

## REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, December 18, 1905.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, December 18, 1905, 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, Krause, Linus, Moriarity, Murray, Rhodes, Storm, Sullivan, Uhl, Wahl, Wolsiffer and Wright.

Absent, 1, viz.: Mr. Shea.

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

## COMMUNICATIONS FROM THE MAYOR.

INDIANAPOLIS, IND., December 9, 1905.

To the President and Members of the Common Council:

Gentlemen: I herewith return with my signature and approval Appropriation Ordinance No. 43, 1905; Appropriation Ordinance No. 45, 1905; General Ordinance No. 89, 1905; General Ordinance No. 99, 1905; General Ordinance No. 96, 1905; General Ordinance No. 95, 1905; General Ordinance No. 97, 1905, and Resolution No. 7, 1905.

Respectfully,

JOHN W. HOLTZMAN,  
Mayor.

INDIANAPOLIS, IND., December 11, 1905.

To the President and Members of the Common Council:

I herewith return with my signature and approval General Ordinance No. 101, 1905; Appropriation Ordinance No. 46, 1905; Appropriation Ordinance No. 47, 1905; Appropriation Ordinance No. 48, 1905.

Respectfully,

JOHN W. HOLTZMAN,  
Mayor.

INDIANAPOLIS, IND., December 16, 1905.

To the President and Members of the Common Council:

Gentlemen: I herewith return without my signature and approval General Ordinance No. 100, 1905, for the reason that I do not deem it wise to increase the salaries of councilmen at this time.

Respectfully,

JOHN W. HOLTZMAN,  
Mayor.

Which were read.

Mr. Wahl moved that General Ordinance No. 100, 1905, be passed over the Mayor's veto.

Carried by the following vote:

Ayes, 19, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Krause, Linus, Moriarity, Murray, Rhodes, Storm, Sullivan, Wahl, Wolsiffer, Wright and President James H. Billingsley.

Noes, 1, viz.: Mr. Uhl.

#### REPORTS FROM STANDING COMMITTEES.

From the Committee on Public Safety and Comfort:

INDIANAPOLIS, IND., December 18, 1905.

To the President and Members of the Common Council:

Your Committee, to whom General Ordinance No. 102, 1905, was referred, recommend that same be amended by striking out 100 feet and substituting 50 feet, and when so amended recommend that same do pass.

Respectfully submitted,

LEW W. COOPER.  
W. A. RHODES.  
ALBERT E. UHL.  
JAMES B. MURRAY.  
JAS. F. SULLIVAN.

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

From the Committee on Public Safety and Comfort:

INDIANAPOLIS, IND., December 18, 1905.

To the President and Members of the Common Council:

Your Committee, to whom General Ordinance No. 92, 1905, was referred, recommend that same do pass.

Respectfully submitted,

LEW W. COOPER.  
W. A. RHODES.  
ALBERT E. UHL.  
JAMES B. MURRAY.  
JAS. F. SULLIVAN.

Which was read.

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

From the Committee on Public Safety and Comfort:

INDIANAPOLIS, IND., December 18, 1905.

To the President and Members of the Common Council:

Your Committee, who have had General Switch Ordinance No. 93, 1905, under careful consideration, recommend that same do pass.

Respectfully submitted,

LEW W. COOPER.  
W. A. RHODES.  
JAMES B. MURRAY.  
JAS. F. SULLIVAN.

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

From the Committee on Railroads:

INDIANAPOLIS, IND., December 18, 1905.

To the President and Members of the Common Council:

Your Committee on Railroads have had General Ordinance No. 4, 1905, under consideration and recommend that same do pass.

Respectfully submitted,

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

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

#### MISCELLANEOUS BUSINESS.

Mr. Gasper presented the bond of Oliver P. Ensley, City Treasurer:

Know All Men by These Presents, That we, Oliver P. Ensley, as principal, and Nicholas Ensley, Charles C. Perry, William Schoppenhorst, Levi S. Pierson, Henry Victor, Henry C. Adams, Thomas A. Wynne, Henry W. Lawrence, William L. Taylor, Frank M. Millikan, Oliver M. Thornberg, Sterling R. Holt, A. P. Hendrickson, Henry Coburn, Lynn B. Millikan, Christian F. H. Waterman, Henry A. Mansfield, William L. Higgins, Armin C. Koehne, Anthony Harmon, Andrew Hagen, John Wachstetter, Eli S. Baker, and Archibald A. Young, as his sureties, are held and firmly bound unto the State of Indiana, and for the benefit of the City of Indianapolis and all persons concerned or aggrieved, in the penal sum of six hundred and ten thousand dollars, for the payment of which, well and truly to be made, without relief from valuation or appraisement laws, we hereby bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by

these presents. Sealed with our seals, and dated this 13th day of December, A. D., 1905. The condition of the above obligation is as follows, viz.:

Whereas, the above-named and bounden Oliver P. Ensley has been duly elected and commissioned County Treasurer in and for Marion County, in the State of Indiana, aforesaid, for the term of two years from the first day of January, A. D., 1906, and by virtue of such election and the laws of the State of Indiana, said Ensley is *ex officio* treasurer of said City of Indianapolis;

Now, if the said Oliver P. Ensley shall honestly and faithfully perform and discharge the duties of his office, so far as they may relate to or affect said city, and safely keep and properly account for and pay over on demand to the persons entitled or authorized to receive the same, all moneys and property that may come into his hands as such treasurer of said city during his continuance in office; and further, that the Legislature may change, modify, or repeal any law now in force and enact any and all laws during the existence of the above obligation at the pleasure of said Legislature, without in any way or manner releasing the said officer or his said sureties on said bond; then, and in that case, the above obligation shall cease and be null and void; otherwise to be and remain in full force and virtue in law.

OLIVER P. ENSLEY.  
NICHOLAS ENSLEY.  
CHARLES C. PERRY.  
WM. SCHOPPENHORST.  
LEVI S. PIERSON.  
HENRY VICTOR.  
HENRY C. ADAMS.  
THOMAS A. WYNNE.  
HENRY W. LAWRENCE.  
WILLIAM L. TAYLOR.  
FRANK M. MILLIKAN.  
OLIVER M. THORNBERG.  
STERLING R. HOLT.

A. P. HENDRICKSON.  
HENRY COBURN.  
LYNN B. MILLIKAN.  
CHRISTIAN F. H. WATERMAN.  
HENRY A. MANSFIELD.  
WILLIAM L. HIGGINS.  
ARMIN C. KOEHNE.  
ANTHONY HARMON.  
ANDREW HAGEN.  
JOHN WACHSTETTER.  
ELI T. BAKER.  
ARCHIBALD A. YOUNG.

State of Indiana, Marion County, ss.:

Before me, the undersigned, a notary public in and for said County and State, personally appeared the foregoing named Oliver P. Ensley and Nicholas Ensley, Charles C. Perry, Wm. Schoppenhorst, Levi S. Pierson, Henry Victor, Henry C. Adams, Thomas A. Wynne, Henry W. Lawrence, William L. Taylor, Frank M. Millikan, Oliver M. Thornberg, Sterling R. Holt, A. P. Hendrickson, Henry Coburn, Lynn B. Millikan, Christian F. H. Waterman, Henry A. Mansfield, William L. Higgins, Armin C. Koehne, Anthony Harmon, Andrew Hagen, John Wachstetter, Eli S. Baker and Archibald A. Young, who jointly and severally acknowledged the execution of the foregoing bond to be their voluntary act and deed.

\* Witness my hand and notarial seal, this 13th day of December, 1905.

GAYLORD R. HAWKINS,  
Notary Public.

My Commission expires January 31, 1906.

Accepted and approved this ..... day of ....., A. D., 1905, by resolution of the Common Council of the City of Indianapolis.

.....  
President Common Council.

ATTEST:

.....  
City Clerk.

State of Indiana, Marion County, ss.:

Personally appeared before me, Oliver P. Ensley, ex-officio treasurer of the City of Indianapolis, who being sworn, upon his oath says:

"I will support the Constitution of the United States and of the State of Indiana, and I will faithfully, honestly and impartially discharge the duties of the office of Treasurer of said City to the best of my skill and ability."

OLIVER P. ENSLEY.

Subscribed and sworn to before me, this 14th day of December, 1905.  
WM. E. DAVIS, Clerk.

*In Witness Whereof*, I have hereunto set my hand and affixed my official seal this, the day and year above written.

WM. E. DAVIS, Clerk.

Which was read.

Mr. Gasper moved that the bond be referred to the Committee on Finance, and that the Council take a recess of five minutes for committee report. Carried.

The Council recessed at 8:20 P. M.

The Council reconvened at 8:25 P. M.

From the Finance Committee:

INDIANAPOLIS, IND., December 18, 1905.

To the President and Members of the Common Council:

Gentlemen: Your Finance Committee, to whom was referred the bond of City Treasurer Oliver P. Ensley, have had same under consideration and respectfully recommend that the same be approved.

Respectfully submitted,

J. L. GASPER.  
LEW W. COOPER.  
W. A. RHODES.  
J. H. CRALL.  
FRANK S. FISHBACK.  
J. ED. KRAUSE.

Which was read.

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

Mr. Crall moved that the bond of Oliver P. Ensley, City Treasurer, be approved by vote.

The Clerk called the roll:

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

Noes, none.

## ORDINANCES ON SECOND READING.

Mr. Gasper called for General Ordinance No. 98, 1905, for second reading. It was read a second time.

Mr. Gasper offered the following amendment:

Amend General Ordinance No. 98, 1905, so as to read after the words "five hundred feet of any" in Section one, "established entrance of any park."

Which was read.

Mr. Gasper moved that the amendment be adopted, which motion was lost by the following vote:

Ayes, 5, viz.: Messrs. Cottey, Davis, Eppert, Fishback and Gasper.  
Noes, 15, viz.: Messrs. Cooper, Crall, Hofmann, Krause, Linus, Moriarity, Murray, Rhodes, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright and President James H. Billingsley.

Mr. Gasper moved that General Ordinance No. 98, 1905, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 98, 1905, was read a third time and lost by the following vote:

Ayes, 2, viz.: Messrs. Fishback and Gasper.  
Noes, 18, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Hofmann, Krause, Linus, Moriarity, Murray, Rhodes, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright and President James H. Billingsley.

Mr. Cooper called for General Ordinance No. 102, 1905, for second reading. It was read a second time.

Mr. Cooper moved that General Ordinance No. 102, 1905, be amended as recommended by the committee's report. Carried.

Mr. Cooper moved that General Ordinance No. 102, 1905, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 102, 1905, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Cooper called for General Ordinance No. 93, 1905, for second reading. It was read a second time.

Mr. Cooper moved that General Ordinance No. 93, 1905, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 93, 1905, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Cooper called for General Ordinance No. 92, 1905, for second reading. It was read a second time.

Mr. Cooper moved that General Ordinance No. 92, 1905, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 92, 1905, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Eppert called for General Ordinance No. 4, 1905, for second reading. It was read a second time.

Mr. Eppert moved that General Ordinance No. 4, 1905, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 4, 1905, was read a third time and passed by the following vote:

Ayes, 18, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Krause, Linus, Murray, Rhodes, Storm, Sullivan, Uhl, Wolsiffer, Wright and President James H. Billingsley.

Noes, 2, viz.: Messrs. Moriarity and Wahl.

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

*J. H. Billingsley*  
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President.

ATTEST:

*M. Moriarity*  
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City Clerk.

