

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.,
MONDAY, May 6, 1907.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, May 6, 1907, 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 19 members, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Smither, Rhodes, Bangs, Uhl, Stickelman, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkene, Wright and Henry.

Absent, 1, viz: Mr. Hartmann.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS,
INDIANAPOLIS, IND., April 17, 1907.

To the President and Members of the Common Council:

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

General Ordinance No. 28, 1907, being "An ordinance approving a certain contract granting Harry W. Fuehring the right to lay and maintain a switch or side track from the freight running track of the Pennsylvania Railroad across the first alley east of Oriental Street and Oriental Street, north of Southeastern Avenue, according to blue print attached in the city of Indianapolis, Indiana."

Appropriation Ordinance No. 8, 1907, being "An ordinance appropriating \$200 to the Department of Finance to defray expenses of Memorial Day services, and fixing a time when the same shall take effect."

Appropriation Ordinance No. 9, 1907, being "An ordinance appropriating to an additional use certain funds heretofore appropriated to the Department of Public Safety."

I have the honor to remain,

Very truly yours,

C. A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS,
INDIANAPOLIS, IND., April 24, 1907.

To the President and Members of the Common Council:

GENTLEMEN: I return herewith without my approval General Ordinance No. 30, 1907, being "An ordinance to prevent casualties by fire and to insure better protection of life and buildings from the escape of gas in case of fire in buildings in the city of Indianapolis."

I believe this ordinance was prepared originally and passed by your honorable body through a commendable desire to afford all possible protection to the people of Indianapolis against the grave dangers arising from escaping gas, but I cannot bring myself to approve the ordinance because of the fact that I have been unable to learn of any satisfactory device calculated to provide this protection. There may be a valve made of the kind contemplated in the ordinance, but it occurs to me that even should this be true it would not be fair to the many thousands of gas users in the city of Indianapolis to compel them to equip their homes with such device. The people should not be subjected to this great expense unless it can be demonstrated that the device will furnish the protection which the members of your honorable body had in mind at the time of the passage of the ordinance.

I have the honor to remain,

Very truly yours,

C. A. BOOKWALTER,
Mayor.

REPORTS FROM CITY OFFICERS.

From the Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD,
INDIANAPOLIS, IND., May 6, 1907.

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 ordinances authorizing and empowering the Board of Public Works to proceed with public improvements described as follows:

I. R. No. 5092 for the improvement of Cruse Street from NPL Washington to SPL Market Streets, with brick roadway and curbing.

I. R. No. 5069 for the improvement of first alley east of Senate Avenue, from NPL 11th to SPL 12th streets, with brick roadway:

I. R. No. 5062 for the improvement of Missouri Street, from SPL South to NPL Merrill Streets, with brick roadway and curb.

I. R. No. 5022 for the improvement of Bellefontaine Street, from NPL 23rd to NPL 25th streets, with asphalt roadway and brick gutters.

I. R. No. 5060 for the improvement of Twenty-First Street from EPL Central to WPL College Avenue, with brick roadway.

Yours truly,

Board of Public Works,
F. J. NOLL, JR.,
Clerk.

REPORTS FROM STANDING COMMITTEES.

From Committee on Fees and Salaries:

To the President and Members of the Common Council:

Your Committee on Fees and Salaries, to which was referred, General Ordinance No. 32—1907, "An ordinance concerning the Compensation of all Offices, Heads of Departments, Clerks, Assistants and Employees of the City of Indianapolis, Indiana, and repealing all Ordinances in conflict herewith, beg leave to report the following Amendments;

ELECTIVE OFFICES.

Sergeant-at-arms of the Common Council from \$220 to \$300 per year.

DEPARTMENT OF FINANCE.

Chief Bookkeeper from \$1,350 to \$1,200 per year.

DEPARTMENT OF LAW.

Assistant City Attorney from \$1,500 to \$1,350 per year.

DEPARTMENT OF PUBLIC WORKS.

Bookkeeper from \$1,120 to \$1,200 per year.
Custodian of City Yards from \$2.00 to \$2.25 per day.
Chief-stableman from \$18.00 to \$15.00 per week.
Custodian of Tomlinson Hall from \$60 to \$70 per month.
Janitors of Tomlinson Hall from \$45 to \$50 per month.
City Hall Janitors from \$45 to \$50 per month.
Custodian of City Hall from \$720 to \$840 per year.

CITY CIVIL ENGINEERS FORCE.

Chief Clerk from \$1,200 to \$1,320 per year.
Draftsman from \$900 to \$840 per year.
Rodmen from \$840 to \$720 per year.
Chainmen from \$840 to \$720 per year.
Chief Inspector from \$1,200 to \$1,100 per year.

ASSESSMENT BUREAU.

Clerks from \$840 to \$900 per year.
Chief Clerk from \$1,200 to \$1,320 per year.

WORK ON STREETS AND SEWERS.

Sewer gang laborers from \$1.85 to \$2.00 per day.
 Street gang laborers from \$1.60 to \$1.75 per day.
 Teamsters employing 2 horses from \$3.00 to \$3.50 per day.

CONSTRUCTION AND REPAIR OF BRIDGES.

Bridge gang teamsters employing 1 horse from \$2.75 to \$3.00 per day.
 Bridge gang teamsters employing 2 horses from \$3.00 to \$3.50 per day.

BOARD OF PUBLIC SAFETY.

Market House Janitors from \$45 to \$50 per month.
 Chief Clerk of Board of Public Safety from \$1,200 to \$1,320 per year.

BOARD OF PUBLIC HEALTH AND CHARITIES.

Ambulance Drivers from \$45 to \$50 per month.
 Chemist from \$1,080 to \$1,000 per year.

(Signed) CHAS. G. DAVIS.
 E. J. STICKELMAN.

Mr. Davis moved that the report of the committee be concurred in. Motion carried.

FROM THE COMMITTEE ON PUBLIC MORALS.

INDIANAPOLIS, May 6, 1907.

To the President and Members of the Common Council of the City of Indianapolis:

GENTLEMEN: Your Committee on Public Morals to which was referred General Ordinance No. 31, entitled "An Ordinance Amending Section 1 of General Ordinance No. 119 and fixing a time for its taking effect" begs leave to report that it has had the same under consideration and recommends that said ordinance do pass.

Respectfully submitted,

E. J. STICKELMAN.
 THEO. PORTTEUS.
 W. A. RHODES,

Mr. Stickelman 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. 33—1907: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Twenty-First Street, from EPL Central Avenue, to WPL College Avenue, with brick roadway.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 5th day of April, 1907, adopt Improvement Resolution No. 5060, 1907, for the improvement of Twenty-First Street, from east property line of Central Avenue to north property line of College Avenue, with brick roadway, and

WHEREAS, The Said Board of Public Works did at the same time fix the 24th day of April, 1907, 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 April, 1907, and the 13th day of April, 1907, in the Indianapolis Sun, a daily newspaper of general circulation, printed and published in the City of Indianapolis, and notices by mail forwarded as provided by law, and

WHEREAS, On the 24th day of April, 1907, the Board met in regular session, and a petition being filed asking for a modification of said resolution so as to provide for asphalt roadway, further action was postponed until April 29th, 1907, pending investigation by the City Civil Engineer of the petition for modification, and

WHEREAS, On the 29th day of April, 1907, the City Civil Engineer filed his written report stating that a majority of the resident property owners had signed said petition for modification, and after due consideration the Board overruled said petition and took final action, confirming said resolution as originally adopted, and

WHEREAS, On the 6th day of May, 1907, a remonstrance was filed against said improvement of Twenty-First Street, and was overruled by the Board of Public Works, and

WHEREAS, The Board of Public Works requests that the Common Council pass an ordinance authorizing, ordering and empowering the said Board of Public Works to improve said Twenty-First Street with brick roadway, 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, ordered and empowered to improve Twenty-First Street, from EPL Central Avenue, to WPL College Avenue, with brick roadway, in accordance with Improvement Resolution No. 5060, 1907, adopted by the Board of Public Works on the 5th day of April, 1907.

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. 34—1907: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Bellefontaine Street, from NPL Twenty-Third Street, to NPL Twenty-Fifth Street, with asphalt roadway and brick gutters.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 22nd day of March, 1907, adopt Improvement Resolution No. 5022, 1907, for the improvement of Bellefontaine Street, from the north property line of Twenty-Third Street, to the north property line of Twenty-Fifth Street, with brick roadway, and

WHEREAS, The said Board of Public Works did at the same time fix the 8th day of April, 1907, 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 23rd day of March, 1907, and the 30th day of March, 1907, 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 8th day of April, 1907, the Board having met in regular session, took final action on said Improvement Resolution modifying same so as to provide for asphalt roadway and brick gutters as petitioned for, and

WHEREAS, On the 17th day of April, 1907, a written remonstrance was filed with the Board against the said Improvement of Bellefontaine Street, and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 29th day of April, 1907, 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 29th day of April, 1907, 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 Bellefontaine Street, from north property line of Twenty-Third Street, to north property line of Twenty-Fifth Street, with asphalt roadway and brick gutters, in accordance with Improvement Resolution No. 5022, 1907, adopted by the Board of Public Works on the 22nd day of March, 1907.

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. 35—1907: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Cruse Street, from NPL Washington Street, to SPL Market Street, with brick roadway and curbing.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 12th day of April, 1907, adopt Improvement Resolution No. 5092, 1907, for the improvement of Cruse Street, from the north property line of Washington Street, to the south property line of Market Street, with brick roadway and curbing.

WHEREAS, The said Board of Public Works did at the same time fix the 29th day of April, 1907, 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 13th day of April, 1907, and the 20th day of April, 1907, 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 29th day of April, 1907, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 29th day of April, 1907, a written remonstrance of the majority of the resident property owners was filed with the Board against the said Improvement of Cruse Street,

WHEREAS, On the 3rd day of May, 1907, 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 Cruse Street, from NPL Washington Street, to SPL Market Street, with brick roadway and curbing, in accordance with Improvement Resolution No. 5092, 1907, adopted by the Board of Public Works on the 12th day of April, 1907.

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 Public Property and Improvements.

By Board of Public Works:

General Ordinance No. 36—1907: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve first alley east of Senate Avenue, from north property line of 11th street, to south property line of 12th street, with brick roadway.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 8th day of April, 1907, adopt Improvement Resolution No. 5069, 1907, for the improvement of first alley east of Senate Avenue, from north property line of Eleventh Street, to south property line of Twelfth Street, with brick roadway.

WHEREAS, The said Board of Public Works did at the same time fix the 24th day of April, 1907, 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 9th day of April, 1907, and the 16th day of April, 1907, 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 24th day of April, 1907, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 24th day of April, 1907, a written remonstrance of the majority of the resident property owners was filed with the Board against the said improvement of first alley east of Senate Avenue, and

WHEREAS, On the 3rd day of May, 1907, 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 Senate Avenue, from north property line of Eleventh Street, to the south property line of Twelfth Street, with brick roadway, in accordance with Improvement Resolution No. 5069, 1907, adopted by the Board of Public Works on the 8th day of April, 1907.

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. 37—1907: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Missouri Street, from SPL South Street, to NPL Merrill Street, with brick roadway and curbing.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana did on the 5th day of April, 1907, adopt Improvement Resolution No. 5062, 1907, for the improvement of Missouri Street, from south property line of South Street, to north property line of Merrill Street, with brick roadway and curbing.

WHEREAS, The said Board of Public Works did at the same time fix the 24th day of April, 1907, 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 April, 1907, and the 13th day of April, 1907, 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 24th day of April, 1907, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 24th day of April, 1907, a written remonstrance of the majority of the resident property owners was filed with the Board against the said Improvement of Missouri Street, and

WHEREAS, On the 24th day of April, 1907, 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 Missouri Street, from south property line of South Street, to north property line of Merrill Street, with brick roadway and curbing, in accordance with Improvement Resolution No. 5062, 1907, adopted by the Board of Public Works on the 5th day of April, 1907.

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 Public Property and Improvements.

By Mr. Bangs:

General Ordinance No. 38—1907: An ordinance fixing the salary of the Assistant Police Surgeon in the City of Indianapolis and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the salary of the assistant surgeon for the Police Force under the Department of Public Safety be, and the same is hereby fixed at the rate of Six Hundred Dollars (\$600.00) per annum.

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 Fees and Salaries.

By Mr. Royse:

General Ordinance No. 39—1907: An ordinance relating to the licensing, taxing and regulating of all shops, inns, taverns or other places where intoxicating liquors are kept for sale to be used in or upon the premises: and, regulating, restraining such inns, taverns, shops or places aforesaid, defining and designating the places, locality, room, building or other place where such liquors may be sold, and excluding the sale of such liquors from certain districts of the City of Indianapolis, and declaring an emergency.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, that it shall be unlawful for any person to sell, barter or give away any intoxicating liquor in the City of Indianapolis without first procuring a license from the City Comptroller of the City of Indianapolis, as hereinafter provided.

SEC. 2. Before any person shall engage in the business of selling intoxicating liquors within the corporate limits of the City of Indianapolis he shall make application to the Comptroller of said City of Indianapolis for a license to carry on such business and in such application he shall state his name, age and residence, with the place of residence and occupation for the two years preceding the making of such application, and shall in such application fully describe the premises wherein and whereon he desires to carry on such business, giving the street and number of the room and the various entrances to such room and whether any other business is to be carried on in the same room or in connection with such business, and with such application shall deposit with the said City Comptroller the sum of Two hundred and fifty dollars (\$250.00) as a license fee, and if such applicant shall be within the provisions of this ordinance and his place of business shall not be within the district in which liquors are prohibited to be sold as hereinafter provided said Comptroller shall make report of such application and the payment of the license fee to the Common Council of said City of Indianapolis, and upon such Council approving said application the Comptroller shall issue to such applicant a license for the sale of intoxicating liquors on the premises described in his application, but until such application for license is approved by the Common Council of said City the same shall not be issued by the Comptroller.

SEC. 3. It shall be unlawful for any person to engage in the business or occupation of selling, bartering or giving away intoxicating liquors at any place within five hundred feet of any Public School house or a public park within the corporate limits of the City of Indianapolis, and the Common Council shall not approve of any application and Comptroller of the City of Indianapolis shall not issue to any person a license for the sale of intoxicating liquors if it appear that the place wherein or whereon said liquors are to be sold shall be within five hundred feet of any such Public School house or public park aforesaid.

SEC. 4. It shall be unlawful for any person to have in connection with or in the place where intoxicating liquors are sold or are to be sold any Billiard Table, Pool Table, Bagatelle Table, Card Table, or other fixtures for hire or profit, and if the applications for such license shall disclose that the applicant intends to have any Pool Table, Billiard Table, Bagatelle Table, Card Table or other fixture for amusement or hire, the Common Council of the City shall not approve and the Comptroller shall not issue to such applicant a license.

SEC. 5. No license hereunder shall be issued for a longer period than one year and for no period shorter than one year.

SEC. 6. Any person violating any of the provisions of this ordinance shall be fined in any sum not less than fifty dollars and not exceeding Two hundred dollars to which may be added imprisonment in the County Jail for any period not exceeding thirty days and each day shall constitute and be a separate offense.

SEC. 7. Whereas an emergency exists for the immediate taking effect of this ordinance therefore the same shall be in full force and effect from and after its passage and the publication thereof for two weeks in a daily newspaper of general circulation printed and published in the City of Indianapolis.

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

By Mr. Portteus:

Special Ordinance No. 4—1907: An ordinance providing for the annexation of certain contiguous territory therein described to the City of Indianapolis, Indiana, and fixing the 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 said City of Indianapolis be, and the same are hereby, extended so as to include the following described contiguous territory, whether platted or not, to-wit. Beginning at the point of intersection of the center line of Ritter Avenue with the center line of the Brookville Free Gravel Road; thence north along said center line of Ritter Avenue to the half-section line of Section ten (10), Township fifteen (15) north, Range four (4) east; thence east along half-section line thirteen hundred and twenty (1,320) feet, more or less, to a point at an angle in the present corporation boundary line of said City of Indianapolis; thence south parallel with the east line of said Section to the center line of said Brookville Free Gravel Road; thence in a northwesterly direction along the center line of said Brookville Free Gravel Road to the place of beginning, all of which described territory, whether platted or not, is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, Marion County, Indiana.

SEC. 2. This ordinance shall be in full force and effect from and after its passage and publication once each week for two (2) consecutive weeks in the Indianapolis Sun, a daily newspaper of general circulation, printed and published in the City of Indianapolis, Indiana.

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

By Mr. Portteus:

Special Ordinance No. 5, 1907: 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.

Commencing at the northeast corner of the west half of the southwest quarter of Section 2, Township 15 north, Range 4 east; thence south along the east line of the west half of the southwest quarter of said Section 2, Township 15 north, Range 4 east, to the center of the National Road;

Thence in a southwesterly direction along the center of the National Road to the west line of the east half of the west half of the southwest quarter of said Section 2, Township 15 north, Range 4 east;

Thence north along the west line of the east half of the west half of the southwest quarter of Section 2, Township 15 north, Range 4 east, to the center line of said Section 2, Township 15 north, Range 4 east;

Thence east along the center line of said Section to the northeast corner of the west half of the southwest quarter of Section 2, Township 15 north, Range 4 east, the place of beginning, containing 24.50 acres, more or less.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the Indianapolis Sun, a newspaper of general circulation, printed and published in the City of Indianapolis, Indiana.

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

MISCELLANEOUS BUSINESS.

By Mr. Portteus:

Resolution No. 6—1907: *Whereas*, The City of Indianapolis is making such a rapid growth in population, it becomes a necessity that we have a constantly increased number of lights added from time to time to properly light our streets so that our families and our neighbors' families are not constantly in fear of harm whenever they happen to be on our streets after night.

Whereas, Those residing in the center or more populous part of our city where they are more abundantly supplied with lights, do not keep apace with the rapid growth and building up of homes in the more suburban part of our city, consequently are not alive to the full need of a goodly number of additional lights being constantly erected to light many a dark and dangerous street.

Whereas, Judge McMasters has quite recently rendered a decision against the City of Indianapolis wherein he ruled invalid an ordinance providing a way for additional lights recently passed by this body, thereby depriving the city the benefit of several lights being maintained by the Rail Road Companies that were installed at railroad crossings for the sole purpose of safeguarding the public against danger to life and limb;

Whereas, With Judge Carter's decision and the discontinuance of the many gas and gasoline lights throughout the city and our entire light fund for 1907 will be consumed by maintaining lights now in use leaves our Board of Works in a very embarrassing position owing to the many demands on them for additional lights with no funds available for additional lights, therefore be it

Resolved, That we regret that the action of Judge McMasters was necessary believing that the railroads should bear at least a fair portion of the expenses incurred on account of their occupying and crossing streets. When the light budget for 1907 was made up the eighty odd lights provided for in ordinance was recorded, therefore be it further

Resolved, That we recommend that steps be taken by the Board of Works to provide funds for additional lights and that a conference be held by and between the members of the Board of Works at an early date with the members of the City Council as to the number of lights that are needed in each ward, therefore be it further

Resolved, That a copy of these resolutions be sent to Hon. Mayor, Chas. A. Bookwalter, and to the members of the Board of Works and Board of Public Safety.

Mr. Royse moved that the resolution be referred to the Committee on Public Property and Improvements.

Mr. Hilkene moved to amend motion of Mr. Royse by referring the resolution to the Committee on Lights.

President Eppert declared the motion of Mr. Hilkene out of order for the reason that there was no such committee.

Mr. Portteus called for aye and no vote on original question, resulting as follows:

Ayes, 20, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Smither, Rhodes, Bangs, Uhl, Stickelman, Portteus, Royse, Donovan, Sullivan, Hofmann, Hilkene, Wright, Henry and President Frederick W. Eppert.

Noes, none.

ORDINANCES ON SECOND READING.

Mr. Davis called for General Ordinance No. 32, 1907, for second reading. It was read a second time.

Mr. Davis moved that General Ordinance No. 32, 1907, be amended as recommended by the committee. Carried.

Mr. Davis moved that General Ordinance No. 32, 1907, be ordered engrossed, as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 32, 1907, was read a third time and passed by the following vote:

Ayes, 14, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Smither, Rhodes, Bangs, Uhl, Stickelman, Royse, Hofmann and President Frederick W. Eppert.

Noes, 5, viz.: Messrs. Portteus, Donavon, Sullivan, Hilkenne and Henry.

Mr. Stickelman called for General Ordinance No. 31, 1907, for second reading. It was read a second time.

Mr. Stickelman moved that General Ordinance No. 31, 1907, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 31, 1907, was read a third time and passed by the following vote:

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

Noes, 1, viz.: Mr. Wood.

On motion of Mr. Royse, the Common Council, at 8:40 o'clock p. m. adjourned.

ATTEST:

Frederick W. Eppert

.....
President.

ATTEST:

James M. Nully

.....
City Clerk.