peddlers using any wagon, cart or other vehicle, the fee for six months shall be ten dollars and for one year twenty-five dollars, in addition, of course, to the ordinary vehicle

license; for all other peddlers the fee for six months shall be three dollars and one year six dollars.

General Ordinance No. 13, 1904, which I return to you requires each peddler using a wagon to pay fifty dollars per year or thirty-five dollars for six months and for each helper thirty dollars per year or twenty dollars for six months. And for each push cart twenty dollars a year or fifteen dollars for six months and for each foot peddler ten dollars per year. This means that a peddler or hawker driving a wagon with one assistant would pay eighty dollars per year or fifty-five dollars for six months for the privilege of selling groceries, produce and other wares to the people of this city. I cannot believe there ever existed any reasonable public cause for this extraordinary increase in the license fee for peddlers and hawkers.

The general public is, of course, interested in being protected against cheats and frauds among hawkers and peddlers, but the existing ordinance as amply provides such protection as the ordinance I here return. On the other hand, the general public is interested in having groceries, products and the wares usually handled by hawkers and peddlers brought to their doors with convenience and cheapness, which in a great measure must depend upon the competition in this line of business. Certainly the public is not interested in the imposition of such a tax upon this class of dealers as will drive them out of business.

Yours very respectfully,

JOHN W. HOLTZMAN,

Mayor.

Which was read.

INDIANAPOLIS, IND., March 30, 1904.

To the Honorable, the President and Members of the Common Council:  
Gentlemen: I return herewith with my signature and approval, Appropriation Ordinance No. 3, 1904.

Respectfully,

JOHN W. HOLTZMAN,

Mayor.

Which was read.

## REPORTS FROM STANDING COMMITTEES.

Mr. Crall reported that Committee on Contracts and Franchises had under consideration General Ordinance No. 25, 1904, (New Telephone Ordinance) but wished time for further consideration and moved that consideration of the said committee's report be made a special order of business at a special meeting to be called the last of the present week or not later than next Monday. Carried.

From the Finance Committee:

INDIANAPOLIS, IND., April 4, 1904.

To the President and Members of the Common Council:

Gentlemen: Your Committee, to whom was referred Appropriation

Ordinance No. 2, 1904, have had the same under consideration and would respectfully recommend that the same do pass.

Respectfully submitted,

J. L. GASPER,  
W. A. RHODES,  
J. ED. KRAUSE,  
J. H. CRALL,  
M. J. SHEA,  
FRANK S. FISHBACK,

Which was read.

Mr. Gasper moved that report be accepted. Carried.

From the Finance Committee:

INDIANAPOLIS, IND., March 21, 1904.

To the President and Members of the Common Council:

Your Committee on Finance, to whom was referred General Ordinance No. 17, 1904, recommend that Section 3 of said ordinance be amended so as to read as follows:

“Any structure or enclosure within said city used by any person, firm or corporation for the receipt and storage of the liquors brewed by any brewery without said city and shipped to said city for sale or distribution to wholesale or retail dealers in such liquors shall be considered a depot of a brewery under the provisions of this ordinance, whether such deposit or storage be made by the owner of said brewery, or the agent of such owner, or by a purchaser from said brewery handling said liquors on his own account.”

And your committee further recommend that when so amended the ordinance do pass.

Respectfully submitted,

J. L. GASPER,  
W. A. RHODES,  
J. ED. KRAUSE,  
J. H. CRALL,  
M. J. SHEA,  
FRANK S. FISHBACK,

Which was read.

Mr. Gasper moved that report be accepted. Carried.

From the Finance Committee:

INDIANAPOLIS, IND., April 4, 1904.

To the President and Members of the Common Council:

Gentlemen: Your Committee on Finance, to whom was referred General Ordinance No. 28, 1904, recommend that Section No. 1 of said ordinance be amended so as to read as follows:

Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the head of the Department of Finance of said city be, and is hereby, authorized, for the purpose of procuring means to meet the increased expenses of said city occasioned by the flood of March, 1904, to prepare and sell 125 new bonds of the City of Indianapolis, Marion county, Indiana, of the sum of one thousand (\$1,000) dollars each, which bonds shall bear date of May 1, 1904, and shall be numbered one to 125, inclusive, and shall be designated “In-

dianapolis Flood Bonds, 1904," and shall bear interest at the rate of three and one-half (3½ per cent.) per centum per annum, which interest shall be payable semi-annually on the 1st day of January and the 1st day of July of each year, beginning with January 1, 1905, and said installments of interest shall be evidenced by interest coupons attached to said bonds; said bonds and said coupons shall be negotiable and payable at the banking house of Winslow, Lanier & Company, of Greater New York, State of New York; said bonds shall be signed by the Mayor and City Comptroller of said City of Indianapolis and attested by the City Clerk, who shall affix the seal of said city to each of said bonds; and said bonds shall mature January 1, 1924, with coupons attached thereto for the semi-annual installments of interest at the rate of three and a half (3½ per cent.) per centum per annum, payable January 1st and July 1st of each year, beginning with January 1, 1905, with the first coupon on each bond being for interest from date to January 1, 1905; and said interest coupons shall bear the lithographic facsimile of the signatures of the Mayor and City Comptroller; said bonds shall be prepared by the head of the Department of Finance in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Marion county, Indiana, to the payment of the principal and interest stipulated therein respectively.

It shall be the duty of the head of the Department of Finance at the time of the issuance and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with number one, and giving the date of their issuance, their amount, date of maturity, rate of interest, and time and place where said interest shall be payable; said bonds shall be substantially in the following form, tenor and effect; all blanks for numbers and dates are to be properly filled before the issuance thereof:

No. .... \$1,000.00

(Insert the form of bond here, as in original Ordinance.)

The interest warrants or coupons attached to said bonds shall be authenticated by the signatures of the Mayor and City Comptroller of said city engraven thereon, which shall, for all purposes, be taken and deemed to be equivalent to a manual signing thereof; and the first coupon attached to each bond shall be for the interest on said bond from date until the first day of January, 1905.

When so amended your Committee would recommend that the same do pass, as we deem this sum ample to protect all contracts that can be made and work done in the next ninety (90) days and this Committee assures you that if at the end of that time you find this amount is not ample to cover the loss and damages by the flood, to recommend an additional bond issue for that purpose.

Respectfully submitted,

J. L. GASPER,  
W. A. RHODES,  
J. ED. KRAUSE,  
J. H. CRALL,

Which was read.

Minority Report:

INDIANAPOLIS, IND., April 4, 1904.

To the President and Members of the Common Council:

Gentlemen: We, the minority of your Finance Committee, beg leave to submit the following minority report:

That we deem it advisable at this time the city should have two

hundred thousand (\$200,000) dollars, as recommended by the City Civil Engineer; that owing to the fact of a flood there has been so much damage done and a second flood doing considerable more damage, we feel we are justified in asking that the amount be two hundred thousand (\$200,000) dollars. As forty-five days are required to advertise and sell the bonds, and as we believe one hundred and twenty-five thousand dollars will not be sufficient, it will only tend to delay the repairs needed.

Respectfully submitted,

M. J. SHEA,  
FRANK S. FISHBACK.

Which was read.

Mr. Rhodes moved that the minority report be laid on the table. Carried.

Mr. Gasper moved that the majority report be accepted. Carried.

#### ORDINANCES ON SECOND READING.

Mr. Gasper called for General Ordinance No. 28, 1904, for second reading. It was read a second time.

Mr. Gasper moved that General Ordinance No. 28, 1904, be amended as recommended by the majority report of Finance Committee, and when so amended, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 28, 1904, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Gasper called for Appropriation Ordinance No. 2, 1904 for second reading. It was read a second time.

Mr. Gasper moved that Appropriation Ordinance No. 2, 1904, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 2, 1904, was read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Krause, 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. 17, 1904, for second reading. It was read a second time.

Mr. Gasper moved that General Ordinance No. 17, 1904, be amended as reported by the committee. Carried.

Mr. Gasper moved that General Ordinance No. 17, 1904, be ordered engrossed, as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 17, 1904, was read a third time and passed by the following vote:

Ayes, 14, viz.: Cottey, Fishback, Gasper, Krause, Moriarity, Rhodes, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright and President James H. Billingsley.

Noes, 6, viz.: Crall, Eppert, Davis, Hofmann, Linus, Murray.

On motion of Mr. Rhodes, the Common Council, at 8:35 o'clock, adjourned.

ATTEST:

*W. M. Fitzgerald*

City Clerk.

*J. H. Billingsley* President.

