

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, June 6, 1904.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, June 6, 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. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan, Uhl, Wolsiffer, Wright.

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

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

COMMUNICATIONS FROM THE MAYOR.

INDIANAPOLIS, IND., June 6, 1904.

To the Honorable, the President and Members of the Common Council:
Gentlemen: I herewith return to you with my signature and approval General Ordinance No. 34, 1904.

Respectfully,

JOHN W. HOLTZMAN,
Mayor.

Which was read.

REPORTS FROM CITY OFFICERS.

From the City Comptroller:

INDIANAPOLIS, IND., June 6, 1904.

To the Honorable, the President and Members of the Common Council:
Gentlemen: I submit herewith estimate of the codifiers of the Revised Ordinances, and request of the Board of Public Works for an ap-

appropriation of \$3,000 to cover the expense of publishing the ordinances. I would recommend that this appropriation be made at your earliest convenience.

An ordinance for this purpose is inclosed.

Very respectfully,

J. P. DUNN,
City Comptroller.

INDIANAPOLIS, IND., June 6, 1904.

Mr. Jacob P. Dunn, City Comptroller, Indianapolis:

Dear Sir: We hereby respectfully request you to ask an appropriation of \$3,000 from funds not heretofore appropriated for the use of this Department, as a fund for printing the codified ordinances and laws of the City of Indianapolis.

Respectfully,

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

INDIANAPOLIS, IND., June 4, 1904.

Jacob P. Dunn, Esq., Comptroller of the City of Indianapolis:

Sir: The undersigned commissioners beg leave to state that they have made a compilation of the ordinances of the City of Indianapolis, pursuant to the ordinance of the Common Council of said city authorizing such compilation, and are ready to submit the manuscript thereof to the printer. No appropriation for printing these ordinances has been made. Bids for printing them must necessarily be at so much a page. It is difficult to determine how many pages of printed matter the ordinances will make; but we estimate that an appropriation of three thousand dollars will cover the cost of printing and binding one thousand copies. Until this appropriation is made, the work cannot proceed farther.

Respectfully submitted,

EDGAR A. BROWN,
W. W. THORNTON,
Commissioners.

Which was read.

REPORTS FROM OFFICIAL BOARDS.

From the Board of Public Works:

INDIANAPOLIS, IND., June 6, 1904.

To the President and Members of the Common Council:

Gentlemen: The Board of Public Works directs me to transmit to you for your consideration and action an ordinance granting the Brill-Mickely Coal Company the right to lay and maintain a switch or side-track across the first alley east of Tuxedo street.

For the Board of Public Works,

W. R. WILLIAMS,
Clerk.

Which was read.

From the Board of Public Works:

INDIANAPOLIS, IND., June 3, 1904.

To the President and Members of the Common Council:

Gentlemen: With this communication I send you an ordinance proposing to annex certain territory northeast of the city. The annexation of this territory is deemed just and necessary because of the need of a main sewer in Thirtieth street. This sewer under the present city boundaries would have to be assessed against an area which is only a part of the territory benefited and which would be unreasonably burdened by such assessment.

The Board feels that the territory to be annexed ought to share the expense of this sewer as it is largely for the relief of this particular territory.

Respectfully,

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

INDIANAPOLIS, IND., May 18, 1904.

M. A. Downing, Jacob Woessner, David Wallace, Board of Public Works:

Gentlemen: Referring to the attached petition for a main sewer in Thirtieth street, the construction of which has been considered at different times, but owing to the fact that a great part of the territory benefited is without the corporate limits of the city, and cannot be assessed for the construction of the sewer no progress has been made. If the property bounded on the south by Thirtieth street, on the west by Fall Creek, on the north by Howland avenue and on the east by School street, be annexed to the city, I do not think that there would be any difficulty in assessing this district in the construction of this sewer without overburdening the property which, at the present time, would be assessed for the sewer.

The construction of this sewer has at different times been recommended by the Board of Health and by the Superintendent of Streets, and is the one referred to in the communication of Mr. Herpick of November 16th, which is attached.

Very truly yours,

B. J. T. JEUP,
City Civil Engineer.

INDIANAPOLIS, IND., November 16, 1903.

To the City Civil Engineer:

The attached communication from Geo. Herpick, Superintendent of Streets, is referred to you for your information with instructions to prepare papers for the improvement, as suggested by the Street Superintendent, in whatever manner you deem advisable.

Respectfully,

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

INDIANAPOLIS, IND., November 30, 1903.

To the Superintendent of Streets:

The attached communication of Martillo Hodson and others, concerning the stream running down Glendrive in Brightwood, is respectfully referred to you for investigation and report.

Respectfully,

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

INDIANAPOLIS, IND., November 31, 1903.

To the Board of Public Works, City of Indianapolis:

Gentlemen: We, the undersigned, earnestly petition that you will at once make a close and rigid investigation of the stream that runs down Glen Drive in Brightwood. The head of this stream has sewers laid as far as Stewart street and there it empties into the open stream. This sewer, we understand, has several closet connections and more connecting on. All this empties in front of our dwellings. The offensive odor that comes from this stream is a nuisance and we ask to be relieved of same.

MARTILLO HODSON,
D. D. BURLESON,
M. L. SHOEMAKER,
A. CROMER,
J. T. HENNESSY.

INDIANAPOLIS, IND., February 29, 1904.

To the City Civil Engineer:

The attached petition of W. S. Tobias and others for a main sewer in Thirtieth street and Glen Drive and other streets and alleys, is referred to you for investigation and report.

Respectfully,

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

PETITION.

INDIANAPOLIS, IND., February 19, 1904.

To the Board of Public Works of the City of Indianapolis:

Gentlemen: The undersigned owners of real estate abutting on and interested in the construction of a main sewer from Fall Creek and Thirtieth street to Brightwood respectfully petition for the passage of a resolution providing for a main sewer in Thirtieth street and Glen Drive and other streets and alleys.

The object of this sewer is to take care of all water and sewerage in the town of Brightwood and the low ground along Baltimore avenue and other streets and alleys.

We feel that this sewer is of public necessity and general health of the people.

W. S. Tobias, 2206 N. Arsenal avenue.
Thomas Low, 2410 N. Arsenal avenue.
Amos Huls, 2217 N. Arsenal avenue.

L. Noelp, 2127 Hovey street.
Louise Noelp, 2323 N. Arsenal avenue.
John Noelp, 2323 N. Arsenal avenue.
O. P. Bebinger, 2132 N. Arsenal avenue.
E. M. Huls, 2219 N. Arsenal avenue.
John Riley, 2315 N. Arsenal avenue.
John Spears, 2402 Ralston avenue.
Herman J. Sieloff, 2428 Ralston avenue.
Elizabeth Sieloff, 2428 Ralston avenue.
F. J. Cron, 2235 N. Arsenal avenue.
Adam Cron, 2233 N. Arsenal avenue.

Which was read

REPORTS FROM STANDING COMMITTEES.

From the Committee on Contracts and Franchises:

INDIANAPOLIS, IND., June 6, 1904.

To the President and Members of the Common Council:

Your Committee, to whom was referred General Ordinance No. 37, 1904, have had same under consideration and recommend that same do pass.

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

Which was read.

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

From the Finance Committee:

INDIANAPOLIS, IND., June 6, 1904.

To the President and Members of the Common Council:

Gentlemen: Your Finance Committee, to whom was referred Appropriation Ordinance No. 5, 1904, have had the same under consideration and would respectfully recommend that the same do pass.

J. L. GASPER,
W. A. RHODES,
J. H. CRALL,
LEW W. COOPER,
FRANK S. FISHBACK,
M. J. SHEA,

Which was read.

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

From the Finance Committee:

To the President and Members of the Common Council:

Your Committee on finance, to whom was referred Appropriation Ordinance No. 6, 1904, beg leave to report that they recommend that said ordinance be amended so as to read as follows:

Appropriation Ordinance No. 6—1904: An ordinance appropriating \$25,000.00 to the use of the Board of Public Works to be expended by said Board in the repair of permanently improved streets; repair, construction and improvement of sewers, streets and levies.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be, and is hereby, appropriated for the use of the Board of Public Works of the City of Indianapolis, out of any moneys in the city treasury not otherwise appropriated, the sum of \$25,000.00 to be used and expended in the following manner:

- \$6,000 for the repair of permanently improved streets;
- \$6,000 for the repair, construction and improvement of sewers;
- \$3,000 for the repair and improvement of levies;
- \$10,000 for the repair of streets.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor of the City of Indianapolis.

And your committee beg leave to recommend that, as amended, said ordinance do pass.

J. L. GASPER,
J. H. CRALL,
W. A. RHODES,
LEW W. COOPER,

Which was read.

Mr. Shea presented the following minority report:

INDIANAPOLIS, IND., June 6, 1904.

To the President and Members of the Common Council:

We, the minority members of the Finance Committee, to whom was referred Appropriation Ordinance No. 6, have given the same consideration.

Believing, that if an emergency existed weeks ago, justifying the issue of flood bonds to repair damage by flood, we certainly believe that the emergency will continue to exist until the damage is repaired.

We consider the appropriation for Pogue's Run and State Ditch especially important for the reason, that the beds of these streams are in some places higher than the mouths of the sewers emptying into them preventing free drainage and consequently a menace to health of the people living in the territory drained by them. We can see no reason for delay in appropriating fifty-six thousand (\$56,000.00) dollars for erection and repair of bridges, as the city engineer guarantees that within ten days from passage of appropriation, plans for all the bridges will be in the hands of Board of Works, ready for receiving bids on the same. We are opposed to any further delay in making the much needed repairs, and recommend the passage of the ordinance as introduced.

Respectfully submitted,
FRANK S. FISHBACK,
M. J. SHEA,

Which was read.

Mr. Rhodes moved that the minority report be laid on the table. The motion carried by the following vote:

Ayes, 12, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Gasper, Hofmann, Linus, Murray, Rhodes, Uhl and President James H. Billingsley.

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

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

From the Finance Committee:

To the President and Members of the Common Council:

Your Committee on Finance, to whom was referred General Ordinance No. 30, 1904, beg leave to report that they recommend that said ordinance be amended so as to read as follows:

General Ordinance No. 30—1904: An ordinance providing for licensing certain occupations.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That it shall be unlawful for any person, firm or corporation to conduct, manage, carry on, or transact any of the following named businesses or occupations in the City of Indianapolis without first procuring from the City Comptroller a license so to do, which license shall be paid for as follows:

• For carrying on, practicing or professing to practice the business or art of astrology, palmistry, phrenology, life-reading, fortune-telling, cartomancy, clairvoyance, clairaudience, crystal-gazing, hypnotism, mediumship, prophecy, augury, divination, magic or necromancy, by one who receives or demands a fee for the same, or who gives exhibition of the same at any place when an admission fee is charged, fifty (\$50) dollars per annum.

For conducting or operating a merry-go-round, ferris wheel, roller coaster, switch-back, or similar device, twenty-five (\$25) dollars per annum.

For conducting, operating, supervising or giving space to any slot machine used for the purpose of selling goods or material of any kind, or for exhibiting pictures or views of any kind for profit; or for conducting, operating or exhibiting any phonograph, graphophone, talking machine, kinetoscope, biograph, projectoscope or any similar instrument for profit, a fee of one (\$1) dollar shall be charged for any number of instruments less than four and for four instruments or more the fee shall be twenty-five (25c) cents per instrument per annum.

For conducting, managing, exhibiting or letting the use of any telescope, microscope, lung-tester, muscle-tester, strength-tester, galvanic-battery, ball, knife or ring-throwing game, for profit, the sum of one (\$1) dollar per month or fraction thereof.

Sec. 2. The license for any of the above named occupations or businesses shall state the place where, and the person, firm or corporation by whom the same shall be conducted, and any person, firm or corporation engaging in the same without license shall be fined a sum equal to one month's license, and each day of operation without a license shall constitute a separate offense.

Sec. 3. This ordinance shall be in full force and effect after its

passage and publication for two weeks in the Indianapolis Daily Sentinel.

And your committee beg leave to recommend that as amended said ordinance do pass.

J. L. GASPER,
J. H. CRALL,
W. A. RHODES,
LEW W. COOPER,
M. J. SHEA,
FRANK S. FISHBACK,

Which was read

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

From the Committee on Railroads:

INDIANAPOLIS, IND., June 6, 1904.

To the President and Members of the Common Council:

Your Committee on Railroads, to whom was referred General Ordinance No. 39, have had same under consideration and recommend that it do pass.

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

Which was read.

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

From Committee on Sewers, Streets and Alleys:

INDIANAPOLIS, IND., June 6, 1904.

To the President and Members of the Common Council:

Your Committee on Sewers, Streets and Alleys, to whom was referred General Ordinance No. 33, 1904, have had the same under consideration and would respectfully recommend that the same do pass.

W. A. RHODES,
ALBERT E. UHL,
FRED W. EPPERT,
J. EDWARD KRAUSE,
JAMES D. MORIARITY.

Which was read.

Mr. Rhodes moved that the report of the committee be adopted.
Carried.

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Comptroller: *

Appropriation Ordinance No. 8—1904: An ordinance appropriating the sum of three thousand dollars (\$3,000) for publishing the revised ordinances and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the sum of three thousand dollars (\$3,000) be, and the same is hereby, appropriated to and for the use of the Department of Public Works for publishing the revised ordinances of the city.

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

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Board of Public Works:

General Ordinance No. 40—1904: An ordinance annexing certain territory to the City of Indianapolis, 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, to-wit:

Beginning at the corner of School street and Thirtieth street where the east and north corporation lines of said city intersect, thence north on the west side of School street to the south side of Howland avenue, thence west along and with the south line of Howland avenue, and with said line projected westwardly, to the center of Fall Creek, thence with the center of Fall Creek southerly to a point where the same intersects the corporation line along south side of Thirtieth street, thence with said corporation line along the south side of said Thirtieth 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 Sentinel, a daily newspaper of general circulation, printed and published in the City of Indianapolis, Indiana.

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

By Mr. Rhodes:

General Ordinance No. 41—1904: An ordinance regulating the distribution of hand bills, circulars and other advertising matter.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That it shall be unlawful for any person or persons to scatter circulars, hand bills or other advertising matter upon the streets, sidewalks or public places of said city; or upon the porches

and lawns of any person or persons within said city without the consent of the owner or occupant of such premises.

Sec. 2. Any one violating the provisions of this ordinance shall be fined in any sum not exceeding ten (\$10) dollars.

Sec. 3. 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 Sentinel, a newspaper of daily circulation, printed and published in said city.

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

By Mr. Eppert:

General Ordinance No. 42—1904: An ordinance concerning the removal of families, or persons from one place to another in the City of Indianapolis, and providing penalties for its violation.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That all draymen and other persons who shall move, or assist in moving, the goods and chattels of any family or person from one dwelling or habitation in the City of Indianapolis to any other dwelling or habitation in said city, or to any storage house or freight depot in said city shall, within twenty-four hours after such removal, report the same to the Superintendent of Police of said city, giving the name of the person or family so removed, the street and number together with the name, if any, of the building from which and to which such removal took place, also the date of the same, which report shall be made upon cards or blanks provided for that purpose by said Superintendent of Police, and shall be signed by the drayman or other person conducting any such removal or assisting in the same.

Sec. 2. It shall be the duty of the head of every family, and of any other person or individual, removing from one dwelling or habitation to another within said City of Indianapolis, to furnish to the drayman or other person conducting, or assisting in, such removal, upon demand by such drayman or person, a correct and true statement of his or her name.

Sec. 3. Any person violating any of the provisions of this ordinance shall, on conviction, be fined in any sum not exceeding twenty-five dollars.

Sec. 4. 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 Sentinel, 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 Health.

By Mr. Gasper:

General Ordinance No. 43—1904: An ordinance amending Section 24 of General Ordinance No. 7, 1896.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That Section 24 of General Ordinance No. 7, 1896, be amended so as to read as follows:

Sec. 24. Portions of the parks may be set aside by the Superintendent for ball, croquet, golf or other games, and where any such portion of any park is set apart for any games, as aforesaid, no game of baseball shall take place without the written consent of the Superin-

tendent and no person shall practice ball or intrude himself upon the players on the space so set apart while a game is in progress.

Sec. 2. 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 Sentinel, a newspaper of daily circulation, printed and published in said city.

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

Mr. Gasper stated that he would like to have the rules suspended and this ordinance placed upon its passage, to which Mr. Fishback objected.

By Board of Public Works:

General Ordinance No. 44—1904: An ordinance approving a certain contract granting Brill-Mickley Coal Company the right to lay and maintain a side-track or switch from the Union Railway tracks, across the first alley east of Tuxedo street to their coal yard, according to blue print attached, in the City of Indianapolis, Indiana.

Whereas, heretofore, to-wit, on the 6th day of June, 1904, Brill-Mickley Coal Company filed his 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: The undersigned respectfully petitions your honorable Board for permission to lay and maintain a side-track or switch across the first alley east of Tuxedo street to our coal yard according to the blue print plat filed herewith. Your petitioner prays that the privileges and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

THE BRILL-MICKLEY COAL CO.,

H. T. Mickley.

Now, therefore, This agreement, made and entered into this 6th day of June, 1904, by and between The Brill-Mickley Coal 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 side-track or switch from the Union Railway to Lot 20 in Brouse and Company's Sub. of Tobson and Vorheis Add. to the City of Indianapolis, in the City of Indianapolis, which is more specifically described as follows:

Starting from the Union Railway Company's tracks at a point southeast of the southeast corner of Lot 21 in Brouse and Company's Sub-division of Robson and Voheir Add. to the City of Indianapolis, and extending in a northwesterly direction across the alley in the rear of said Lot 21, on and across Lots 20, 19, 18 and 17 in said addition, 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 the first alley east of Tuxedo 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, at the pleasure and written order of said Board, 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.

(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 without cause at the pleasure of said Board, as hereinbefore set forth in Clause 4.

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 the incorporation and government of cities having more than one hundred thousand population, according to the United States census last preceding, and matters therewith connected, and declaring an emergency," approved March 6, 1891, 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 the first alley east of Tuxedo street, 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 6th day of June, 1904.

THE BRILL-MICKLEY COAL CO.,
Party of the first part.
H. T. Mickley.

Witness:

W. R. WILLIAMS,
Clerk Board of Public Works.

CITY OF INDIANAPOLIS,
By M. A. DOWNING,
JACOB WOESSNER,
DAVID WALLACE,
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 take effect and be in full force and effect from and after its passage.

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

MISCELLANEOUS BUSINESS.

The Chair presented the following communication:

VINCENNES, IND., May 31, 1904.

City Clerk:

Dear Sir: At Terre Haute, November 13th, the Council's section of the Municipal League of Indiana met and organized. The Chairman appointed a committee of five councilmen to formulate a plan of organization.

They reported as follows: "We deem it necessary to appoint an Executive Committee to consist of one councilman from each city represented in the League, said member to be recommended by the City Council from the city of which he is a member. We further recommend that it shall be the duty of this committee to meet twice a year, one of which meetings is to be held at the time and place of the annual meeting of the Municipal League; the other meeting to be held at Indianapolis, on the second Thursday of June of each year.

"The duty of this committee shall be to look after and report all matters of interest pertaining to the city government. It shall be the duty of the Secretary of this organization to notify the City Clerk of each city a member of this League of the time and place of the meeting of the Executive Committee at least two weeks prior to the time of said meeting."

Here we expect to fit ourselves so as to aid the council in meeting the League in South Bend, next November and show that honorable body that the council wing of the State League is preparing to meet the State legislators next winter and assist that honorable body in abridging, simplifying and correcting our State laws governing municipalities.

Will you please have your council select a councilman who will attend this very important meeting, to be held June 9, 1904, at the English Hotel, at one o'clock, P. M., Indianapolis, Indiana.

We invite cities that are not in our League to send a representative to join E. C. at Indianapolis, and then in November come to South Bend and unite in the good work of already forty cities.

Yours very truly,

R. O. JAMES,
Chairman.

Which was read.

Mr. Uhl moved that Mr. Cooper be appointed to represent the Common Council of the City of Indianapolis at the meeting referred to in this communication. Carried.

The Chair appointed Mr. Cooper.

ORDINANCES ON SECOND READING.

Mr. Crall called for General Ordinance No. 37, 1904, for second reading. It was read a second time.

Mr. Crall moved that General Ordinance No. 37, 1904, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 37, 1904, was read a third time and passed by the following vote:

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

Mr. Eppert called for General Ordinance No. 39, 1904, for second reading. It was read a second time.

Mr. Eppert moved that General Ordinance No. 39, 1904, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 39, 1904, was read a third time and passed by the following vote:

Ayes, 18, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Shea, Sullivan, Uhl, Wolsiffer, Wright and President James H. Billingsley.
Noes, none.

Mr. Rhodes called for General Ordinance No. 33, 1904, for second reading. It was read a second time.

Mr. Rhodes moved that General Ordinance No. 33, 1904, be ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 33, 1904, was read a third time and passed by the following vote:

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

Mr. Gasper called for Appropriation Ordinance No. 5, 1904 for second reading. It was read a second time.

Mr. Gasper moved that Appropriation Ordinance No. 5, 1904, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 5, 1904, was read a third time and passed by the following vote:

Ayes, 18, viz.: Messrs. Cooper, Cottey, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan, Uhl, Wolsiffer, Wright and President James H. Billingsley.
Noes, none.

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

Mr. Gasper moved that Appropriation Ordinance No. 6, 1904, be amended as recommended by the Finance Committee. Carried.

Mr. Gasper moved that Appropriation Ordinance No. 6, 1904, be ordered engrossed, read a third time as amended, and placed upon its passage. Carried.

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

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

Mr. Gasper called for General Ordinance No. 30, 1904, for second reading. It was read a second time.

Mr. Rhodes moved that General Ordinance No 30, 1904, be amended as recommended by committee. Carried.

Mr. Gasper moved that General Ordinance No. 30, 1904, be ordered engrossed, read a third time as amended, and placed upon its passage. Carried.

General Ordinance No. 30, 1904, was read a third time and passed by the following vote:

Ayes, 14, viz.: Messrs. Cooper, Cottey, Crall, Eppert, Fishback, Gasper, Rhodes, Shea, Storm, Sullivan, Uhl, Wolsiffer, Wright and President James H. Billingsley.

Noes, 5, viz.: Davis, Hofmann, Linus, Moriarity, Murray.

On motion of Mr. Rhodes, the Common Council, at 8:45 o'clock, adjourned.

James H. Billingsley
.....
President.

ATTEST:

W. M. Fitzgerald
.....
City Clerk.

