

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, March 20, 1905.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, March 20, 1905, at 7:45 o'clock, in regular session, Vice-President W. A. Rhodes in the chair.

Present: The Hon. W. A. Rhodes, Vice-President of the Common Council, and 18 members, viz: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright.

Absent, 2, viz.: Messrs. Krause, and President Billingsley.

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

COMMUNICATIONS FROM THE MAYOR.

INDIANAPOLIS, IND., March 7, 1905.

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

Gentlemen: I herewith return with my signature and approval General Ordinance No. 9, 1905; General Ordinance No. 3, 1905, and Appropriation Ordinance No. 3, 1905.

Respectfully,

JOHN W. HOLTZMAN,

Mayor.

Which was read.

INDIANAPOLIS, IND., March 18, 1905.

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

Gentlemen: I herewith return to you with my signature and approval Appropriation Ordinance No. 2, 1905; Appropriation Ordinance No. 5, 1905, and Appropriation Ordinance No. 4, 1905.

Respectfully,

JOHN W. HOLTZMAN.

Mayor.

Which was read.

## REPORTS FROM CITY OFFICERS.

From the City Comptroller:

INDIANAPOLIS, IND., March 20, 1905.

To the President and Members of the Common Council:

Gentlemen: I submit herewith ordinance appropriating \$1,100 for the publication of the city charter as revised by the late legislature, and ordinances passed since the recent revision. I recommend that the appropriation be made.

Respectfully submitted,

J. P. DUNN,  
City Comptroller.

Which was read.

## REPORTS FROM STANDING COMMITTEES.

From the Committee on Contracts and Franchises:

INDIANAPOLIS, IND., March 20, 1905.

To the President and Members of the Common Council:

Gentlemen: Your Committee on Contracts and Franchises, to whom was referred General Ordinance No. 17, 1905, have had same under consideration and would respectfully recommend that the same do pass.

Respectfully submitted,

J. H. CRALL,  
J. L. GASPER,  
FRED W. EPPERT,  
CHAS. G. DAVIS,  
DANIEL A. LINUS,  
JAMES D. MORIARITY,  
ANDREW H. WAHL,

Which was read.

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

From the Committee on Public Safety and Comfort:

INDIANAPOLIS, IND., March 20, 1905.

To the President and Members of the Common Council:

Your Committee, to whom General Ordinance No. 10, 1905, was referred, recommend that same do pass.

Respectfully submitted,

LEW W. COOPER,  
W. A. RHODES,  
ALBERT E. UHL,  
JAMES B. MURRAY,  
JAS. F. SULLIVAN.

Which was read.

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

From the Committee on Public Safety and Comfort:

INDIANAPOLIS, IND., March 20, 1905.

To the President and Members of the Common Council:

Your Committee, to whom General Ordinance No. 8, 1905, was referred, recommend that same do pass.

Respectfully submitted,

LEW W. COOPER,  
W. A. RHODES,  
ALBERT E. UHL.  
JAMES B. MURRAY.  
JAS. F. SULLIVAN.

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

From the Committee on Railroads:

INDIANAPOLIS, IND., March 20, 1905.

To the President and Members of the Common Council:

Your Committee on Railroads, to whom was referred General Ordinance No. 15, 1905, have had same under consideration and recommend that it pass.

Respectfully submitted,

FRED W. EPPERT,  
ALBERT E. COTTEY,  
JAMES B. MURRAY,  
OTTO HOFMANN.  
JOHN WOLSIFFER.

Which was read.

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

From the Committee on Railroads:

INDIANAPOLIS, IND., March 20, 1905.

To the President and Members of the Common Council:

Your Committee on Railroads, to whom was referred General Ordinance No. 16, 1905, have had same under consideration and recommend that same do pass.

Respectfully submitted,

FRED W. EPPERT,  
ALBERT E. COTTEY,  
JAMES B. MURRAY,  
OTTO HOFMANN.  
JOHN WOLSIFFER.

Which was read.

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

## INTRODUCTION OF APPROPRIATION ORDINANCES.

By the City Comptroller :

Appropriation Ordinance No. 6—1905: An ordinance to provide for the printing and publication of the statutes pertaining to the City of Indianapolis, the ordinances thereof enacted since the Revision of 1904, providing for a commission to prepare the same, and appropriating money to defray the expenses thereof.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the City Attorney be and he is hereby directed, authorized and empowered to employ at the expense of said city two attorneys-at-law, both of whom shall not belong to the same political party, to prepare, index and superintend the publication of such statutes of the State of Indiana as pertains to the government of the City of Indianapolis and such ordinances as have been adopted by said city since the date of the Revision of Ordinances of 1904. The preparation and publication of said work shall be made to the approval of said City Attorney. The amount of compensation to be paid said attorneys shall not exceed the sum of six hundred dollars. It shall be the duty of the attorneys so appointed, in addition to the preparation of said work for publication, to supervise the printing thereof, read the usual proofs and prepare marginal notes and index thereof.

Sec. 2. The Board of Public Works be, and is hereby authorized and directed, when said attorneys so appointed shall report to them that said work is ready for publication, to procure the printing and binding at the lowest obtainable rate, not less than five hundred nor more than one thousand copies of said revision, and for that purpose to incur the necessary expense on behalf of said city, said copies when printed to be disposed of as said Board of Public Works may see fit.

Sec. 3. For the payment of the attorneys to be appointed hereunder there is hereby appropriated the sum of six hundred dollars; and for the printing, binding, and publication of said work there is hereby appropriated the further sum of five hundred dollars.

Sec. 4. This ordinance shall be in force from and after its passage.

Which was read.

Mr. Crall moved that the rules be suspended and Appropriation Ordinance No. 6, 1905, be placed upon its passage. Motion lost.

The ordinance was thereupon referred to the Finance Committee.

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Mr. Fishback:

General Ordinance No. 18—1905: An ordinance amending Section 248 of General Ordinance No. 34, 1904, relating to the construction, alteration, repair and removal of buildings.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That Section 248 of General Ordinance No. 34,

1904, providing for the matter affecting or relating to the construction, alteration, repair or removal of buildings, structures and appurtenances thereof erected or to be erected in the City of Indianapolis, Indiana, be and the same is hereby amended to read as follows:

Section 248. A diagram of the theater showing all exits shall be published in each theater program, and every exit shall over the same, on the inside, the word "Exit" printed in legible letters not less than eight inches high and shall be designated by a red light. All parts of the building devoted to such uses shall be furnished with two independent systems of lighting, that is to say, electricity or gas, or if electricity only be used then with appliances and circuits from two independent lighting plants; and provision shall be made whereby in case of failure of one system or circuit, lights can be at once turned on from such other system or circuit. The light to be maintained in the exit signs shall be maintained from a system or circuit separate and independent from the system or circuit furnishing lights for the stage and auditorium of such theater.

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 Sentinel.

Which was read a first time and referred to the Committee on Public Safety and Comfort.

By Mr. Sullivan:

General Ordinance No. 19—1905: An ordinance giving the name of Manual Place to the alley between Henry and Merrill streets running west from Meridian street to Pogue's Run.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the alley lying between Henry and Merrill streets in the City of Indianapolis, Indiana, and running west from Meridian street to Pogue's Run, be known hereafter by the name of Manual Place.

Sec. 2. This ordinance shall be in force from and after its passage.

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

By Mr. Uhl (by request):

General Ordinance No. 20—1905: An ordinance regulating the livery-stable business in the City of Indianapolis.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, State of Indiana, That any person, persons, or corporation carrying on or conducting a livery or feed stable business within the City of Indianapolis, Indiana, shall not allow or permit any person, persons, or corporation to sell or solicit for sale any goods, wares, merchandise, farm products, dairy products, manufactured articles, poultry, eggs, cheese, or any other articles of commerce, on, in or from any of the premises so occupied for such business without first procuring a license from the City Comptroller of said city, by paying a fee therefor of one hundred dollars (\$100.00).

Sec. 2. Any person, persons, or corporation violating any of the provisions of the foregoing section shall be fined in any sum not exceeding ten dollars (\$10.00).

Sec. 3. This ordinance shall be in force from and after its passage, and take effect after it shall have been published once each week for

two consecutive weeks in the Indianapolis Sentinel, a daily newspaper in the City of Indianapolis.

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

By Mr. Uhl (by request):

General Ordinance No. 21—1905: An ordinance to amend Sections seven and eight of General Ordinance No. 27, 1886, as amended June 20, 1887, entitled: "An ordinance regulating auctioneers, peddlers, hucksters, and certain classes of public showmen to pay a license to the City of Indianapolis, regulating certain matters connected with the business of such persons, and repealing certain ordinances herein specified."

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That section seven (7) of the above entitled General Ordinance No. 27, 1886, and as amended June 20, 1887, be amended to read as follows:

Section 7. Be it ordained by the Common Council of the City of Indianapolis, That it shall be unlawful for any person to peddle, hawk or huckster any goods, wares, or merchandise whatsoever, by wholesale or retail, in or along the streets or alleys of the City of Indianapolis, or from one point to another in said city without first having complied with the provisions in the following section, provided, however, that nothing herein shall be construed to apply to drummers selling goods by sample to resident merchants.

Sec. 2. That section eight (8) of the above entitled General Ordinance No. 27, 1886, as amended June 20, 1887, be hereby amended to read as follows:

Section 8. Peddlers' permits may be taken out for six months or one year. For peddlers using any wagon, cart or other vehicle in conveying, carrying or hauling eggs, butter, cheese, or poultry, the fee for six months shall be one hundred dollars (\$100.00), and for one year two hundred dollars (\$200.00). For peddlers using any wagon, cart, or other vehicle used in conveying, carrying or hauling any goods, wares or merchandise other than those hereinabove specified, the fee for six months shall be ten dollars and for one year twenty dollars; for all other peddlers the fee for six months shall be three dollars and for one year six dollars; *Provided*, That all such permits shall date on the first day of January or the first day of July, and no reduction shall be made on account of any portion of the time having run before the actual issuing of said permit, and provided, further, that any person desiring to peddle on foot may take out a license for a period of one day by paying a license fee of fifty (50) cents for each day. Every person desiring to procure a peddler's permit shall pay to the treasurer of said city the requisite sum above stated, and present said Treasurer's receipt therefor to the Comptroller, who shall issue to such person the proper permit therefor.

Any firm, person or corporation violating this section shall, upon conviction, be fined not to exceed twenty-five dollars (\$25.00).

Sec. 3. This ordinance shall be in force from and after its passage, and take effect after it shall have been published once each week for two consecutive weeks in the Indianapolis Sentinel, a daily newspaper in the City of Indianapolis.

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

## ORDINANCES ON SECOND READING.

Mr. Eppert called for General Ordinance No. 15, 1905, for second reading. It was read a second time.

Mr. Eppert moved that General Ordinance No. 15, 1905, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 15, 1905, was read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan, Uhl, Wolsiffer and Wright.

Noes, none.

Mr. Eppert called for General Ordinance No. 16, 1905, for second reading. It was read a second time.

Mr. Eppert moved that General Ordinance No. 16, 1905, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 16, 1905, was read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan, Uhl, Wolsiffer and Wright.

Noes, none.

Mr. Cooper called for General Ordinance No. 8, 1905, for second reading. It was read a second time.

Mr. Cooper moved that General Ordinance No. 8, 1905, be ordered engrossed, read a third time, and placed upon its passage. Carried.

General Ordinance No. 8, 1905, was read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan, Uhl, Wolsiffer and Wright.

Noes, none.

Mr. Cooper called for General Ordinance No. 10, 1905, for second reading. It was read a second time.

Mr. Cooper moved that General Ordinance No. 10, 1905, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 10, 1905, was read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Shea, Storm, Sullivan, Uhl, Wolsiffer and Wright.

Noes, none.

Mr. Crall called for General Ordinance No. 17, 1905, for second reading. It was read a second time.

Mr. Crall moved that General Ordinance No. 17, 1905, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 17, 1905, was read a third time and passed by the following vote:

Ayes, 14, viz.: Messrs. Cottey, Crall, Davis, Eppert, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Sullivan, Uhl, Wahl and Wolsiffer.

Noes, 5, viz.: Messrs. Cooper, Fishback, Shea, Storm and Wright.

Mr. Crall moved to reconsider the vote on General Ordinance No. 17, 1905.

Mr. Gasper moved to table Mr. Crall's motion. Carried.

Mr. Gasper moved to refer back to Introduction of Miscellaneous Business. Carried.

#### MISCELLANEOUS BUSINESS.

Mr. Moriarity presented the following:

Resolution No. 1—1905:

Mr. President: I move the adoption of the following resolution:

*Whereas*, Since the exhaustion of the supply of natural gas, the question of the disposition of the ashes resulting from the burning of wood and coal, is one which concerns every householder in the City of Indianapolis, and

*Whereas*, The city has by contract provided for the hauling away of all garbage in the city, and the disposition of ashes is as great a burden to each householder as disposing of garbage ever was. Now, therefore, be it

*Resolved*, That the Mayor and Board of Public Works of the City of Indianapolis be and they are hereby requested to take immediate steps



for the letting of a proper contract for the removal of all ashes from the City of Indianapolis without cost to the householders of the city—such removal of ashes to be paid for out of the city treasury in the same manner as is now done in the matter of the removal of garbage.

Which was read.

Mr. Moriarity moved that the resolution be received and a copy be sent to the Mayor and the Board of Public Works.

The Clerk called the roll:

Ayes, 18, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Linus, Moriarity, Murray, Rhodes, Storm, Sullivan, Uhl, Wahl, Wolsiffer and Wright.

Noes, 1, viz.: Mr. Shea.

On motion of Mr. Moriarity the Common Council, at 9:06 o'clock, P. M., adjourned.

*W. M. Egan*

.....  
*President pro tem.*

ATTEST:

*W. M. Egan*

.....  
*City Clerk.*

