

## REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, September 20, 1909.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, September 20, 1909, at 7:30 o'clock, in regular session, President Edward J. Stickelman in the chair.

Present: The Hon. Edward J. Stickelman, President of the Common Council, and 19 members, viz: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Eppert, Neukom, Smither, Rhodes, Smith, Uhl, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkene and Wright.

Absent, 1, viz: Mr. Henry.

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

## COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., September 14, 1909.

*To the President and Members of the Common Council:*

GENTLEMEN: I return herewith, with my approval, Special Ordinance No. 7, 1909, the same being "An ordinance receiving the Nathan Morris Memorial Fountain as a gift to the City of Indianapolis."

In taking this official action, I wish, as Mayor of the City of Indianapolis, and as a citizen, to express my appreciation and admiration of the character of Nathan Morris. The blameless life of this man, his high character, his many acts of unobtrusive charity and good deeds will

always remain with the people of Indianapolis as a precious memory, and in thus doing honor to him I feel that we are in turn doing honor to the best character of American citizenship.

I have the honor to remain,

Yours very truly,

C. A. BOOKWALTER,  
*Mayor.*

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., September 13, 1909.

*To the President and Members of the Common Council:*

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

Special Ordinance No. 8, 1909. "An ordinance to change the name of Boswell street to Ashland avenue."

General Ordinance No. 31, 1909. "An ordinance transferring the sum of \$100 from a certain fund to a certain fund to and for the use of the Department of Public Safety."

General Ordinance No. 34, 1909. "An ordinance approving a certain contract granting Frank E. Janes the right to lay and maintain a side-track or switch across North street."

Appropriation Ordinance No. 31, 1909. "An ordinance appropriating the sum of \$11,500 to and for the use of the Department of Public Safety."

Appropriation Ordinance No. 32, 1909. "An ordinance providing for the appropriation of \$7,000 to and for the use of the Department of Public Works."

Appropriation Ordinance No. 33, 1909. "An ordinance appropriating the sum of \$2,500 to and for the use of the Department of Public Health and Charities."

Appropriation Ordinance No. 34, 1909. "An ordinance appropriating the sum of \$11,000 to and for the use of the Department of Public Parks."

Appropriation Ordinance No. 35, 1909. "An ordinance appropriating \$900 to and for the use of the Department of Public Safety."

Appropriation Ordinance No. 36, 1909. "An ordinance appropriating \$2,000 to and for the use of the Department of Public Works."

Appropriation Ordinance No. 37, 1909. "An ordinance appropriating \$13,000 to and for the use of the Department of Public Works."

I have the honor to remain,

Yours very truly,

C. A. BOOKWALTER,  
*Mayor.*

REPORTS FROM CITY OFFICERS.

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., September 20, 1909.

*To the President and Members of the Common Council:*

GENTLEMEN: I herewith submit a communication from the Department of Public Safety requesting me to recommend the following transfers:

\$200 from "New Apparatus Fund" to "Harness and Repairs Fund."

\$500 from "Fire Force Pay-rolls Fund" to "Purchase of Horses Fund."

\$1,500 from "Repairs to Buildings Fund" to "Repairs to Apparatus Fund."

\$1,600 from "New Apparatus Fund" to "Horse Feed Fund."

I herewith submit an ordinance providing for the transfers requested and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,  
*City Controller.*

DEPARTMENT OF PUBLIC SAFETY.  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., September 16, 1909.

*George T. Breunig, City Controller, City:*

DEAR SIR: At a meeting of the Board of Public Safety, held September 15, 1909, it was decided to request you to please ask the Common Council to make the following transfers of funds in the Fire Force accounts, as it has been found that the balances in these fund will not be sufficient to carry on the running expenses for the balance of this year without these transfers:

\$500 from "Fire Force Pay-roll" to "Horses (purchase of) Fund."

\$1,600 from "New Apparatus" to "Horse Feed Fund."

\$1,500 from "Repairs to Buildings" to "Repairs to Apparatus Fund."

\$200 from "New Apparatus" to "Harness and Repairs Fund."

Respectfully yours,

L. W. COOPER,  
*President.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., September 20, 1909.

*To the President and Members of the Common Council:*

GENTLEMEN: I herewith submit a communication from the Department of Public Safety asking me to recommend the appropriation of the sum of \$1,500 for the purpose of remodeling and equipping the detective quarters at the station house.

I herewith submit an ordinance providing for the appropriation asked for and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,  
*City Controller.*

DEPARTMENT OF PUBLIC SAFETY.  
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., September 4, 1909.

*George T. Breunig, City Controller, City:*

DEAR SIR: At a meeting of the Board of Public Safety, held September 1, 1909, it was decided to request you to please ask the Common Council to appropriate the sum of fifteen hundred dollars (\$1,500) to be known as "Special Detective Department Fund," this to be used in remodeling and equipping the detectives' quarters at the station house, as the present quarters have been outgrown, this being under the Police Force accounts.

Respectfully yours,

BOARD OF PUBLIC SAFETY,  
Lew W. Cooper,  
President

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.

INDIANAPOLIS, IND., September 20, 1909.

*To the President and Members of the Common Council:*

GENTLEMEN: I herewith submit a communication from the Department of Public Works requesting me to recommend the appropriation of the sum of \$3,000 for the collection and disposal of ashes from flat buildings.

I herewith submit an ordinance providing for the appropriation as requested and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., September 10, 1909.

*George T. Breunig, City Controller, City:*

DEAR SIR: You are respectfully requested to recommend to the Common Council the passage of an ordinance appropriating the sum of \$3,000 for the collection and disposal of ashes from flat buildings for the months of October, November and December of this year.

Respectfully yours,

JOSEPH T. ELLIOTT,  
P. C. TRUSLER,  
F. J. MACK,  
*Board of Public Works.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., September 20, 1909.

*To the President and Members of the Common Council:*

GENTLEMEN: I herewith submit a communication from the Department of Public Health and Charities asking me to recommend the appropriation of the sum of \$3,500 to purchase two run-about automobiles for the use of the dairy inspectors.

After due consideration of this request I am convinced that it is necessary to have a conveyance of this kind in order to make the proper inspections without the loss or waste of considerable time, but in view of the many demands made on our treasury during the current year for additional appropriations I do not believe that the city is able at this time to purchase the two machines. I am willing, however, to assist the department by giving it one machine and therefore submit an ordinance providing for the appropriation of \$1,300 and recommend its passage.

Respectfully submitted,  
GEO. T. BREUNIG,  
*City Controller.*

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., September 4, 1909.

*George T. Breunig, City Controller, City:*

DEAR SIR: We desire to have you ask the Council to make an appropriation of \$3,500 to buy two run-about automobiles for the use of the dairy inspectors. This \$3,500 would buy the two machines and leave a sufficient fund for their maintenance.

We make this request because we feel that in order to really make this branch of the department efficient this means of transportation has become necessary. The inspectors cannot reach the outlying dairies with a horse and buggy, even with the assistance of the interurban lines.

Indianapolis obtains its milk from many counties of the state. It is manifestly impossible that any degree of inspection can be made of the dairies in these counties with the present method of transportation. We believe we can reach all of the dairies four or five times in the summer season, where at the present time we are unable to inspect them.

Respectfully yours,  
E. D. CLARK,  
*President Board of Public Health.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., September 20, 1909.

*To the President and Members of the Common Council:*

GENTLEMEN: I herewith hand you a communication from the Depart-

ment of Public Health and Charities requesting the transfer of certain funds in and for the use of the City Hospital as follows:

\$300 from the Gas Fund and \$250 from Printing and Stationery Fund to the Incidental Fund; also, \$150 from the Queensware Fund to the Engine Room Fund.

I herewith submit an ordinance providing for the transfers asked for and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,  
*City Controller.*

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.  
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., September 4, 1909.

*George T. Breunig, City Controller, City:*

DEAR SIR: I have been instructed by the Board of Public Health to ask you to have the transfers made as per the enclosed letter of Dr. Freeland.

Respectfully yours,

EUGENE BUEHLER,  
*Secretary Board of Health.*

INDIANAPOLIS CITY HOSPITAL,  
OFFICE OF SUPERINTENDENT.  
INDIANAPOLIS, IND., August 28, 1909.

*To the Honorable Board of Health and Charities:*

GENTLEMEN: Will you ask Mr. Geo. T. Breunig, City Controller, to have the following funds transferred: \$300 from Gas Fund, \$250 from Printing and Stationery Fund to Incidental Fund and \$150 from Queensware Fund to the Engine Room Fund.

Respectfully yours,

J. L. FREELAND,  
*Superintendent.*

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., September 20, 1909.

*To the President and Members of the Common Council:*

GENTLEMEN: I am directed by the Board of Public Works to forward to you, for consideration and action thereon, the enclosed ordinances ordering the following described public improvements:

Improvement Resolution No. 6092 for the improvement of Washington street, from east curb line Arlington avenue to east property line first alley east of Sheridan avenue (north side), and to west property line first alley east of Sheridan avenue (south side), with curbing.

Improvement Resolution No. 6093 for the improvement of Washington street, from east end of pavement of Audubon Road to west property

line Arlington avenue, except street railway company's tracks, with wooden block, asphalt, bitulithic or brick roadway.

Yours truly,

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

REPORTS FROM STANDING COMMITTEES.

From the Committee on Public Safety and Comfort:

INDIANAPOLIS, IND., September 20, 1909.

*To the President and Members of the Common Council:*

GENTLEMEN: Your Committee on Public Safety and Comfort, to whom was referred General Ordinance No. 40, 1909, entitled "An ordinance regulating the use of firearms and fireworks within the City of Indianapolis, Indiana, fixing the penalty for the violation thereof and the time when the same shall take effect," beg leave to report that we have had same under consideration and recommend that said ordinance be amended as follows: Strike out the words "subject to a penalty", in line two of Section 2, and insert the words, "fined in the penal sum"; and when so amended we recommend that said ordinance do pass.

Respectfully submitted,

J. H. HAMLET.  
CHAS. L. HARTMANN.  
JAS. F. SULLIVAN.  
ALBERT E. COTTEY.  
OTTO HOFMANN.

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

From the Committee on Sewers, Streets and Alleys:

INDIANAPOLIS, IND., September 20, 1909.

*To the President and Members of the Common Council:*

GENTLEMEN: Your Committee on Sewers, Streets and Alleys, to whom was referred General Ordinance No. 35, 1909, entitled "An ordinance authorizing the Board of Public Works to improve the first alley west of Missouri street from South street to Empire street," have had same under consideration and would recommend that same do pass.

Respectfully submitted,

ALBERT E. COTTEY.  
CHAS. G. DAVIS.  
BENJ. A. BROWN.  
ALBERT E. UHL.

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

## INTRODUCTION OF APPROPRIATION ORDINANCES.

## By City Controller:

Appropriation Ordinance No. 39—1909: An ordinance appropriating the sum of \$1,300 to and for the use of the Department of Public Health and Charities, 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 thirteen hundred (\$1,300) dollars be, and is hereby appropriated out of any moneys in the city treasury not otherwise appropriated, to and for the use of the Department of Public Health and Charities, the sum herein appropriated to be used in the purchase and maintenance of one run-about automobile for use of the dairy inspectors.

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 City Controller:

Appropriation Ordinance No. 40—1909: An ordinance appropriating the sum of \$1,500 to 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 sum of fifteen hundred (\$1,500) dollars be, and is hereby appropriated out of any moneys in the city treasury not otherwise appropriated, to and for the use of the Department of Public Safety, to be used by said department, or so much thereof as may be necessary, in remodeling and equipping the detective quarters at the station house.

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 City Controller:

Appropriation Ordinance No. 41—1909: An ordinance appropriating the sum of \$3,000 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 sum of three thousand (\$3,000) dollars 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 Public Works, the sum herein appropriated to be used, or so much as may be necessary, for the payment of the collection and disposal of ashes from flat buildings as may be provided for by contract.

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.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By City Controller:

General Ordinance No. 42—1909: An ordinance providing for the transfer of certain funds to certain funds in and for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

SECTION I. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the following transfers be made for the use of the City Hospital as follows:

The sum of three hundred (\$300) dollars from the Gas Fund to the Incidental Fund.

The sum of two hundred fifty (\$250) dollars from the Printing and Stationery Fund to the Incidental Fund.

The sum of one hundred fifty (\$150) dollars from the Queensware Fund to the Engine Room Fund.

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 City Controller:

General Ordinance No. 43—1909: 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 I. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the following transfers of appropriations heretofore made for use of the Fire Department and Department of Public Safety be made as follows, to-wit:

The sum of two hundred (\$200) dollars from "New Apparatus Fund"

to "Harness and Repairs Fund."

The sum of five hundred (\$500) dollars from "Fire Force Pay-roll Fund" to "Purchase of Horses Fund."

The sum of fifteen hundred (\$1,500) dollars from "Repairs to Buildings Fund" to "Repairs to Apparatus Fund."

The sum of sixteen hundred (\$1,600) dollars from "New Apparatus Fund" to "Horse Feed Fund."

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 Board of Public Works:**

General Ordinance No. 44—1909: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Washington street, from east end of pavement of Audubon Road to west property line Arlington avenue, except Street Railway Company's tracks, with wooden block, asphalt, bitulithic or brick roadway.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did, on the 23d day of August, 1909, adopt Improvement Resolution No. 6093, 1909, for the improvement of Washington street, from the east end of pavement of Audubon Road to the west property line of Arlington avenue, except Street Railway Company's tracks, with wooden block, asphalt, bitulithic or brick roadway; and

WHEREAS, The said Board of Public Works did at the same time fix the 15th day of September, 1909, 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 24th day of August, 1909, and the 31st day of August, 1909, in the Indianapolis Commercial, 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 September, 1909, the Board having met in regular session, took final action on said Improvement Resolution, the same being confirmed without modification; and

WHEREAS, On the 14th day of September, 1909, a written remonstrance of a majority of the resident property owners was filed with the Board against the said improvement; and

WHEREAS, On the 20th day of September, 1909, the said Board of Public Works directed that an ordinance ordering said improvement be submitted to the Common Council for their consideration and action thereon; 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 are hereby ordered to improve Washington street, from the east end of pavement of Audubon Road to west property line of Arlington avenue, except Street Railway Company's tracks, with wooden block, asphalt, bitulithic or brick roadway, in accordance with Improvement Resolution No. 6093, 1909, adopted by the Board of Public Works August 23, 1909, and confirmed September 15, 1909.

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. 45—1909: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Washington street, from east curb line Arlington avenue to east property line first alley east of Sheridan avenue (north side) and to west property line first alley east of Sheridan avenue (south side), with curbing.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did, on the 23d day of August, 1909, adopt Improvement Resolution No. 6092, 1909, for the improvement of Washington street, from the east curb line of Arlington avenue to the east property line of the first alley east of Sheridan avenue (north side) and to the west property line of the first alley east of Sheridan avenue (south side), with curbing; and

WHEREAS, The said Board of Public Works did at the same time fix the 15th day of September, 1909, 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 24th day of August, 1909, and the 31st day of August, 1909, in the Indianapolis Commercial, 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 September, 1909, the Board having met in regular session, took final action on said Improvement Resolution, the same being confirmed without modification; and

WHEREAS, On the 14th day of September, 1909, a written remonstrance of a majority of the resident property owners was filed with the Board against the said improvement; and

WHEREAS, On the 20th day of September, 1909, the said Board of Public Works directed that an ordinance ordering said improvement be submitted to the Common Council for their consideration and action thereon; 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 are hereby ordered to improve Washington street, from the east curb line of Arlington avenue to the east property line of the first alley east of Sheridan avenue (north side) and to the west property line of the first alley east of Sheridan avenue (south side), with curbing, in accordance with Improvement Resolution No. 6092, 1909, adopted by the Board of Public Works August 23, 1909, and confirmed September 15, 1909.

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 Permanent Improvements.

By Mr. Rhodes:

General Ordinance No. 46—1909: An ordinance to fix the amount of a bond to be given by the City Treasurer for the years 1910 and 1911.

WHEREAS, It is provided by law that all city funds shall be deposited daily and kept in public depositories, which depositories are by said law required to give bond to the approval of the proper Board of Finance in a sum not less than the maximum amount of funds to be kept on deposit at any one time; and

WHEREAS, The Common Council is required to fix by ordinance the amount of the Treasurer's bond, taking into consideration the estimated amount of municipal taxes to be collected; and

WHEREAS, The bond of the City Treasurer for the years 1908 and 1909 has been fixed by previous ordinance in the penal sum of \$300,000;

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis that, inasmuch as it is and has been estimated by the Common Council of the City of Indianapolis that the sum of \$300,000 will exceed one-half of all taxes, including delinquent, to be levied for municipal purposes and collected in Indianapolis during the year 1910 and the year ensuing, the bond to be executed by the City Treasurer of Indianapolis for the year 1910 and 1911 shall be in the penal sum of \$300,000.

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

By Mr. Roysel:

General Ordinance No. 47—1909: An ordinance regulating and restricting the use and maintenance of privy vaults, sink holes, dry wells, cess pools, etc.: providing penalties for the violation thereof and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, That it shall hereafter be unlawful for any person, firm or corporation to construct, maintain or use, or to cause or permit to be constructed, maintained or used upon any premises owned or controlled by such person, firm or corporation within the corporate limits of the City of Indianapolis, any privy vault, sink hole, dry well, cess pool, or other excavation for the purpose of receiving, containing or storing, either temporarily or permanently, any deleterious offal, waste or refuse matter of any kind or character whatsoever, either liquid, solid or mixed; or any night soil or human excrement of any kind or character whatsoever, either liquid, solid or mixed, if such premises owned or controlled by such person, firm or corporation shall adjoin or abut any main or local sewer sufficient to receive and carry away such offal, waste or refuse matter, or human excrement.

SEC. 2. For the purpose of enforcing the provisions of this ordinance the Board of Public Health and Charities, or any authorized officer, agent, employe or appointee of such board, shall have the power to enter upon any and all premises within the corporate limits of the City of Indianapolis at any and all times to inspect any such premises.

SEC. 3. The Board of Public Health and Charities shall have the

power to order any person, firm or corporation who owns or controls any premises within the City of Indianapolis to destroy and cease the use or maintenance of any such privy, vault, sink hole, dry well, cess pool, etc., within sixty days after notice to do so shall have been duly served by such board or by its authority. And leaving a written notice at the last and usual place of residence of such person, firm or corporation shall be deemed due service. If such person, firm or corporation shall be a non-resident, and their legal residence unknown, then such board may give notice by publication in the same manner as notice by publication is required to be given in suits at law.

Sec. 4. Said Board of Public Health and Charities shall have the right to inspect, while in progress, all work to be done upon its order in compliance with the provisions of this ordinance, and may permit the use and maintenance of such privy vaults, sink holes, dry wells, cess pools, etc., if such use and maintenance may, in the judgment of the board, be made sanitary. It shall have the power to order connection to be made from any such privy vault, sink hole, dry well, cess pool, etc., with any adjoining or abutting sewer, if, in the judgment of said board, such connection would render the same sanitary.

Sec. 5. Any person, firm or corporation violating any of the provisions of this ordinance shall be fined in any sum not exceeding twenty-five (\$25) dollars for the first offense and not exceeding fifty (\$50) dollars for any subsequent offense.

Sec. 6. 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 Commercial, 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 Public Health.

By Mr. Royse:

General Ordinance No. 48—1909: An ordinance prohibiting and regulating the blockading of streets and alleys by vehicles within certain prescribed district; providing penalties for the violation thereof 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 it shall hereafter be unlawful for any person to stop any vehicle in any alley, street or other public thoroughfare within a district bounded on the north by North street; on the east by East street; on the south by South street, and on the west by West street in such a manner as to block the free passage of other vehicles and pedestrians along and upon such alley, street or other thoroughfare.

Sec. 2. Any person violating the provisions of this ordinance shall, upon conviction thereon, be fined in any sum not less than five (\$5) dollars nor more than twenty-five (\$25) dollars for the first offense, and not less than ten (\$10) dollars nor more than fifty (\$50) dollars, to which may be added imprisonment in the workhouse for any period not to exceed thirty (30) days for any subsequent offense.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks

in the Indianapolis Commercial, 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 Rules.

#### ORDINANCES ON SECOND READING.

Mr. Hamlet called for General Ordinance No. 40, 1909, for second reading. It was read a second time.

Mr. Hamlet moved that General Ordinance No. 40, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 40, 1909, was read a third time and passed by the following vote:

Ayes, 18, viz: Messrs. Brown, Cottey, Hamlet, Davis, Eppert, Neukom, Smither, Rhodes, Smith, Uhl, Hartmann, Portteus, Royse, Donavon, Sullivan, Hofmann, Hilkené and President Edward J. Stickelman.

Noes, 2, viz: Messrs. Wood and Wright.

Mr. Cottey called for General Ordinance No. 35, 1909, for second reading. It was read a second time.

Mr. Cottey moved that General Ordinance No. 35, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 35, 1909, was read a third time and passed by the following vote:

Ayes, 17, viz: Messrs. Brown, Cottey, Hamlet, Davis, Eppert, Smither, Rhodes, Smith, Uhl, Hartmann, Portteus, Donavon, Sullivan, Hofmann, Hilkené, Wright and President Edward J. Stickelman.

Noes, 3, viz: Messrs. Wood, Neukom and Royse.

On motion of Mr. Eppert, the Common Council, at 8:10 o'clock P. M., adjourned.

*Edw. J. Stichelmann*  
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*President.*

ATTEST:

*James M. Nully*  
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*City Clerk.*

