

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, November 1, 1909.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 1, 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 15 members, viz: Messrs. Brown, Cottey, Hamlet, Davis, Neukom, Smither, Rhodes, Smith, Uhl, Royse, Donavon, Sullivan, Hofmann, Hilkene and Henry.

Absent, 5, viz: Messrs. Wood, Eppert, Hartmann, Portteus and Wright.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., October 19, 1909.

To the President and Members of the Common Council:

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

Appropriation Ordinance No. 42, 1909, the same being "An ordinance appropriating \$4,500 to and for the use of the Department of Finance, and fixing a time when the same shall take effect."

Appropriation Ordinance No. 43, 1909, the same being "An ordinance appropriating \$71.92 to and for the use of the Department of Finance, and fixing a time when the same shall take effect."

Appropriation Ordinance No. 44, 1909, the same being "An ordinance appropriating the sum of \$20,000 to and for the use of the Department of Public Works, and fixing a time when the same shall take effect."

General Ordinance No. 38, 1909, the same being "An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain two additional tracks across Meridian street and Bluff avenue."

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., November 1, 1909.

To the President and Members of the Common Council:

GENTLEMEN: I submit herewith a communication from the Department of Public Works asking me to recommend the appropriation of \$2,000 for the payment of principal, interest and costs in cases where assessments for public improvements have been reduced on appeal to the courts.

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

Respectfully submitted,

GEO. T. BREUNIG,
City Controller.

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., November 1, 1909.

George T. Breunig, City Controller, City:

DEAR SIR: You are hereby requested to recommend to the Common Council the passage of an ordinance appropriating the sum of \$2,000 to pay assessments reduced by court, interest, court costs and appraiser's fees.

Yours truly,

P. C. TRUSLER,
F. J. MACK,
Board of Public Works.

From City Controller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER.
INDIANAPOLIS, IND., November 1, 1909.

To the President and Members of the Common Council:

GENTLEMEN: I herewith present a communication from the Department of Public Safety requesting me to recommend the transfer of \$300 from the "Horse Feed Account" to the "Mounted Police Equipment Account" for use in the Police Department.

I present an ordinance providing for the transfer as requested and recommend that it be passed.

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

DEPARTMENT OF PUBLIC SAFETY.
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., October 29, 1909.

George T. Breunig, City Controller, City:

DEAR SIR: At a meeting of the Board of Public Safety, held October 27, 1909, it was decided to request you to please ask the Common Council to transfer the following funds in the Police Department Accounts: \$300 from the "Horse Feed Account" to the "Mounted Police Equipment Fund." The balance in the Mounted Police Equipment Fund on September 30 was \$5.50.

Yours truly,
BOARD OF PUBLIC SAFETY,
Lew W. Cooper,
President

From City Controller:

DEPARTMENT OF FINANCE,
OFFICE OF THE CITY CONTROLLER,
INDIANAPOLIS, IND., November 1, 1909.

To the President and Members of the Common Council:

GENTLEMEN: I herewith submit the official bond of Mr. Frank S. Fishback, County Treasurer and Ex-officio City Treasurer-elect, for the term beginning January 1, 1910, in the penal sum of \$300,000, giving as security the American Bonding Company of Baltimore, Md., and recommend its approval by your honorable body.

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

From City Controller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER.
INDIANAPOLIS, IND., November 1, 1909.

To the President and Members of the Common Council:

GENTLEMEN: I herewith submit petition of Mrs. Anna M. Ackelov, widow of Herman Ackelov, deceased, requesting the refunding of \$166.45

for the unexpired term of city retail liquor license issued to him on May 1, 1909.

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

Respectfully submitted,

GEO. T. BREUNIG,
City Controller.

IN THE MATTER OF REFUNDING MONEY FOR UNUSED
RETAIL LIQUOR LICENSE.

To the Honorable City Controller of the City of Indianapolis, Indiana:

Comes now Anna M. Ackelow, who, being duly sworn upon her oath, says that she is the wife of Herman Ackelow, deceased, of the City of Indianapolis, Marion County, Indiana, and she further says a license was granted to the said Herman Ackelow, deceased, on May 1, 1909, to expire April 30, 1910, to sell spirituous, vinous and malt liquors at 1417 Kentucky avenue, in the City of Indianapolis, Indiana; that the said Herman Ackelow died August 30, 1909, and that the said saloon has ever since been closed.

She, therefore, prays that you present to the Common Council an ordinance requesting the refund of the unused portion of said license fee, to-wit: Two hundred and forty-three days amounting to one hundred sixty-six dollars and forty-five cents (\$166.45).

Respectfully submitted,

ANNA M. ACKELOW.

Subscribed and sworn to before me this 29th day of October, 1909.

CHAS. T. KAELIN,
Notary Public.

My commission expires October 12, 1911.

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., November 1, 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 your consideration and action thereon, the attached switch ordinance granting to Frank Pierson the right to lay and maintain a sidetrack or switch from the east bound main line of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company's tracks across the first alley south of Ludlow avenue, between Valley avenue and Nevada street.

Respectfully yours,

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

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

INDIANAPOLIS, IND., November 1, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred Appropriation Ordinance No. 46, 1909, being "An ordinance providing for the appropriation of \$550 to the Department of Public Health and Charities, and fixing a time when the same shall take effect," beg leave to report that they have had the same under consideration and would recommend that the same do pass.

Respectfully submitted,

W. A. RHODES.
H. C. SMITHER.
JOHN L. DONAVON.
OTTO HOFMANN.
ALBERT E. COTTEY.
HARRY E. ROYSE.

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

From the Committee on Finance:

INDIANAPOLIS, IND., November 1, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred Appropriation Ordinance No. 45, 1909, being "An ordinance appropriating \$2,800 to and for the use of the Department of Public Works, and fixing a time when the same shall take effect," beg leave to report that they have had the same under consideration and would recommend that the same do pass.

Respectfully submitted,

W. A. RHODES.
H. C. SMITHER.
JOHN L. DONAVON.
OTTO HOFMANN.
ALBERT E. COTTEY.
HARRY E. ROYSE.

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

From the Committee on Finance:

INDIANAPOLIS, IND., November 1, 1909.

To the President and Members of the Common Council:

GENTLEMEN: Your Committee on Finance, to whom was referred Appropriation Ordinance No. 41, 1909, being "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," beg leave to report that they have had the same under consideration and would recommend that the same be amended as follows: Amend the title to read \$2,000 in place of \$3,000; amend Section 1 to read \$2,000 in place of \$3,000, and when it is so amended would recommend that the same do pass.

Respectfully submitted,

W. A. RHODES
H. C. SMITHER.
OTTO HOFMANN.
JOHN L. DONAVON.
ALBERT E. COTTEY.
HARRY E. ROYSE.

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

From the Committee on Railroads:

INDIANAPOLIS, IND., November 1, 1909.

To the President and Members of the Common Council:

GENTLEMEN: We, your Committee on Railroads, to whom was referred General Ordinance No. 52, 1909, being "An ordinance approving a certain contract granting the Central Veneer Company the right to lay and maintain a sidetrack or switch from the west of Winter avenue across said street and across the first alley east of said Winter avenue, according to blue print attached, in the City of Indianapolis, Indiana," beg leave to report that we have had the same under consideration and would recommend that said ordinance do pass.

Respectfully submitted,

H. C. SMITHER.
ALBERT E. UHL.
ALBERT E. COTTEY.
WILLIAM J. NEUKOM.

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

At 8:00 o'clock P. M. Messrs. Portteus and Wright entered the Council Chamber and took their seats.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller:

Appropriation Ordinance No. 48—1909: An ordinance appropriating \$166.45 to and for the use of the Finance Department, 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 sixty-six dollars and forty-five cents (\$166.45) 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 Finance Department, the sum herein appropriated to be paid to Mrs. Anna M. Ackelow, widow of Herman Ackelow, deceased, being the unexpired term of city retail liquor license No. 203, from August 30, 1909, to April 30, 1910.

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. 49—1909: An ordinance appropriating \$2,000 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 two thousand (\$2,000) 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 amount herein appropriated (or so much thereof as may be necessary) to be used in paying principal, interest and costs in cases where appeals have been taken from assessment rolls for public improvements to the courts.

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. 53—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 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of three hundred (\$300) dollars be, and the same is hereby transferred from the "Horse Feed Account" to the "Mounted Police Equipment Account" in and for the use of the Department of Public Safety on account of the Police Department.

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. 54—1909: An ordinance approving a certain contract granting Frank Pierson the right to lay and maintain a sidetrack or switch from the east bound main line of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company's tracks across the first alley south of Ludlow avenue, between Valley avenue and Nevada street, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, Heretofore, to wit: on the 1st day of November, 1909, Frank Pierson, of Indianapolis, Indiana, filed his petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION.

To the Board of Public Works, City of Indianapolis:

GENTLEMEN: I, the undersigned, hereby petition the Board of Public Works for the permission to lay and maintain a switch track across the first alley south of Ludlow avenue and Nevada street, as shown on the attached blue print.

Note, therefore, This agreement, made and entered into this 1st day of November, 1909, by and between Frank Pierson, 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 sidetrack or switch from the east bound main line of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company's

tracks across the first alley south of Ludlow avenue, between Valley avenue and Nevada street, in the City of Indianapolis, which is more specifically described as follows:

Beginning at a point east of Nevada street on the east bound main line of said company's tracks, extending westward across said alley, crossing the south line of said alley 450 feet east of Nevada street and crossing the north boundary line of said alley 378 feet east of said Nevada street, and the said Frank Pierson 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 said alley 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 the first alley south of Ludlow avenue, between Valley avenue and Nevada street, 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 1st day of November, 1909.

FRANK PIERSON,
Party of the First Part.

CITY OF INDIANAPOLIS,
By JOSEPH T. ELLIOTT,
President.

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 Mr. Royse:

General Ordinance No. 55—1909: An ordinance amending General Ordinance No. 32, 1907, entitled "An ordinance concerning the compensation of all officers, heads of departments, clerks, assistants and employes of the City of Indianapolis, Indiana, and repealing all ordinances in conflict herewith;" fixing the time when the same shall take effect and repealing all ordinances or parts of ordinances in conflict herewith.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That General Ordinance No. 32, 1907, be, and said ordinance hereby is amended as follows, to-wit: By striking out of Clause A in Section 2 of said ordinance the words and figures following, to-wit:

"The Mayor shall receive a salary at the rate of four thousand (\$4,000)

dollars per annum" and inserting in lieu of said words and figures so stricken out the words and figures following, to-wit: "The Mayor shall receive a salary at the rate of five thousand (\$5,000) dollars per annum."

SEC. 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SEC. 3. This ordinance shall take effect and become operative from and after 12:00 o'clock noon on the first Monday in January, 1910.

Which was read a first time.

Mr. Royse moved the Council take a recess of five minutes to consider General Ordinance No. 55, 1909. Carried.

At 8:15 o'clock P. M. President Stickelman called the Council to order.

Mr. Royse moved that the rules be suspended and General Ordinance No. 55, 1909, be placed upon its passage. Motion lost.

The ordinance was thereupon referred to the Committee on Finance.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

By City Controller:

OFFICIAL BOND.

State of Indiana, Marion County, SS:

Know all Men by these Presents: That we, Frank S. Fishback, of Indianapolis, Indiana, and American Bonding Company, of Baltimore, Maryland, are held and firmly bound unto the State of Indiana in the penal sum of three hundred thousand (\$300,000) dollars; for the payment of which sum, well and truly to be made, we do, by these presents, firmly bind ourselves, our heirs, executors and administrators. Sealed with our seals and dated this 18th day of September, 1909.

Now, the condition of this obligation is such, That whereas, the above bound Frank S. Fishback was, on the 3d day of November, 1908, duly elected by the people of the County of Marion, Indiana, to fill the office of Treasurer in and for the said City of Indianapolis, Marion County, Indiana, for the term of two years, beginning January 1, 1910, and until his successor is elected and qualified.

Now, if the said Frank S. Fishback shall well, truly, faithfully and impartially discharge the duties of his said office, and pay over, according to law, all moneys that may by virtue of his said office come into his hands, then this bond shall be null and void; otherwise, to remain in full force and effect in law.

In Witness Whereof, We have hereunto set our hands and seals, the day and year above written.

FRANK S. FISHBACK (Seal).

(Seal.)

AMERICAN BONDING COMPANY, OF BALTIMORE,

Attest: By Millard Leonard, *Vice-President*.

ALEX. COULTER, *Assistant Secretary*.

State of Indiana, Marion County, SS:

Personally came, Frank S. Fishback, principal on the within bond, and acknowledged the execution of the same for the uses and purposes therein expressed without condition or reservation.

In Testimony Whereof, I have hereunto set my hand and seal this 7th day of October, A. D. 1909.

LOUISA MUELLER,
Notary Public.

(Seal.)

Notary Public, Marion County, Indiana.

My commission expires January 23, 1912.

State of Indiana, Marion County, SS:

I do solemnly swear that I will support the Constitution of the United States and of the State of Indiana, and that I will honestly and faithfully discharge the duties as Treasurer of the City of Indianapolis, Indiana, during continuance in office, so help me God.

(Seal.)

FRANK S. FISHBACK.

Subscribed and sworn to before me this 7th day of October, 1909.

LOUISA MUELLER,
Notary Public.

(Seal.)

My commission expires January 23, 1912.

State of Maryland, City of Baltimore, SS:

On this 18th day of September, A. D. 1909, before me, Edwin C. Irelan, the subscriber, a Notary Public for the State of Maryland, duly appointed to take proof and acknowledgment of deeds and other instruments, came Millard Leonard, Vice-President, and Alex. Coulter, Assistant Secretary, of the American Bonding Company of Baltimore, to me personally known to be the individuals described in and who executed the preceding instrument, and they each duly acknowledge the execution of the same, and being by me duly sworn, severally and each for himself, depose and saith, that they are the said officers of the company aforesaid, and that the seal affixed to the preceding instrument is the corporate seal of said company, and that the said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal at the City of Baltimore, the day and year first above written.

(Seal.)

EDWIN C. IRELAN,
Notary Public.

Which was read and referred to the Committee on Finance.

By Mr. Uhl :

Resolution No. 6—1909 :

Be it Resolved, That the following named persons be elected to serve as Election Inspectors in the precincts set opposite their names, in place of the persons heretofore elected for the city election, to be held November 2, 1909 :

Ward.	Precinct.	
3	3	Joseph A. Minturn.
8	6	W. H. Hammonds.
10	2	James G. Hamilton.

Which was read.

Mr. Uhl moved the rules be suspended and Resolution No. 6, 1909, be placed upon its passage. Carried.

Mr. Uhl moved Resolution No. 6, 1909, be adopted.

The roll was called and Resolution No. 6, 1909, was adopted by the following vote :

Ayes, 18, viz: Messrs. Brown, Cottey, Hamlet, Davis, Neukom, Smither, Rhodes, Smith, Uhl, Portteus, Royse, Donavon, Sullivan, Hoffmann, Hilke, Wright, Henry and President Edward J. Stickelman.

Noes, none.

ORDINANCES ON SECOND READING.

Mr. Rhodes called for Appropriation Ordinance No. 41, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Appropriation Ordinance No. 41, 1909, be amended as recommended by the committee. Carried.

Mr. Rhodes moved that Appropriation Ordinance No. 41, 1909, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 41, 1909, was read a third time and passed by the following vote:

Ayes, 15, viz: Messrs. Brown, Cottey, Hamlet, Davis, Smither, Rhodes, Smith, Royse, Donavon, Sullivan, Hofmann, Hilkene, Wright, Henry and President Edward J. Stickelman.

Noes, 3, viz: Messrs. Neukom, Uhl and Portteus.

Mr. Rhodes called for Appropriation Ordinance No. 45, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Appropriation Ordinance No. 45, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 45, 1909, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Rhodes called for Appropriation Ordinance No. 46, 1909, for second reading. It was read a second time.

Mr. Rhodes moved that Appropriation Ordinance No. 46, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 46, 1909, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Rhodes called up Appropriation Ordinance No. 47, 1909, which had failed to pass at the special meeting held on October 29, 1909.

Mr. Rhodes moved that Appropriation Ordinance No. 47, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 47, 1909, was read a third time and failed to pass for want of a two-thirds vote of the Council, by the following vote:

Ayes, 12, viz: Messrs. Brown, Cottey, Hamlet, Davis, Neukom, Smither, Rhodes, Smith, Uhl, Portteus, Royse and President Edward J. Stickelman.

Noes, 6, viz: Messrs. Donavon, Sullivan, Hofmann, Hilken, Wright and Henry.

Mr. Smither called for General Ordinance No. 52, 1909, for second reading. It was read a second time.

Mr. Smither moved that General Ordinance No. 52, 1909, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 52, 1909, was read a third time and passed by the following vote:

Ayes, 16, viz: Messrs. Brown, Cottey, Hamlet, Neukom, Smither, Rhodes, Smith, Uhl, Portteus, Donavon, Sullivan, Hofmann, Hilken, Wright, Henry and President Edward J. Stickelman.

Noes, 2, viz: Messrs. Davis and Royse.

On motion of Mr. Uhl, the Common Council, at 8:40 o'clock P M., adjourned.

Edw. J. Stichelman

President.

ATTEST:

James M. Nulty

City Clerk.

