

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, November 5, 1906.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 5, 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. Cottey, Brown, Hamlet, Wood, Davis, Neukom, Smither, Rhodes, Bangs, Stickelman, Portteus, Royse, Donavon, Sullivan, Hilkene, Wright and Henry.

Absent, 3, viz: Messrs. Uhl, Hartmann and Hoffmann.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., October 17, 1906.

To the President and Members of the Common Council:

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

Special Ordinance No. 3, 1906, being "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."

General Ordinance No. 95, 1906, being "an ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Virginia avenue from a point 44.6' south of intersection of south line of Maryland street with east line of Delaware street to a point

43.9' north of intersection of west line of New Jersey street with north line of Louisiana street, except crossing viaduct, with brick resurface."

General Ordinance No. 104, 1906, being "an ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve first alley east of Windsor street, from southwest property line of Commerce avenue to north property line first alley north of Twelfth street, with gravel roadway."

General Ordinance No. 105, 1906, being "an ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Twenty-third street, from east property line of Meridian street to west property line of Central avenue, with asphalt."

General Ordinance No. 107, 1906, being "an ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Douglas street, from north property line of New York street to the south property line of Michigan street, with brick gutters and curb."

General Ordinance No. 108, 1906, being "an ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve first alley south of Thirteenth street, from west property line of Ashland avenue to east property line of College avenue, with brick roadway."

General Ordinance No. 109, 1906, being "an ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve first alley east of New Jersey street, from north property line of Twenty-first street to south property line of Twenty-second street, with brick."

General Ordinance No. 114, 1906, being "an ordinance prohibiting the placing and distribution of paper and rags in and upon the public places of the City of Indianapolis, and providing a penalty for the violation thereof."

Appropriation Ordinance No. 24, 1906, being "an ordinance appropriating the sum of \$125.38 to and for the use of the Department of Finance, and fixing a time when the same shall take effect."

I have the honor to remain,

Very truly yours,

C. A. BOOKWALTER,

Mayor.

EXECUTIVE DEPARTMENT,

CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., October 24, 1906.

To the President and Members of the Common Council:

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

Appropriation Ordinance No. 21, 1906, being "an ordinance appropriating the sum of \$300,000.00 to the Board of Public Works to be expended for the construction of a City Hall Building, containing offices for the several departments of the city government and an auditorium suitable for public meetings of the citizens of the City of Indianapolis, on the land belonging to the City of Indianapolis lying between Delaware street, Market street,

Alabama street and Wabash street; and fixing a time when the same shall take effect."

Special Ordinance No. 6, 1906, being "an ordinance annexing certain territory to the City of Indianapolis."

I have the honor to remain,

Very truly yours,

C. A. BOOKWALTER,

Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., October 25, 1906.

To the President and Members of the Common Council:

GENTLEMEN: I return herewith with my approval General Ordinance No. 119, 1906, being "an ordinance regulating the location, erection and maintenance or the establishment and maintenance of skating rinks for roller skating, hereafter erected or established in the City of Indianapolis, fixing a penalty for the violation thereof, and fixing a time when the same shall take effect."

I have the honor to remain,

Very truly yours,

C. A. BOOKWALTER,

Mayor.

REPORTS FROM CITY OFFICERS.

From the City Controller:

CITY OF INDIANAPOLIS.
DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER,
INDIANAPOLIS, IND., November 5, 1906.

To the President and Members of the Common Council:

GENTLEMEN: I herewith present petition of Sarah Jacobs, widow and sole heir of Abraham Jacobs, asking for the refund of \$177.87, due on city liquor license issued to said Jacobs July 3, 1906, the unused term of such license being from October 13, 1906, to July 2, 1907.

I have prepared and herewith submit an ordinance appropriating the amount due said widow and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,

City Controller.

City of Indianapolis to Sarah Jacobs, Dr., on account of license rebate.
State of Indiana, Marion County, ss.:

To the Members of the Common Council and Controller of the City of Indianapolis, Ind.:

Comes now Sarah Jacobs, and being first duly sworn upon her oath says:

That she is the widow of Abraham Jacobs, and that he the said Jacobs on the 3d day of July, 1906, obtained a license from the Controller of the City of Indianapolis, Marion County, Indiana, to sell intoxicating liquors in less quantities than five gallons on the premises, which was known as No. 623 West Washington street, Indianapolis, Indiana, and that on the 5th day of September, 1906, said Abraham Jacobs departed this life, and his only heirs at law are affiant, his widow, and one son Harry Jacobs, and that said estate which was left by said decedent was less than five hundred dollars, and which property was duly adjudged to belong to this affiant, including the balance due of rebate for said unexpired time of the license so issued, and that on the 13th day of October, 1906, was the last day for which said license was used, and that she now claims that there is due and owing her the proportioned part for the unearned time from October 13, 1906, to July 2, 1907, in the sum of one hundred and seventy-seven dollars eighty-seven cents. (\$177.87) for 8 months and 17 days. That affiant says: That she is the rightful person entitled to recover back said sum; that not any amount has heretofore been received by her or by any one else on this account, and that said claim is due, correct and owing her from said City of Indianapolis, and she now prays that the same be allowed her as provided by law, and that an order be made and a warrant drawn by the proper officer to pay said claim.

her
SARAH X JACOBS.
mark

Subscribed and sworn to before me this 22d day of October, 1906.

LEMON E. REINHOLD,
Notary Public.

No. 379. My N. P. Commission expires December 31, 1906.

CITY OF INDIANAPOLIS,
DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER,
INDIANAPOLIS, IND., November 5, 1906.

To the President and Members of the Common Council:

GENTLEMEN: I herewith present communications from the Department of Public Safety requesting transfers of certain funds as follows:

\$500.00 from the "Fire Force Pay-roll" fund to "Repairs to Apparatus," under the fire force accounts.

\$200.00 from the "Emergency Police" fund to "Prisoners' Meals" fund, under the police force accounts.

I herewith present an ordinance making the transfers asked for and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,
City Controller.

DEPARTMENT OF PUBLIC SAFETY,
OFFICE OF THE BOARD,
INDIANAPOLIS, IND., October 17, 1906.

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

DEAR SIR: The Board of Public Safety at a meeting held October 17,

November 5, 1906.]

CITY OF INDIANAPOLIS, IND.

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1906, directed me to request you to please ask the Common Council to transfer from the Fire Force Pay-roll Account to Repairs to Apparatus Fund, the sum of \$500.00.

This being necessary to place new set of coils in LaFrance fire engine.

Respectfully yours,

JOHN B. WOOD,
Secretary.

DEPARTMENT OF PUBLIC SAFETY,
OFFICE OF THE BOARD,
INDIANAPOLIS, IND., October 18, 1906.

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

DEAR SIR: The Board of Public Safety at a meeting held October 17, 1906, instructed me to request you to please ask the Common Council to transfer in the Police Department, from the Emergency Police fund to Prisoners' Meals fund, the sum of two hundred dollars (\$200.00).

The balance in this fund not being sufficient to carry on the work for the balance of the year without this transfer.

Respectfully yours,

JOHN B. WOOD,
Secretary.

DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER,
INDIANAPOLIS, IND., November 5, 1906.

To the President and Members of the Common Council:

GENTLEMEN: I herewith present a communication from the Department of Public Works, requesting transfers from the "Sprinkling Unimproved Streets" fund as follows:

\$300.00 to the "City Civil Engineer's Accounts" fund;

\$60.00 to the "City Hall Accounts" fund.

I recommend that the accompanying ordinance making the transfers asked for be passed.

Respectfully submitted,

GEO. T. BREUNIG,
City Controller.

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD,
INDIANAPOLIS, IND., November 5, 1906.

George T. Breunig, City Controller, City:

DEAR SIR: We respectfully request that you recommend to the Common Council the passage of an ordinance appropriating the sum of \$60.00 for the City Hall Accounts fund; also an ordinance appropriating the sum of \$300.00 for the City Civil Engineer's Accounts fund.

It is necessary to ask for this additional appropriation for the City Civil

Engineer's accounts on account of unusual expenses occasioned by the large amount of street improvements being made at this time. We would suggest that this money be transferred from the fund for the Sprinkling of Unimproved streets.

Yours respectfully,

JOSEPH T. ELLIOTT.

P. C. TRUSLER.

F. J. MACK.

Board of Public Works.

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., November 2, 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 following ordinances authorizing and empowering the Board of Public Works to proceed with public improvements described as follows:

Improvement Resolution No. 4802, for the improvement of first alley east of Alabama street, from north property line of Thirteenth to south property line Sixteenth streets, with brick roadway.

Improvement Resolution No. 4790, for the improvement of Tenth street, from east curb line Keystone avenue to west curb line Rural street, with brick roadway.

Improvement Resolution No. 4796, for the improvement of Adams street, from south property line of Twenty-fifth street to north property line Roosevelt avenue, with curbing the roadway.

Improvement Resolution No. 4800, for the improvement of Peck street (first alley east of New Jersey street) from north property line of Sixteenth street to south property line of Nineteenth street, except the crossing of Seventeenth street, with brick roadway.

Improvement Resolution No. 4808, for the improvement of second alley south of Tenth street, from east property line New Jersey street to south property line of first alley east of East street, with brick roadway.

Improvement Resolution No. 4811, for the improvement of first alley north of St. Clair street, from west property line Illinois street to east property line Senate avenue, with brick roadway.

Improvement Resolution No. 4813, for the improvement of first alley north of St. Clair street, from west property line Pennsylvania to east property line Illinois streets, with brick roadway.

Improvement Resolution No. 4814, for the improvement of first alley north of St. Clair street, from west property line Delaware to east property line Pennsylvania streets, with brick roadway.

Yours respectfully,

BOARD OF PUBLIC WORKS,

F. J. Noll, Jr., *Clerk.*

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., November 2, 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 switch contract granting to S. S. Rhodes and Son permission to lay and maintain a side-track or switch from the west line of South West street along and across the north line of Georgia street to the property line of said petitioners, from the track of the C., C., C. & St. L. Ry.

Yours respectfully,

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

REPORT FROM STANDING COMMITTEE.

From the Finance Committee:

INDIANAPOLIS, IND., November 5, 1906.

To the President and Members of the Common Council:

GENTLEMEN: Your Finance Committee, to which was referred Appropriation Ordinance No. 25, 1906, entitled, "an ordinance appropriating the sum of five hundred dollars to and for the use of the 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.
W. A. RHODES.
ALBERT E. COTTEY.
J. H. HAMLET.
JACOB H. HILKENE.
JAS. F. SULLIVAN,
W. O. BANGS.

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

INTRODUCTION OF APPROPRIATION ORDINANCE.

By the City Controller:

Appropriation Ordinance No. 26—1906: An ordinance appropriating

the sum of \$177.87 to and for the use of the Department of Finance, 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 sum of one hundred and seventy-seven dollars and eighty-seven cents (\$177.87) be, and the same is hereby, appropriated out of any moneys in the city treasury, not otherwise appropriated, to and for the use of the Department of Finance, to be used in the payment of the claim of Sarah Jacobs, widow and sole heir of Abraham Jacobs, deceased, being the amount due such widow for the unexpired term of city retail liquor license issued to said Abraham Jacobs on July 3, 1906, in accordance with the provisions of Section 8, of an Act of the General Assembly of the State of Indiana, entitled, "An Act to better regulate and restrict the sale of liquors," etc. Approved March 11, 1895.

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

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Board of Public Works:

General Ordinance No. 121—1906: An ordinance approving a certain contract granting S. S. Rhodes and Son the right to lay and maintain a side-track or switch from the west line of South West street along and across the north side of Georgia street on to the property of S. S. Rhodes and Son, from the north track of the C., C., C. & St. L. Railway Company, according to blue print attached, in the City of Indianapolis, Ind.

WHEREAS, *heretofore, to-wit:* On the 22d day of October, 1906, S. S. Rhodes & Son filed their petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION.

INDIANAPOLIS, IND., October 22, 1906.

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

GENTLEMEN: The undersigned, S. S. Rhodes & Son, owners of certain real estate abutting on Georgia and West streets, respectfully petition your Honorable Board, asking permission to construct and maintain one switch or side-track across and along the north side of Georgia street, starting at a point on the north switch track of the Cleveland, Cincinnati, Chicago and St. Louis Railway Company, said point being on said switch track directly north of the west line of South West street, and running northwest at an angle of twenty-five (25) degrees, ninety (90) feet to a point where said proposed switch will proceed upon the property belong to these petitioners, thence across an unimproved alley on to the petitioners' property, a sketch of which proposed switch is filed herewith, made a part hereof, marked Exhibit A.

Your petitioners pray that the privilege and authority herein requested

shall be granted upon such terms and conditions as may be hereafter agreed upon by contract.

Respectfully submitted,

S. S. RHODES & SON,
By S. S. Rhodes.

Now, Therefore, This agreement, made and entered into this 22d day of October, 1906, by and between S. S. Rhodes & Son, 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 west line of south West street along and across the north side of Georgia street on to the property of these petitioners from the north track of the C., C. & St. L. Ry. Co. in the City of Indianapolis, which is more specifically described as follows:

Across and along the north side of Georgia street, starting at a point on the north switch track of the Cleveland, Cincinnati, Chicago and St. Louis Railway Company, said point being on said switch track directly north of the west line of South West street, and running northwest at an angle of twenty-five (25) degrees, ninety (90) feet to a point where said proposed switch will proceed upon the property belonging to these petitioners, thence across an unimproved alley on to petitioners' property, a sketch of which proposed switch is filed herewith, made a part hereof, marked Exhibit A, 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 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, upon the written order of said Board, made for any good cause affecting the interest of the City or the public welfare, 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 nowise 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, and also to pay all necessary expenses that may be incurred by said city in defending against any such claims.

(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 by said Board as hereinbefore set forth.

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 municipal corporations," approved March 6, 1905, 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 _____ 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 22d day of October, 1906.

S. S. RHODES & SON,
By S. S. Rhodes.
Party of the first part.

Witness:

J. CLYDE HOFFMAN.
Ayres, Jones & Hollett, Attorneys for Petitioners.

CITY OF INDIANAPOLIS,

By JOSEPH T. ELLIOTT,
P. C. TRUSLER,
F. J. MACK,
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 be in full force and effect from and after its passage.

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

By Board of Public Works:

General Ordinance No. 122—1906: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve first alley east of Alabama street, from north property line of Thirteenth street to the south property line of Sixteenth street, with brick roadway.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 28th day of September, 1906, adopt Improvement Resolution No. 4802, 1906, for the improvement of first alley east of Alabama street, from the north property line of Thirteenth street to the south property line of Sixteenth street, by grading and paving the roadway with brick laid on a six (6) inch concrete foundation to a uniform width of twenty (20) feet from property line to property line, except the space of one and one-half (1½) inches on each side being marginal plank and setting marginal stones, all as shown on plans.

WHEREAS, The said Board of Public Works did at the same time fix the 15th day of October, 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 29th day of September, 1906, and the 6th day of October, 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 15th day of October, 1906, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 23d day of October, 1906, a written remonstrance was filed with the Board against the said improvement of first alley east of Alabama, and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 2d day of November, 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 2d day of November, 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 Alabama street, from the north property line of Thirteenth street to the south property line of Sixteenth street, except crossing of Fifteenth street, by grading and paving the roadway with brick laid on a six (6) inch concrete foundation to a uniform width of twenty (20) feet from property line to property line, except the space of one and one-half (1½) inches on each side being marginal plank and setting marginal stones, all as shown on plans, in accordance with Improvement Resolution No. 4802, 1906, adopted by the Board of Public Works on the 28th day of September, 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 Board of Public Works:

General Ordinance No. 123—1906: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve second alley south of Tenth street, from east property line New Jersey street to west property line first alley east of East street, with brick roadway.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 3d day of October, 1906, adopt Improvement Resolution No. 4808, 1906, for the improvement of second alley south of Tenth street, from the east property line of New Jersey street to the west property line of the first alley east of East street, by grading and paving the roadway with brick laid on a six (6) inch broken stone foundation from property line to property line to a uniform width of fifteen (15) feet, except the space of one and one-half ($1\frac{1}{2}$) inches on each side being occupied by oak marginal plank, furnishing and placing said marginal plank and also the necessary marginal stones, all as shown on plans.

WHEREAS, The said Board of Public Works did at the same time fix the 19th day of October, 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 4th day of October, 1906, and the 11th day of October, 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 19th day of October, 1906, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 22d day of October, 1906, a written remonstrance was filed with the Board against the said improvement of second alley south of Tenth street, and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 24th day of October, 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 24th day of October, 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 second alley south of Tenth street, from the east property line of New Jersey street to the west property line of first alley east of East street, by grading and paving the roadway with brick laid on a six (6) inch broken stone foundation from property line to property line to a uniform width of fifteen (15) feet, except the space of one and one-half ($1\frac{1}{2}$) inches on each side being occupied by oak marginal plank, furnishing and placing said marginal plank and also the necessary marginal stones, all as shown on plans, in accordance with Improvement Resolution No. 4808, 1906, adopted by the Board of Public Works on the 3d day of October, 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 Board of Public Works:

General Ordinance No. 124—1906: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Tenth street, from east curb line Keystone avenue to the west curb line Rural street, with brick.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 21st day of September, 1906, adopt Improvement Resolution No. 4790, 1906, for the improvement of Tenth street, from the east curb line of Keystone avenue to the west curb line of Rural street, by widening said street between curb lines and paving space of two and one-half ($2\frac{1}{2}$) feet on each side of said street with brick laid on a six (6) inch concrete foundation, resetting curbing and inlets all in the manner shown on plans.

WHEREAS, The said Board of Public Works did at the same time fix the 8th day of October, 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 22d day of September, 1906, and the 29th day of September, 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 15th day of October, 1906, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 23d day of October, 1906, a written remonstrance of the majority of the resident property owners was filed with the Board against the said improvement of Tenth street, and

WHEREAS, On the 26th day of October, 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 Tenth street, from the east curb line of Keystone avenue to the west curb line of Rural street, by widening said street between curb line and paving space of two and one-half ($2\frac{1}{2}$) feet on each side of said street with brick laid on a six (6) inch concrete foundation, resetting curbing and inlets, all in the manner shown on plans, in accordance with Improvement Resolution No. 4790, 1906, adopted by the Board of Public Works on the 21st day of September, 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 Board of Public Works:

General Ordinance No. 125—1906: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Peck street (first alley east New Jersey), from north property line of Sixteenth street to the south property line of Nineteenth street, except crossing of Seventeenth street, with brick roadway.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 28th day of September, 1906, adopt Improvement Resolution No. 4800, 1906, for the improvement of Peck street (first alley east New Jersey), from the north property line of Sixteenth street to the south property line of Nineteenth street, except crossing of Seventeenth street, by grading the roadway from property line to property line to a uniform width of twenty (20) feet with brick laid on a six (6) inch concrete foundation, except the space of one and one-half ($1\frac{1}{2}$) inches on each side being occupied by oak marginal plank, placing the necessary marginal stones and oak marginal plank as shown on plans.

WHEREAS, The said Board of Public Works did at the same time fix the 15th day of October, 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 29th day of September, 1906, and the 6th day of October, 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 15th day of October, 1906, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 15th day of October, 1906, a written remonstrance was filed with the Board against the said improvement of Peck street, and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 22d day of October, 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 22d day of October, 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 Peck street (first alley east of New Jersey street), from the north property line of Six-

teenth street, to the south property line of Nineteenth street, except crossing Seventeenth street, by grading the roadway from property line to property line to a uniform width of twenty (20) feet with brick laid on a six (6) inch concrete foundation, except the space of one and one-half (1½) inches on each side being occupied by oak marginal plank, placing the necessary marginal stones and oak marginal plank as shown on plans, in accordance with Improvement Resolution No. 4800, 1906, adopted by the Board of Public Works on the 28th day of September, 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 Board of Public Works:

General Ordinance No. 126—1906: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Adams street, from south property line of Twenty-fifth street to north property line Roosevelt avenue, with curbing roadway.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 28th day of September, 1906, adopt Improvement Resolution No. 4796, 1906, for the improvement of Adams street, from the south property line of Twenty-fifth street to the north property line of Roosevelt avenue, by curbing the outer edges of the roadway with stratified curb, all as shown on plans.

WHEREAS, The said Board of Public Works did at the same time fix the 15th day of October, 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 29th day of September, 1906, and the 6th day of October, 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 15th day of October, 1906, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 13th day of October, 1906, a written remonstrance was filed with the Board against the said improvement of Adams street, and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 22d day of October, 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 22d day of October, 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 Adams street, from the south property line of Twenty-fifth street to the north property line of Roosevelt avenue, by curbing the outer edges of the roadway with stratified curb, all as shown on plans, in accordance with Improvement Resolution No. 4796, 1906, adopted by the Board of Public Works on the 28th day of September, 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 Board of Public Works:

General Ordinance No. 127—1906: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve first alley north of St. Clair street, from the west property line Pennsylvania street to the east property line Illinois street, with brick roadway.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 5th day of October, 1906, adopt Improvement Resolution No. 4813, 1906, for the improvement of first alley north of St. Clair street, from the west property line of Pennsylvania street to the east property line of Illinois street, except crossing of Meridian, Bird and Scioto streets, by grading and paving the roadway with brick laid on a six (6) inch broken stone foundation from property line to property line to a uniform width of fifteen (15) feet, except the space of one and one-half (1½) inches on each side to be occupied by marginal plank, and placing said marginal plank and necessary marginal stones, all as shown on plans.

WHEREAS, The said Board of Public Works did at the same time fix the 22d day of October, 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 6th day of October, 1906, and the 13th day of October, 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 22d day of October, 1906, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 20th day of October, 1906, a written remonstrance was filed with the Board against the said improvement of first alley north of St. Clair, and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 31st day of October, 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 31st day of October, 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 north of St. Clair street, from the west property line of Pennsylvania street to the east property line of Illinois street, except crossing Meridian, Bird and Scioto streets, by grading and paving the roadway with brick laid on a six (6) inch broken stone foundation from property line to property line to a uniform width of fifteen (15) feet, except the space of one and one-half ($1\frac{1}{2}$) inches on each side to be occupied by marginal plank, placing the said marginal plank and necessary marginal stones, all as shown on plans, in accordance with Improvement Resolution No. 4813, 1906, adopted by the Board of Public Works on the 5th day of October, 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 Board of Public Works

General Ordinance No. 128—1906: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve first alley north of St. Clair street, from west property line Illinois street to east property line Senate avenue, with brick roadway.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 5th day of October, 1906, adopt Improvement Resolution No. 4811, 1906, for the improvement of first alley north of St. Clair street, from the west property line of Illinois street to the east property line of Senate avenue, except crossing of Roanoke street, Capitol avenue and Muskingum street, by grading and paving the roadway with brick laid on a six (6) inch rolled broken stone foundation from property line to property line to a uniform width of twenty (20) feet, except the space of one and one-half ($1\frac{1}{2}$) inches on each side to be marginal plank; placing necessary marginal plank and marginal stones, all as shown on plans.

WHEREAS, The said Board of Public Works did at the same time fix the 22d day of October, 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 6th day of October, 1906, and the 13th day of October, 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 22d day of October, 1906, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 20th day of October, 1906, a written remonstrance was filed with the Board against the said improvement of first alley north of St. Clair, and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 31st day of October, 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 31st day of October, 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 north of St. Clair street, from the west property line of Illinois street to the east property line of Senate avenue, except crossing of Roanoke, Capitol avenue and Muskingum street, by grading and paving the roadway with brick laid on a six (6) inch rolled broken stone foundation from property line to property line to a uniform width of twenty (20) feet, except the space of one and one-half (1½) inches on each side to be marginal plank; placing necessary marginal plank and marginal stones, all as shown on plans, in accordance with Improvement Resolution No. 4811, 1906, adopted by the Board of Public Works on the 5th day of October, 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 Board of Public Works:

General Ordinance No. 129—1906: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve first alley north of St. Clair street, from west property line of Delaware street to east property line Pennsylvania street, with brick roadway.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 5th day of October, 1906, adopt Improvement Resolution No. 4814, 1906, for the improvement of first alley north of St. Clair street, from the west property line of Delaware street to the east property line of Pennsylvania street, by grading and paving the roadway with brick laid on a six (6) inch broken stone foundation from property line to property line to a uniform width of twelve (12) feet, except the space of one and one-half (1½) inches on each side to be marginal plank; placing necessary marginal plank and marginal stones, all as shown on plans.

WHEREAS, The said Board of Public Works did at the same time fix the 22d day of October, 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 6th day of October, 1906, and the 13th day of October, 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 22d day of October, 1906, the Board having met in

regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 22d day of October, 1906, a written remonstrance was filed with the Board against the said improvement of first alley north of St. Clair, and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 31st day of October, 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 31st day of October, 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 north of St. Clair street, from the west property line of Delaware street to the east property line of Pennsylvania street, by grading and paving the roadway with brick laid on a six (6) inch broken stone foundation from property line to property line to a uniform width of twelve (12) feet, except the space of one and one-half (1½) inches on each side to be marginal plank; placing necessary marginal plank and marginal stones, all as shown on plans, in accordance with Improvement Resolution No. 4814, 1906, adopted by the Board of Public Works on the 5th day of October, 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. 130—1906: An ordinance providing for the transfer of certain funds to certain funds to and for the use of the Department of Public Works, 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 following sums be, and they are, hereby transferred from certain funds to certain funds, from appropriations heretofore made to and for the use of the Department of Public Works, as follows, to-wit:

The sum of three hundred dollars (\$300.00) from the "Sprinkling Unimproved Streets" fund to the "City Civil Engineer's Account" fund; and

The sum of sixty dollars (\$60.00) from the "Sprinkling Unimproved Streets" fund to the "City Hall Accounts" fund.

SEC. 2. This ordinance shall take effect, and be in full force 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. 131—1906: An ordinance providing for the transfer of certain funds to certain funds in and for the use of the 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 the following sums be, and the same are hereby transferred to certain funds from certain funds out of appropriations heretofore made to and for the use of the Department of Public Safety, viz.:

The sum of five hundred dollars (\$500.00) from the "Fire Force Payroll" fund to the "Repairs to Apparatus" fund, under the head of the fire force accounts.

The sum of two hundred dollars (\$200.00) from the "Emergency Police" fund to the "Prisoners' Meals" fund, under the head of Station House accounts.

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 President Eppert:

General Ordinance No. 132—1906: An ordinance for the licensing, taxing and regulating of branch stores and other concerns established in the City for temporary business only, 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, Indiana, That it shall be unlawful for any person, firm or corporation, or any agent thereof, to open or establish any branch store, office, showroom, or other establishment in the City of Indianapolis, for temporary business only, having or making an exhibition or display of any goods, wares, and merchandise for the purpose of selling the same at retail, or for the purpose of soliciting orders for the same, or for goods of like character as those displayed, without having first procured a license therefor.

SEC. 2. The fee for such license shall be twenty-five dollars per day. Such license shall be procured from the City Controller and state the name, address and place of business, kind of business intended to be conducted, and the length of time for which any such person, firm or corporation desires to do such temporary business.

SEC. 3. Any person, firm or corporation or any agent thereof violating the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not more than one hundred dollars, and each day's violation hereof shall constitute a separate offense, and upon second conviction, imprisonment may be added not exceeding thirty days.

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 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 Judiciary.

By President Eppert:

General Ordinance No. 133—1906: An ordinance to amend Section 4 of an ordinance, entitled, "an ordinance requiring auctioneers, peddlers, hucksters, and certain classes of public showmen, to pay a license to the City of Indianapolis; regulating certain matters connected with the business of such persons, and repealing certain ordinances herein specified," approved June 14, 1886; 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 Section 4 of the above entitled ordinance approved June 14, 1886, be and the same is hereby amended to read as follows:

SEC. 4. It shall be unlawful for any person, firm or company owning or controlling any goods, wares or merchandise which have been brought to the City of Indianapolis to be sold at auction, to offer the same for sale, or to sell the same, at auction or public outcry in said city, or to permit or authorize the same to be so offered or sold, without having first procured and paid for a special license so to do, as herein provided. Any person, firm or company owning any goods, wares or merchandise which have been brought to said city to be sold at auction, who may desire to sell the same, or to cause the same to be offered for sale, at auction or public outcry, in said city, shall pay to said city the sum of one hundred and fifty dollars per week for said license. Upon the payment of said sum of one hundred and fifty dollars for one week or at that rate for any number of weeks or part of week, by any such person, firm or company, to the Treasurer of said city, and the surrender of the Treasurer's receipt therefor to the City Controller, said last named officer shall issue to such person, firm or company, a proper license.

Nothing herein contained shall be construed so as to authorize any person to act as an auctioneer in crying off any such goods, wares or merchandise, who has not procured and paid for auctioneer's license provided for in Section 2 of this ordinance.

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 Judiciary.

By President Eppert:

General Ordinance No. 134—1906: An ordinance fixing the number of

employes and the salaries and compensations of such employes of the City of Indianapolis in the Department of Public Parks in said city and declaring an emergency.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, That from and after the passage and adoption of this ordinance the employes in the Department of Public Parks in said City of Indianapolis shall be and consist of the following, viz.:

A Superintendent, who shall be a competent civil engineer.

One Assistant Superintendent, who shall be a competent civil engineer.

One Draughtsman, one Forestry Inspector, one Rodman and two Chain Carriers and such other persons as the Common Council shall by resolution provide for.

SEC. 2. The salaries to be paid such several employes shall be paid monthly out of any appropriations heretofore or hereafter made and such salaries shall be as follows:

The Superintendent's salary, which shall be in full for all his services as Superintendent and Engineer, shall be one hundred and fifty dollars per month.

The Assistant Superintendent shall be paid in full for all services rendered by him the sum of eighty-three dollars and thirty-three cents per month.

The Draughtsman shall be paid in full for his services the sum of seventy-five dollars per month.

The Forestry Inspector shall be paid in full for his services the sum of sixty dollars per month.

The Chief Rodman shall be paid in full for his services sixty dollars per month.

The second Rodman shall be paid in full for his services the sum of fifty dollars per month.

SEC. 3. In addition to the sum paid the Superintendent there shall be paid out of the treasury of the city upon the order of the Superintendent and approval of the Park Board, the following additional sums:

For expense of telephones one hundred dollars per year or as much thereof as may be required.

For keeping of horse of Superintendent and repairs to vehicle, the sum of two hundred and twenty-five dollars per year or so much thereof as may be required.

For printing and advertising, the sum of two hundred and fifty dollars per year.

For payment of office employes and incidental expenses, the sum of six hundred and five dollars per year or so much thereof as may be required or found necessary—monthly statements of such expenses to be filed by the Superintendent with the City Controller.

SEC. 4. In addition to the sum paid the Assistant Superintendent there shall be paid out of the treasury of the city upon the order of said Assistant Superintendent and the approval of the Park Board for the keep of horse and repair of vehicle the sum of not exceeding two hundred and twenty-five dollars per year.

SEC. 5. The salaries and payment to the several employes herein named shall be in lieu of all sums now being paid to them or either of them by order of any department of the said City of Indianapolis, Indiana.

SEC. 6. No payment shall be made to any employee herein in this ordinance named and for which a salary is hereby fixed in excess of the sum herein provided and no warrant shall be issued by the Controller for any sum in excess of the salary provided for herein by this ordinance.

SEC. 7. This ordinance shall be in force from and after its passage by the Common Council.

At this point President Eppert presented an opinion from the City Attorney which is as follows :

DEPARTMENT OF LAW,
CITY OF INDIANAPOLIS,
INDIANAPOLIS, IND., November 5, 1906.

To the President and Members of the Common Council:

GENTLEMEN: In obedience to your Resolution No. 10, adopted at the last regular meeting of the Common Council, requesting an opinion as to the jurisdiction of the Council over the Board of Park Commissioners, I beg to advise that under the provisions of the Cities and Towns Act of 1905, which is our present charter, the Board of Park Commissioners constitutes one of the Executive Departments of the City Government, and the general powers of the Common Council relating to such department are substantially the same as those relating to the other Executive Departments.

Yours respectfully,

FREDERICK E. MATSON,
City Attorney and Counsel.

Mr. ukom moved rules be suspended and General Ordinance No. 134, 1906, be placed upon its passage. Carried.

Mr. Neukom called for General Ordinance No. 134, 1906, for second reading. It was read a second time. Mr. Neukom moved that General Ordinance No. 134, 1906, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 134, 1906, was read a third time and passed by the following vote:

Ayes, 17, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Smither, Rhodes, Bangs, Stickelman, Portteus, Royse, Donavon, Sullivan, Hilkene, Henry and President Frederick W. Eppert.

Noes, 1, viz.: Mr. Wright.

MISCELLANEOUS BUSINESS.

By President Eppert:

INDIANAPOLIS, IND., October 5, 1906.

Mr. Fred W. Eppert, President of the Common Council:

DEAR SIR: I regret very much to say that on the advise of our family

physician (Dr. T. A. Wagner), I am compelled on account of the condition of my wife's health to leave this climate with her for the winter months or at least a part of the time. I expect to go about the first of December and I will ask the Council through you to grant me a leave of absence—(my return will depend altogether on the condition of her health after we make the change).

Yours very truly,

J. H. HAMLET.

Mr. Cottey moved that Mr. Hamlet be granted a leave of absence for four months. Carried.

ORDINANCES ON SECOND READING.

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

Mr. Royse moved that Appropriation Ordinance No. 25, 1906, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 25, 1906, was read a third time and passed by the following vote:

Ayes, 18, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Smither, Rhodes, Bangs, Stickelman, Portteus, Royse, Donavon, Sullivan, Hilkene, Wright, Henry and President Frederick W. Eppert.

Noes, none.

On motion of Mr. Royse, the Common Council, at 8:30 o'clock P. M., adjourned

Fred. W. Eppert

President.

ATTEST:

James M. Nulty

City Clerk.