

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, July 16, 1906.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, July 16, 1906, at 7:30 o'clock, in regular session, President Frederick W. Eppert in the chair.

Present: The Hon. Frederick W. Eppert, President of the Common Council, and 17 members, viz: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann and Hilkene.

Absent, 3, viz.: Messrs. Smither, Wright and Henry.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., July 9, 1906.

To the President and Members of the Common Council:

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

General Ordinance No. 34, 1906, being "an ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis to improve Dorman street from the north property line of Michigan street to south property line of Tenth street, except the crossing of the bridge over Pogue's Run and St. Clair street, as provided for in Improvement Resolution No. 4492."

General Ordinance No. 43, 1906, being "an ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis to improve the first alley south of St. Clair street from west property line of Illinois street to east property line of Senate avenue with brick roadway."

General Ordinance No. 47, 1906, being "an ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis to improve the first alley east of College avenue from north property line of Sixteenth street to south property line of Seventeenth street."

General Ordinance No. 29, 1906, being "an ordinance ratifying, confirming, and approving the certain contract made and entered into on the 21st day of May, 1906, between the City of Indianapolis and the Indianapolis Sanitary Company for the collection, delivery and disposal of garbage and dead animals and for the disposal of night soil, and fixing the time when the same shall take effect and remain in force."

I have the honor to be,

Yours very truly,

C. A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS,
INDIANAPOLIS, IND., July 11, 1906.

To the President and Members of the Common Council:

GENTLEMEN: I return herewith with my approval General Ordinance No. 41, 1906, being "an ordinance establishing and declaring certain parts of Capitol avenue in the City of Indianapolis to be a boulevard under the control and management of the Board of Park Commissioners."

I remain,

Yours very truly,

CHARLES A. BOOKWALTER,
Mayor.

COMMUNICATIONS FROM CITY OFFICERS.

DEPARTMENT OF FINANCE,
CITY OF INDIANAPOLIS,
INDIANAPOLIS, IND., July 16, 1906.

To the President and Members of the Common Council:

GENTLEMEN: I herewith submit a communication from the Board of Safety requesting the transfer of \$100.00 in the Building Inspector's Department as follows:

From Building Inspector's fund to Incidental fund.

I have prepared and recommend the passage of an ordinance making the transfer as requested.

Respectfully submitted,

GEO. T. BREUNIG,
City Controller.

DEPARTMENT OF PUBLIC SAFETY,
OFFICE OF THE BOARD,
INDIANAPOLIS, IND., July 12, 1906.

Geo. T. Breunig, Esq., City Controller:

DEAR SIR: At a meeting of the Board of Public Safety held July 11, 1906, I was directed to request you to please ask the Common Council to transfer \$100.00 from the Building Inspector's Salary fund to the Building

Inspector's Incidental fund. This has been found to be absolutely necessary as this will be mainly used for the Smoke Inspector, who is under this department.

Respectfully,

JOHN B. WOOD,
Secretary.

DEPARTMENT OF FINANCE,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., July 16, 1906.

To the President and Members of the Common Council:

GENTLEMEN: I present herewith an ordinance creating a Sinking Fund, and providing for a Board of Sinking Fund Commissioners and recommend its passage.

Very respectfully,

GEO. T. BREUNIG,
City Controller.

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD,
INDIANAPOLIS, IND., July 16, 1906.

To the President and Members of the Common Council:

GENTLEMEN: I am directed by the Board of Public Works to forward to you, for your consideration and action thereon, the attached ordinance for the improvement of first alley east of Pennsylvania street from north property line of St. Clair street to south property line of Pratt street, with brick roadway.

The Board considers this improvement a public necessity.

Yours respectfully,

BOARD OF PUBLIC WORKS,
Per F. J. Noll, Jr., *Clerk.*

REPORTS FROM STANDING COMMITTEES.

From the Committee on Contracts and Franchises:

INDIANAPOLIS, IND., July 16, 1906.

To the President and Members of the Common Council:

GENTLEMEN: We, your Committee on Contracts and Franchises, to which was referred General Ordinance No. 58, 1906, entitled, "an ordinance ratifying, confirming and approving, a certain contract and agreement made and entered into on the 29th day of June, 1906, between the City of Indianapolis, by and through its Board of Public Works, and The Indianapolis Southern Railway, whereby certain modifications and amendments are made in Contract Ordinance No. 20, 1902, passed April 7, 1902, granting a franchise to The Indianapolis Southern Railway, to construct its railroad along and over certain streets, alleys and public places in the City of Indianapolis, and for other purposes, and modifying and amending a certain contract between the City of Indianapolis, by and through its Board of Public Works, and The Indianapolis Southern Railway, dated July 5, 1905, providing for the elevation of the tracks of The Indianapolis Southern Railway, and for other purposes, and ratifying, confirming and approving said last named contract as modified and amended," begs leave to re-

port that we have had same under consideration, and recommend that same do pass.

Respectfully submitted,

WM. J. NEUKOM.
W. O. BANGS.
HARRY E. ROYSE.
JAS. F. SULLIVAN,
CHAS. G. DAVIS.

Mr. Neukom moved the report of the committee be concurred in. Carried.

From the Finance Committee:

INDIANAPOLIS, IND., July 16, 1906.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to which was referred Appropriation Ordinance No. 9, entitled, "an ordinance appropriating the sum of \$2,955.12 to and for the use of the Department of Public Works, and fixing the time when the same shall take effect," begs leave to report that it has had said ordinance under consideration and recommends that said ordinance do pass.

Respectfully submitted,

HARRY E. ROYSE.
ALBERT E. COTTEY.
W. A. RHODES.
W. O. BANGS.
J. H. HAMLET.
JAS. F. SULLIVAN,
JACOB H. HILKENE.

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

From the Finance Committee:

INDIANAPOLIS, IND., July 16, 1906.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to which was referred Appropriation Ordinance No. 10, 1906, entitled, "an ordinance appropriating the sum of \$1,070.00 to and for the use of the Department of Public Parks, and fixing the time when the same shall take effect," begs leave to report that it has had said ordinance under consideration and recommends that said ordinance do pass.

Respectfully submitted,

HARRY E. ROYSE.
ALBERT E. COTTEY.
W. A. RHODES.
W. O. BANGS.
J. H. HAMLET.
JAS. F. SULLIVAN,
JACOB H. HILKENE.

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

From the Finance Committee:

INDIANAPOLIS, IND., July 16, 1906.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to which was referred General Ordinance No. 57, 1906, entitled, "an ordinance providing for the transfer of certain funds in the Fire Department accounts, Department of Public Safety, and fixing a time when the same shall take effect," begs leave to report that it has had the same under consideration and recommends that said ordinance do pass.

Respectfully submitted,

HARRY E. ROYSE.
ALBERT E. COTTEY.
W. A. RHODES.
W. O. BANGS.
J. H. HAMLET.
JAS. F. SULLIVAN.
JACOB H. HILKENE.

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

From Committee on Public Property and Improvements:

INDIANAPOLIS, IND., July 16, 1906.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Public Property and Improvements, to which was referred General Ordinance No. 31, 1906, entitled, "an ordinance authorizing and empowering the Board of Public Works to improve Roosevelt avenue (northwest side) from the east curb line of Columbia avenue to west curb line of Arsenal avenue, with cement walks, as provided for by Improvement Resolution No. 4488," beg leave to report that we have had the same under consideration and recommend that the same do pass.

Respectfully submitted,

B. A. BROWN.
JOHN L. DONAVON.
HARRY E. ROYSE.

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

From Committee on Public Property and Improvements:

INDIANAPOLIS, IND., July 16, 1906.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Public Property and Improvements, to which was referred General Ordinance No. 45, 1906, entitled, "an ordinance authorizing and empowering the Board of Public Works to improve Twenty-first street, from east property line of Meridian street to west property line of Talbott avenue, except the crossing of Pennsylvania,

with asphalt roadway and curbing," beg leave to report that we have had the same under consideration and recommend that the same do pass.

Respectfully submitted,

B. A. BROWN.
JOHN L. DONOVAN.
HARRY E. ROYSE.

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

From Committee on Public Property and Improvements:

INDIANAPOLIS, IND., July 16, 1906.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Public Property and Improvements, to which was referred General Ordinance No. 46, 1906, entitled, "an ordinance authorizing and empowering the Board of Public Works to improve Twenty-first street, from the west property line of Meridian street to the east property line of Illinois street, with asphalt roadway, brick gutters, and curb," beg leave to report that they have had the same under consideration and recommend that the same do pass.

Respectfully submitted,

B. A. BROWN.
J. L. DONAVON.
HARRY E. ROYSE.

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

From Committee on Public Property and Improvements:

INDIANAPOLIS, IND., July 16, 1906.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Public Property and Improvements, to which was referred General Ordinance No. 60, 1906, entitled, "an ordinance authorizing the transfer of personal property belonging to the City of Indianapolis from one department to another, and matters connected therewith, and fixing a time when the same shall take effect," beg leave to report that we have had the same under consideration and recommend that the same do pass.

Respectfully submitted,

B. A. BROWN.
J. L. DONAVON.
HARRY E. ROYSE.

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

From Committee on Public Property and Improvements:

INDIANAPOLIS, IND., July 16, 1906.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Public Property and Improvements,

to which was referred General Ordinance No. 30, 1906, entitled, "an ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Park avenue from the north property line of Twenty-first street to the south property line of Sutherland avenue, with asphalt roadway, brick gutters, and curb," beg leave to report that we have had the same under consideration and recommend that the same do pass.

Respectfully submitted,

B. A. BROWN.
J. L. DONAVON.
HARRY E. ROYSE.

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

From Committee on Public Property and Improvements:

INDIANAPOLIS, IND., July 16, 1906.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Public Property and Improvements, to which was referred General Ordinance No. 32, 1906, entitled, "an ordinance authorizing and empowering the Board of Public Works to improve Twenty-second street, from the east property line of Central avenue to west property line of College avenue, except the crossing of Park avenue and Broadway, with brick roadway, brick gutters, and curb, as provided for by Improvement Resolution No. 4511," beg leave to report that we have had the same under consideration and recommend that the same do not pass. Your Committee has ascertained that the majority of the resident property-owners on said street are in favor of an asphalt street. Your Committee therefore recommends that the Board of Public Works be requested to adopt a resolution to that effect.

Respectfully submitted,

B. A. BROWN.
J. L. DONAVON.
HARRY E. ROYSE.

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Board of Public Works:

General Ordinance No. 61—1906: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve first alley east of Pennsylvania street, from north property line of St. Clair street to south property line of Pratt street, with brick roadway.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 4th day of June, 1906, adopt Improvement Resolution No. 4565, 1906, for the improvement of first alley east of Pennsylvania street, from the north property line of St. Clair street to the south property line

of Pratt street, by grading and paving the roadway from property line to property line with brick laid on a six (6) inch rolled gravel foundation to a uniform width of twelve (12) feet, except the space of one and one-half (1½) inches on each side being occupied by oak marginal plank; and placing the necessary marginal stones.

WHEREAS, The said Board of Public Works did at the same time fix the 20th day of June, 1906, at 10 o'clock A. M. as a date to hear all persons interested or whose property is affected by said proposed improvement; and the notice of the passage of said resolution and of the said time for hearing was published on the 5th day of June, 1906, and the 12th day of June, 1906, in the Indianapolis Sun, a daily newspaper of general circulation, printed and published in the City of Indianapolis, and notices by mail duly forwarded as provided by law; and

WHEREAS, On the 20th day of June, 1906, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 20th day of June, 1906, a written remonstrance was filed with the Board against the said improvement of first alley east of Pennsylvania street and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 11th day of July, 1906, the City Civil Engineer filed his written report, stating that a majority of the resident property-owners had signed said remonstrance, and

WHEREAS, On the 11th day of July, 1906, the said Board of Public Works directed that said resolution be referred to the Common Council of the City of Indianapolis, with a request that said Council pass an ordinance authorizing and empowering the said Board of Public Works to make said improvement in accordance with said resolution; now, therefore

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the Board of Public Works of said City be, and the same is, hereby authorized and empowered to improve first alley east of Pennsylvania street, from the north property line of St. Clair street to the south property line of Pratt street, by grading and paving the roadway from property line to property line with brick laid on a six (6) inch rolled gravel foundation to a uniform width of twelve (12) feet, except the space of one and one-half (1½) inches on each side being occupied by oak marginal plank; and placing the necessary marginal stones, in accordance with Improvement Resolution No. 4565, 1906, adopted by the Board of Public Works on the 4th day of June, 1906.

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

Which was read a first time and referred to the Committee on Sewers, Streets and Alleys.

By the City Controller:

General Ordinance No. 62—1906: An ordinance creating a Sinking Fund, and providing for a Board of Sinking Fund Commissioners, and other matters in connection therewith.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That a Sinking Fund for the gradual extinguishment of the bonded indebtedness of the City of Indianapolis shall be and is hereby established and created; and there shall be levied and collected annually, as provided by law, until the payment of the bonded indebtedness of such City shall be fully provided for, a tax to be known as the "Sinking Fund Tax," which shall be applied to extinguishing such bonded indebtedness.

SEC. 2. The Sinking Fund herein established and created shall be under the control of three Commissioners, to be known as the Board of Sinking Fund Commissioners, of whom the City Controller shall be one, and the other two shall be appointed as provided by law. Each member of said Board, other than the City Controller, shall receive a salary of one hundred dollars (\$100.00) which shall be paid at the end of each year of service as such Commissioner. The office of said Board of Sinking Fund Commissioners shall be located in the office of the City Controller.

SEC. 3. Any unexpended portion or balance on hand belonging to the Sinking Fund heretofore created, and in the custody and control of the present Sinking Fund Commission, shall, upon the organization of the Board of Sinking Fund Commissioners herein provided for, be transferred and paid over to said Board, and shall thereafter constitute a part of the Sinking Fund herein established and created.

SEC. 4. This ordinance shall be in full force and effect from and after its passage.

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

By the City Controller:

General Ordinance No. 63—1906: An ordinance transferring certain sum in Building Inspector's funds, 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 there be and is hereby transferred the sum of one hundred (\$100.00) dollars from the Building Inspector's Salary fund to Building Inspector's Incidental fund, Department of Public Safety, and said department is hereby authorized to expend all or so much of the sum herein transferred as may be necessary.

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 the Committee on Finance.

By Mr. Uhl:

General Ordinance No. 64—1906: An ordinance to regulate the sale of ice in the City of Indianapolis, and providing for the weighing of same, prescribing a penalty for the violation of its provisions, 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 it shall be unlawful for any person, his agent or employe, engaged in the selling of ice in said city by weight to charge, collect, or receive or attempt to charge, collect or receive anything of value from any person or persons to whom such ice has been or shall be sold or delivered, for any greater number of pounds of ice than shall be actually delivered to any such customer.

SEC. 2. It shall be unlawful for any person, firm or corporation engaged in the selling of ice by weight in said City at a stipulated price per pound or hundredweight, to deliver, either in person or by his agent or employe,

any such ice to any customer without first causing the same to be correctly weighed at the time of such delivery by the person delivering the same, irrespective of whether the purchaser of such ice shall demand that the same shall be weighed, and all such dealers, their agents and employes so engaged in delivering such ice, shall be provided with the necessary scale or other weighing apparatus to enable such dealer, agent or employe to correctly weigh each piece of ice so delivered at the time of such delivery. And it shall be unlawful for any such dealer, agent or employe to report or charge for any quantity of ice as delivered in excess of the quantity actually delivered according to the correct weight thereof.

SEC. 3. It shall be unlawful for any person delivering ice in said City, which has been sold by weight, to refuse, upon demand, to allow the customer to whom said ice is being, or has been delivered, to witness the weighing of the same at the time of, or after such delivery, or to refuse, upon demand therefor, to furnish to any such customer, a written statement of the actual number of pounds of ice delivered to such customer at the time of any such delivery.

SEC. 4. It shall be unlawful for any person, firm or corporation, their agents or employes engaged in the selling and delivery of ice in said City to the consumers thereof, for other than wholesale purposes, to sell, charge, collect or receive or attempt to sell, charge, collect or receive, anything of value from any person or persons to whom such ice may be so sold or delivered, except such sale be made and the price charged or received be charged or received on the basis of and for the actual and correct weight of the ice so sold and delivered, which weight shall be ascertained as in this ordinance provided for.

SEC. 5. Any person who shall violate any of the provisions of Sections 1, 2, 3 or 4 of this ordinance, shall, on conviction therefor, be fined in any sum not less than \$10.00 nor more than \$50.00 for the first offense, and not less than \$20.00 nor more than \$100.00, to which may be added imprisonment for a period not exceeding thirty days, for any subsequent offense.

SEC. 6. That an ordinance to regulate the sale of ice in the City of Indianapolis, Indiana, to provide for the weighing of the same, prescribing penalties for the violation of its provisions, and providing for its taking effect, approved June 27, 1898, be and the same is hereby repealed.

SEC. 7. This ordinance shall take effect and be in full force from and after its passage and publication once each week for two consecutive weeks in the Indianapolis Sun.

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

By Mr. Royse:

General Ordinance No. 65—1906: An ordinance for the protection of permanently improved streets and providing for the construction of water and gas connections before the permanent improvement of streets.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, That after the taking effect of this ordinance all water connections and gas pipe connections from the gas main and water main in any street, the roadway of which is about to be permanently improved, shall be constructed and built before the construction of the permanent improvement of the roadway of the street as hereinafter provided.

SEC. 2. In all proceedings looking to the permanent improvement of the roadway of any street any gas company furnishing gas and having a main in such street, and any company furnishing water and having a main in such street, shall be given all notices which are provided by law to be given in the course of such proceedings to abutting property-owners.

Sec. 3. Upon the letting of any contract for the permanent improvement of the roadway of any street the City Engineer shall forthwith give notice to any gas company having a main in such street proposed to be improved to forthwith make gas pipe connections from such main to the curb line of every property abutting on the section of such street proposed to be improved; and such gas company shall without delay put in such gas pipe connections, and if such gas company shall unnecessarily delay the contractor in the construction of such permanent improvement of the roadway and thereby cause loss and damage to such contractor such gas company shall be liable for such loss and damage to such contractor.

Sec. 4. Immediately upon the letting of any contract for the permanent improvement of the roadway of any street in which any company furnishing water has a main, the City Engineer shall give notice to such company furnishing water to forthwith make water connections from such main to every property abutting upon such street to the curb line, and if such water company shall unnecessarily delay such work and thereby cause loss and damage to the contractor constructing such permanent improvement of the roadway such water company shall be liable to such contractor for the loss and damage so caused. Such water company shall in such case keep an account of the cost of the water connection so made with each abutting property and upon water service being furnished through such connection may charge the owner of such property with the cost of such connection before furnishing such water service.

Sec. 5. This ordinance shall take effect and be in force from and after its passage, and publication for two consecutive weeks in the Indianapolis Sun, a daily newspaper of general circulation, printed and published in the City of Indianapolis, Marion County, Indiana.

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

By Mr. Royse:

General Ordinance No. 66—1906: An ordinance authorizing the sale of three hundred (300) bonds of one thousand dollars (\$1,000.00) each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said City, or from the Sinking Fund of said City, or as may be required by law, for the purpose of procuring money to be used to construct a City Hall building containing offices for the several departments of the city government; providing for the time and manner of advertising sale of bonds and of the receipt of bids for the same, together with the mode and terms of sale; and fixing a time when the same shall take effect.

WHEREAS, It is deemed necessary and proper and for the best interests of the City of Indianapolis and the inhabitants thereof, to construct a City Hall building containing offices for the several departments of the city government; and

WHEREAS, There are not now and will not be sufficient funds in the Treasury of said City with which to meet the aforesaid expenditures for said City Hall building, and it being necessary for the City of Indianapolis to borrow the sum of three hundred thousand (\$300.00) dollars, and to issue and sell its bonds in that amount payable from the general revenues and funds of said City, or from the Sinking Fund, or as may be required by law; therefore

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the City Controller of said City be and is hereby

authorized, for the purpose of procuring money to be used to construct a City Hall building, containing offices for the several departments of the city government, to prepare and sell three hundred (300) new bonds of the City of Indianapolis, Marion County, Indiana, of the sum of one thousand (\$1,000.00) dollars each, which bonds shall bear date of July 1, 1906, and shall be numbered from one (1) to three hundred (300) both inclusive; shall be designated "City Hall Bonds of 1906"; shall mature in thirty (30) years from date; shall bear interest at the rate of three and one-half ($3\frac{1}{2}\%$) per cent. per annum, which interest shall be payable semi-annually on the first day of January and the first day of July, of each year, beginning with January first, 1907, and said installments of interest shall be evidenced by interest coupons attached to said bonds, and the first coupon attached to each bond shall be for the interest on said bond from date of issue until the first day of January, 1907. Said bonds and interest coupons shall be negotiable and payable at the Banking House of Winslow, Lanier & Company, of the City of New York, State of New York. Said bonds shall be signed by the Mayor and City Controller 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 the interest coupons attached to said bonds shall be authenticated by a lithographic fac-simile of the signatures of the Mayor and City Controller of said City engraven thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof. Said bonds shall be prepared by the City Controller in due form, irrevocably pledging the faith and credit of the City of Indianapolis to the payment of the principal and interest stipulated therein respectively.

It shall be the duty of the City Controller at the time of the issue 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 (1), giving also the date of their issuance, their amount, date of maturity, rate of interest, and the time and place where said interest shall be payable; said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before the issuance thereof:

No. \$1,000.00

UNITED STATES OF AMERICA,
CITY OF INDIANAPOLIS,
MARION COUNTY, STATE OF INDIANA,
CITY HALL BONDS OF 1906.

For value received, the City of Indianapolis, in Marion County, in the State of Indiana, hereby promises to pay to The Bearer, without any relief from valuation or appraisal laws, on July first, 1936, at the Banking House of Winslow, Lanier & Company, in the City of New York, State of New York, one thousand dollars, in lawful money of the United States of America, together with interest thereon at the rate of three and one-half ($3\frac{1}{2}\%$) per cent. per annum from date until paid, the first interest payable on the first day of January, 1907, and the interest thereafter payable semi-annually, on the first day of July and January respectively, upon the presentation and surrender of the proper interest coupons hereunto attached, and which are made a part of this bond.

This bond is one of an issue of three hundred bonds, of one thousand dollars each, numbered from one to three hundred, both inclusive, of date of July first, A. D. 1906, issued by said City of Indianapolis, pursuant to an ordinance passed by the Common Council of the City, on 1906, and an act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905.

It is hereby certified that all the conditions, acts, and things essential to

the validity of this bond exist, have happened, and have been done, and that every requirement of law affecting the issue hereof has been duly complied with, and that this bond is within every debt and other limit prescribed by the Constitution and the laws of the State of Indiana, and that the faith and credit of the City of Indianapolis, Indiana, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

In Witness Whereof, The Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Controller, and attested by the City Clerk, and the corporate seal of said City to be hereunto affixed this the first day of July, 1906.

.....
Mayor.

.....
City Controller.

ATTEST:

.....
City Clerk.

SEC. 2. The City Controller shall, as soon as practicable after the passage of this ordinance, advertise for bids or proposals for said bonds by at least one insertion each in the Indianapolis Sun and the Commercial Reporter, daily newspapers of general circulation, printed and published in the City of Indianapolis, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisements shall describe said bonds with such minuteness and particularity as the City Controller shall see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they shall bear, that the bidder may bid for all or any part of said bonds, the date of opening bids or proposals therefor, the right of the City Controller to reject any or all bids, the amount of deposit each bidder will be required to make, and when and where the bonds shall be delivered and paid for.

SEC. 3. Each and every bid or proposal shall be presented to the City Controller sealed, and shall be accompanied by a duly certified check upon some responsible bank of the City of Indianapolis, Indiana, payable to the order of Oliver P. Ensley, City Treasurer, for a sum of money which shall equal two and one-half (2½%) per centum of the face or par value of the bonds bid for, or proposed to be purchased. The City Controller shall continue to receive all bids or proposals therefor at the office of the City Controller until twelve o'clock, noon, on the day fixed by the Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between the said hour and two o'clock p. m. of said day he shall open said bids or proposals. The City Controller shall award said bonds, or if he shall see fit, a part or any number thereof, to the highest and best bidder therefor; but said Controller shall have the full right to reject any and all such bids or proposals, or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole or a less number of the bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply in the case of reoffering and readvertisement of said bonds hereinafter provided.

SEC. 4. In case the City Controller shall reject all bids submitted, or if he shall award only a part of said bonds, he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix the date and the time both for receiving and opening bids or proposals and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time, in like manner, to readvertise said bonds for sale until said bonds are sold.

SEC. 5. In case any bid or proposal shall not be accepted and there shall be no award of bonds thereon by the Controller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of the contract for the purchase of said bonds upon the part of the purchaser, and the City, in that event, shall have the right to readvertise said bonds for sale at once, and shall, in such event, retain said check, and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the City. In case any successful bidder shall fail to complete the purchase of bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the City Controller, as herein provided, the proceeds of such certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the City for such damages, and shall be retained and held by said City for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or, at the option of the City Controller, at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

SEC. 6. Delivery of any bonds sold shall be made at the office of the City Treasurer of the City of Indianapolis, Indiana, upon such day or days as may be specified in the advertisement or readvertisement for proposals, or within such time thereafter as may be fixed by the Controller, or at such time or times as may be agreed upon by the Controller and the purchaser or purchasers, and the Controller may extend the time for such delivery not more than ten days after the day or days specified or agreed upon as above provided; and the successful bidder or bidders, shall take the bonds awarded to him or them and pay for the same at such place and times, and his or her refusal, neglect, or omission to do so shall be a breach of the contract of his bid or proposal, on account of which damages shall be retained or recovered as liquidated and provided in this ordinance.

SEC. 7. The bonds taken and paid for to the satisfaction of the City Controller shall be binding obligations upon the said City of Indianapolis, according to their tenor and effect.

SEC. 8. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By Mr. Portteus:

General Ordinance No. 67—1906: An ordinance changing the name of Railroad street in 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 In-

dianapolis, Indiana, That the name of the street known as Railroad street, extending from Ritter avenue to Good street (Irvington) is hereby changed to Bonna avenue.

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

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

By Mr. Portteus:

General Ordinance No. 68—1906: An ordinance requiring the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company to station and maintain a flagman at the intersection of said company's tracks with Ritter avenue (Irvington) in the City of Indianapolis, and providing a penalty for the violation thereof, 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 Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company be, and hereby is, required to station and maintain a flagman at the intersection of said company's tracks with Ritter avenue (Irvington) in the City of Indianapolis, who shall be on duty at said place each day between the hours of six o'clock A. M. and six o'clock P. M.

SEC. 2. For any failure by said Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company to comply with any of the provisions of this ordinance, said company shall, on conviction, be fined in any sum not exceeding \$100.00, and each day's continuance of such violation or failure to comply with said provisions shall constitute a separate offense.

SEC. 3. This ordinance shall be in full force and effect at the expiration of thirty days from and after its passage and publication once each week in the Indianapolis Sun, a newspaper of general circulation, printed and published in the City of Indianapolis.

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

By Mr. Brown:

Special Ordinance No. 3—1906: An ordinance annexing certain territory to the City of Indianapolis, defining a part of the boundary line of said City, 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, Marion County, Indiana:

Beginning at a point where the center line of Thirtieth street intersects with the east bank of Fall Creek; thence east along the center line of Thirtieth street to the center line of School street; thence north along the center line of School street to the center line of Howland street; thence west along the center line of Howland street projected west to the east bank of Fall Creek; thence in a southerly direction following the meanderings of the east bank of Fall Creek to the place of beginning in the center line of Thirtieth street.

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 Sun, 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 Property and Improvements.

MISCELLANEOUS BUSINESS.

By Mr. Portteus:

INDIANAPOLIS, IND., July 16, 1906.

Resolution No. 5—1906.

WHEREAS, Pogue's Run traverses across the City of Indianapolis, beginning at the northeast, running in a southeasterly direction across said City, and

WHEREAS, Said Pogue's Run for the past several years has been a menace to life, health and property, and

WHEREAS, Said Pogue's Run is now obstructed by girder bridges, ashes and dirt, and

WHEREAS, In its present condition it has become necessary to wall up one-half of the mouth of the East Michigan sewer to hold the water in the channel of Pogue's Run, and

WHEREAS, The streets are now being permanently improved adjacent to and crossing said Pogue's Run in the vicinity thereof, and

WHEREAS, Such permanently improved streets are in danger of being washed out by the overflow of said Pogue's Run, and

WHEREAS, The bridges now crossing Dorman street and Highland avenue with other bridges are in a weakened and dilapidated condition, and

WHEREAS, The bed of said Pogue's Run can be lowered and improved so as to overcome its present objectionable features; therefore, be it

Resolved, That the Common Council hereby recommend to the Board of Public Works that such obstructions be ordered removed and be it further

Resolved, That the Common Council recommends that the Board of Works take the proper and necessary steps for the improvement of said Pogue's Run by lowering the bed thereof, straightening and widening the same, cementing the bottom and walling the sides thereof with concrete or such other material as in their opinion they may deem best.

Which was read.

Mr. Royse moved the Resolution be referred to the Committee on Finance. Carried.

ORDINANCES ON SECOND READING.

Mr. Neukom called for General Ordinance No. 58, 1906, for second reading. It was read a second time.

Mr. Neukom moved that General Ordinance No. 58, 1906, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 58, 1906, was read a third time and passed by the following vote:

Ayes, 16, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Sullivan, Hilkené and President Frederick W. Eppert.

Noes, 2, viz.: Messrs. Donavon and Hofmann.

Mr. Brown called for General Ordinance No. 30, 1906, for second reading. It was read a second time.

Mr. Brown moved that General Ordinance No. 30, 1906, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 30, 1906, was read a third time and failed to pass for the want of a two-thirds vote as provided by the charter.

Ayes, 10, viz.: Messrs. Brown, Davis, Neukom, Rhodes, Bangs, Stickelman, Royse, Donavon, Hofmann and President Frederick W. Eppert.

Noes, 8, viz.: Messrs. Cottey, Hamlet, Wood, Uhl, Hartmann, Portteus, Sullivan and Hilkené.

Mr. Brown called for General Ordinance No. 60, 1906, for second reading. It was read a second time.

Mr. Brown moved that General Ordinance No. 60, 1906, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 60, 1906, was read a third time and passed by the following vote:

Ayes, 16, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkené and President Frederick W. Eppert.

Noes, none.

Mr. Brown called for General Ordinance No. 46, 1906, for second reading. It was read a second time.

Mr. Brown moved that General Ordinance No. 46, 1906, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 46, 1906, was read a third time and passed by the following vote:

Ayes, 15, viz.: Messrs. Brown, Cottey, Hamlet, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkene and President Frederick W. Eppert.

Noes, none.

Mr. Brown called for General Ordinance No. 45, 1906, for second reading. It was read a second time.

Mr. Brown moved that General Ordinance No. 45, 1906, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 45, 1906, was read a third time and passed by the following vote:

Ayes, 15, viz.: Messrs. Brown, Cottey, Hamlet, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkene and President Frederick W. Eppert.

Noes, none.

Mr. Brown called for General Ordinance No. 31, 1906, for second reading. It was read a second time.

Mr. Brown moved that General Ordinance No. 31, 1906, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 31, 1906, was read a third time and passed by the following vote:

Ayes, 15, viz.: Messrs. Brown, Cottey, Hamlet, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkene and President Frederick W. Eppert.

Noes, none.

Mr. Royse called for General Ordinance No. 57, 1906, for second reading. It was read a second time.

Mr. Royse moved that General Ordinance No. 57, 1906, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 57, 1906, was read a third time and passed by the following vote:

Ayes, 15, viz.: Messrs. Brown, Cottey, Hamlet, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkené and President Frederick W. Eppert.
Noes, none.

Mr. Royse called for Appropriation Ordinance No. 9, 1906, for second reading. It was read a second time.

Mr. Royse moved that Appropriation Ordinance No. 9, 1906, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 9, 1906, was read a third time and passed by the following vote:

Ayes, 15, viz.: Messrs. Brown, Cottey, Hamlet, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkené and President Frederick W. Eppert.
Noes, none.

Mr. Royse called for Appropriation Ordinance No. 10, 1906, for second reading. It was read a second time.

Mr. Royse moved that Appropriation Ordinance No. 10, 1906, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 10, 1906, was read a third time and passed by the following vote:

Ayes, 15, viz.: Messrs. Brown, Cottey, Hamlet, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkené and President Frederick W. Eppert.
Noes, none.

Mr. Royse called for General Ordinance No. 25, 1906, for second reading. It was read a second time.

Mr. Royse moved that General Ordinance No. 25, 1906, be stricken from the files. Carried.

On motion of Mr. Sullivan, the Common Council, at 9:05 o'clock, P. M., adjourned.

Fred. W. Spent

President.

ATTEST:

Jennie M. Nulty

City Clerk.

