

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.
MONDAY, April 18, 1904.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, April 18, 1904, at 7:45 o'clock, in regular session, President James H. Billingsley in the chair.

The roll was called.

Present: The Hon. James H. Billingsley, President of the Common Council, and 15 members, viz: Messrs. Cottey, Crall, Davis, Fishback, Gasper, Hofmann, Linus, Moriarity, Rhodes, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer.

Absent, 5, viz.: Messrs. Cooper, Eppert, Krause, Murray, Wright.

On motion of Mr. Crall the reading of the Journal was dispensed with.

COMMUNICATIONS FROM THE MAYOR.

INDIANAPOLIS, IND., April 9, 1904.

To the Honorable, the President and Members of the Common Council:
Gentlemen: I herewith return to you with my signature and approval General Ordinance No. 78, 1903, and General Ordinance No. 29, 1904.

Respectfully,
JOHN W. HOLTZMAN,
Mayor.

Which was read.

INDIANAPOLIS, IND., April 8, 1904.

To the Honorable, the President and Members of the Common Council:
Gentlemen: I herewith return to you with my signature and approval, General Ordinance No. 17, 1904.

Respectfully,
JOHN W. HOLTZMAN,
Mayor.

Which was read.

INDIANAPOLIS, IND., April 6, 1904.

To the President and Members of the Common Council:

I return herewith with my signature and approval, Appropriation Ordinance No. 2, 1904. General Ordinance No. 28, 1904.

Respectfully,

JOHN W. HOLTZMAN,
Mayor.

Which was read.

REPORTS FROM CITY OFFICERS.

From the City Comptroller:

INDIANAPOLIS, IND., April 18, 1904.

To the Honorable, the President and Members of the Common Council:

Gentlemen: I would call to your attention that there are a number of occupations commonly recognized in this country as properly subject to license, and whose licensing is authorized by the city charter, but which have not been licensed in this city. I submit herewith an ordinance providing for licensing a part of them, and recommend its passage as drawn, or in such form as your honorable body may see fit.

Very respectfully,

J. P. DUNN,
City Comptroller.

INDIANAPOLIS, IND., April 16, 1904.

Jacob P. Dunn, City Comptroller, Indianapolis, Ind.:

My Dear Sir: For the past five or six years the City Council of this city has very generously appropriated the sum of \$200.00 for the purpose of defraying the legitimate expenses of observing Memorial Day. The entire amount of this appropriation has never been used by the committee, but after paying the necessary expenses allowed by the General Committee of Arrangements, the balance has been converted back into the City treasury.

At a meeting of the General Committee, held in Room 25 State House, on Friday evening, the 15th inst., we were instructed to ask through you an appropriation from the City Council of \$200.00 with which to pay such expenses as the Committee might incur this year.

For your own guidance, as well as that of the Council, I beg to call your attention to the fact that in the years 1899-1903, inclusive, the Council appropriated \$200.00; of which amount the Committee has returned or left unused in the Comptroller's hands the sums of from \$23.60 to \$34.40. We mention this that you may know personally and be enabled to present the fact to the Council that nothing has been expended except in a legitimate way.

This appropriation is not asked for our own personal good or aggrandizement, but rather to keep alive that spirit of patriotism which prompted the young men from 1861 to 1865 to leave their homes and friends to battle for the preservation of our Flag and Government.

We are reliably informed that this custom prevails in many other cities.

Very respectfully,

GARRETT H. SHOVER, President,
CAREY McPHERSON, Secretary,
Memorial Day Committee.

Which was read.

INDIANAPOLIS, IND., April 18, 1904.

To the Honorable, the President and Members of the Common Council:
Gentlemen: I submit herewith the request of the Memorial Day Committee for the customary appropriation of \$200. I recommend that the appropriation be made, and inclose ordinance for that purpose.

Very respectfully,

J. P. DUNN,
City Comptroller.

Which was read.

REPORTS FROM STANDING COMMITTEES.

From the Judiciary Committee:

INDIANAPOLIS, IND., April 18, 1904.

To the President and Members of the Common Council:

Your Committee on Judiciary, to whom was referred General Ordinance No. 14, 1904, have had same under consideration and recommend that same do pass.

ALBERT E. COTTEY,
ANDREW H. WAHL,

Which was read.

From the Judiciary Committee:

INDIANAPOLIS, IND., April 18, 1904.

To the President and Members of the Common Council:

Your Committee on Judiciary, to whom was referred General Ordinance No. 26, 1904, have had same under consideration and recommend that same do pass.

ALBERT E. COTTEY,
ANDREW H. WAHL,

Which was read.

Mr. Cottey moved that Judiciary Committee's report on General Ordinance No. 14, 1904, be concurred in. Carried.

Mr. Cottey moved that Judiciary Committee's report on General Ordinance No. 26, 1904, be concurred in. Carried.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By the City Comptroller:

Appropriation Ordinance No. 4—1904: An ordinance appropriating the sum of two hundred dollars (\$200) to the Department of Finance, on account of Memorial Day, May 30, 1904, 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 hundred (\$200.00) dollars be, and is hereby, appropriated to the Department of Finance, for the purpose of defraying the expenses attending the proper observance of Memorial Day, May 30, 1904, and the City Comptroller is hereby authorized to draw his warrant upon the city treasury for the whole or part of the sum herein appropriated.

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 Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By the City Comptroller:

General Ordinance No. 30—1904: An ordinance providing for licensing certain occupations.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That it shall be unlawful for any person, firm or corporation to conduct, manage, carry on, or transact any of the following named businesses or occupations in the City of Indianapolis without first procuring from the City Comptroller a license so to do, which license shall be paid for as follows:

For conducting, managing or renting a billiard, bagatelle, pool or other table used for games of skill with balls and cues, excepting such as are used in private families not for profit, for the first four tables \$2.50 per month for each table, and for each and every additional table \$2.00 per month.

For carrying on, practicing or professing to practice the business or art of astrology, palmistry, phrenology, life-reading, fortune-telling, cartomancy, clairvoyance, clairaudiance, crystal-gazing, hypnotism, mediumship, prophecy, augury, divination, magic or necromancy, by one who receives or demands a fee for the same, or who gives exhibition of the same at any place when an admission fee is charged, fifteen (\$15.00) dollars per month.

For conducting or operating a merry-go-round, ferris wheel, roller coaster, switch-back or similar device, ten (\$10.00) dollars per month.

For conducting, operating, supervising or giving space to any slot machine used for the purpose of selling goods or material of any kind, or for exhibiting pictures or views of any kind, for profit, the sum of two (\$2.00) dollars per month for each such slot machine.

For conducting, operating or exhibiting any phonograph, graphophone, talking-machine, kinoscope, biograph, projectoscope or any similar instrument, for profit, the sum of ten (\$10.00) dollars per month.

For conducting, managing, exhibiting or letting the use of any telescope, microscope, lung-tester, muscle-tester, strength-tester, galvanic battery, ball, knife or ring-throwing game, for profit, the sum of ten (\$10.00) dollars per month.

Sec. 2. The license for any of the above named occupations or businesses shall state the place where and the person, firm or corporation by whom the same shall be conducted, and any person, firm or corporation engaging in the same without license shall be fined a sum equal to one month's license, and each day of operation without a license shall constitute a separate offense.

Sec. 3. This ordinance shall be in full force and effect after its passage and publication once each week for two consecutive weeks in the Indianapolis Daily Sentinel a newspaper of general circulation printed and published in the City of Indianapolis, Marion county, Indiana.

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

By Mr. Shea:

General Ordinance No. 31—1904: An ordinance regulating charges for cars used in transporting merchandise.

Be it ordained by the Common Council of the City of Indianapolis, Indiana, as follows:

Section 1. That after the passage of this ordinance, all railway companies and common carriers of merchandise, or freight, when a consignment or cargo of merchandise in car-load lots or more, shall be consigned or shipped to a consignee in the City of Indianapolis, Indiana, who resides or has his or her usual place of business or residence in said city, said railway company or common carrier, upon arrival of said consignment or car in said city, so loaded as aforesaid, said railway company or common carrier, shall give personal notice to such consignee of the arrival of said consignment or car, or notify said consignee by leaving or causing to be left at the last and usual place of business or residence of said consignee, notice of the arrival of said consignment. If said consignee shall designate a side-track, or siding connected with the track or tracks of said railway company or common carrier, and direct and request said car to be set thereon, then it shall be the duty of said railway company or common carrier to set and place said car containing said merchandise thereon.

After said notice shall have been given, as herein provided for, and after said car shall have been set if requested by said consignee, as herein provided for, then said consignee shall have sixty hours thereafter in which to unload and remove said merchandise from said car or cars.

Sec. 2. It is hereby made unlawful for any railway company or common carrier of merchandise to demand, claim or charge or receive, any fee or money, for the use or occupancy of any car or cars containing merchandise, shipped or consigned to any consignee in City of Indianapolis, Indiana, until after the notice provided for in Section 1 of this ordinance has been given, and said car or cars set on side-track, if requested by consignee, and said sixty hours allowed and provided for in Section 1 of this ordinance shall have expired; and no charge shall be claimed or received for use of said car or cars for said period.

Sec. 3. This ordinance shall be in force from and after its passage and due publication thereof as by law required.

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

By Mr. Fishback:

General Ordinance No. 32—1904: An ordinance regulating the location and level of the bridge over the canal at Holton Place in the City of Indianapolis.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the bridge over the canal at Holton Place, said city, shall be lowered three feet from the present level of said bridge so that the same shall conform to the grade of said Holton Place and be accessible and convenient of passage from said street.

Sec. 2. The Board of Public Works is hereby authorized to take such action as may be necessary to lower the level of said bridge.

Sec. 3. This ordinance shall be in full force and effect from and after its passage.

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

ORDINANCES ON SECOND READING.

Mr. Cottey called for General Ordinance No 14, 1904, for second reading. It was read a second time.

Mr. Cottey moved that General Ordinance No. 14, 1904, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 14, 1904, was read a third time and passed by the following vote:

Ayes, 16, viz.: Messrs. Cottey, Crall, Davis, Fishback, Gasper, Hoffmann, Linus, Moriarity, Rhodes, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer and President James H. Billingsley.

Noes, none.

Mr. Cottey called for General Ordinance No. 26, 1904, for second reading. It was read a second time.

Mr. Cottey moved that General Ordinance No. 26, 1904, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 26, 1904, was read a third time and passed by the following vote:

Ayes, 16, viz.: Messrs. Cottey, Crall, Davis, Fishback, Gasper, Hoffmann, Linus, Moriarity, Rhodes, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer and President James H. Billingsley.

Noes, none.

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On motion of Mr. Rhodes, the Common Council, at 8:06 o'clock, adjourned.

J. H. Billingsley

President.

ATTEST:

W. M. Fogarty

City Clerk.

