

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.,

MONDAY, June 3, 1907.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, June 3, 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 18 members, viz: Messrs. Cottey, Brown, Hamlet, Wood, Davis, Neukom, Smither, Rhodes, Bangs, Uhl, Stickelman, Portteus, Royse, Sullivan, Hofmann, Hilkene, Wright and Henry.

Absent, 2, viz: Messrs. Hartmann and Donavon.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS,
INDIANAPOLIS, IND., May 29, 1907.

To the President and Members of the Common Council:

GENTLEMEN—I return herewith with my approval General Ordinance No. 38, 1907, being "An ordinance fixing the salary of the assistant police surgeon in the City of Indianapolis, and fixing a time when the same shall take effect."

Appropriation Ordinance No. 5, 1907, being an ordinance appropriating the sum of nine hundred dollars to and for the use of the

Department of Public Parks, and fixing a time when the same shall take effect."

I have the honor to remain,

Very truly yours,

C. A. BOOKWALTER,
Mayor.

REPORTS FROM CITY OFFICERS.

From City Controller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER,
INDIANAPOLIS, June 3, 1907.

To the President and Members of the Common Council:

GENTLEMEN—I herewith present communication from the Board of Public Safety, asking for the transfer of the sum of \$600.00 from the Fire Force pay-roll appropriation to the Furniture and Fixtures account in the Fire Department.

I recommend the passage of the accompanying ordinance, making the transfer as prayed for.

Very respectfully,

GEO. T. BREUNIG,
City Controller.

DEPARTMENT OF PUBLIC SAFETY,
OFFICE OF THE BOARD,
INDIANAPOLIS, IND., May 31, 1907.

Geo. T. Breunig, Esq., City Controller, City:

DEAR SIR—The Board of Public Safety, at a meeting held May 29, 1907, instructed me to request you to please ask the Common Council to transfer the following funds in the Fire Department:

Six hundred dollars from the Fire Force pay-roll account to the Furniture and Fixtures fund.

Respectfully yours,

JOHN B. WOOD,
Secretary.

From City Controller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER,
INDIANAPOLIS, June 3, 1907.

To the President and Members of the Common Council:

GENTLEMEN—I call your attention to the last paragraph of Clause G, Section 5, of the Salary Ordinance recently passed by your honorable body. Through a clerical error in the preparation of said ordi-

nance the wages of the custodian of the Haughville town hall is fixed at \$25.00 per annum when it should be \$25.00 per month. I have prepared and herewith submit an amendatory ordinance, rectifying the mistake, and respectfully request your honorable body to pass the ordinance at this session under a suspension of the rules.

Respectfully submitted,

GEO. T. BREUNIG.

City Controller.

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD,
INDIANAPOLIS, IND., May 22, 1907.

To the President and Members of the Common Council:

GENTLEMEN—I am requested by the Board of Public Works to notify you that the ordinance introduced in the Council in the last meeting, authorizing the Board to proceed with the improvement of Julian avenue, from Downey to Ritter avenue, with brick roadway and curb, as provided for by Improvement Resolution No. 5080, was sent to you through an error. The remonstrance filed against this improvement is not a majority, so that we can proceed with the improvement without the passage of an ordinance.

We therefore respectfully request that said ordinance be stricken from the files of the Council.

Respectfully yours,

BOARD OF PUBLIC WORKS.

Per F. J. NOLL, JR., Clerk.

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD,
INDIANAPOLIS, IND., June 3, 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 switch ordinance, granting to Gill & Greenen the right to lay and maintain a sidetrack or switch from the west property line of Arsenal avenue to and across the first alley east of Summit street.

Respectfully yours,

BOARD OF PUBLIC WORKS.

Per F. J. NOLL, JR., Clerk.

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD,
INDIANAPOLIS, June 3, 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

ordinance authorizing and empowering the Board of Public Works to proceed with the improvement of Meridian street, from north property line of Vermont to north property line of St. Clair streets, with asphalt surface, as provided for by Improvement Resolution No. 5098.

Respectfully yours,

BOARD OF PUBLIC WORKS.
Per F. J. NOLL, JR., Clerk.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Public Morals:

INDIANAPOLIS, IND., June 3, 1907.

To the President and Members of the Common Council:

GENTLEMEN—Your Committee on Public Morals, to whom was referred General Ordinance No. 47—1907, have had the same under consideration and would recommend that said ordinance do pass.

Respectfully submitted,

E. J. STICKELMAN.
W. A. RHODES.
THEO. PORTEUS.

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

From the Committee on Public Morals:

INDIANAPOLIS, IND., June 3, 1907.

To the President and Members of the Common Council:

GENTLEMEN—Your Committee on Public Morals, to whom was referred General Ordinance No. 45, 1907, have had the same under consideration, would recommend that it be amended as follows:

Section 2, ninth line after the word "thereon" insert "or a bond from some reliable bonding company."

Section 5, fourth line to read \$1.00 in place of 50c.; sixth line to read \$1.00 in place of 50c.; eleventh line to read 10 days in place of 6 days.

And when the ordinance is so amended would recommend that it do pass.

Respectfully submitted,

E. J. STICKELMAN.
W. A. RHODES.
THEO. PORTEUS.

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

Mr. Royse moved to refer back to order of business under Public Health. Carried.

From the Committee on Public Health:

INDIANAPOLIS, IND., June 3, 1907.

To the President and Members of the Common Council:

GENTLEMEN—Your Committee on Public Health, to which was referred General Ordinance No. 29, 1907, entitled "An ordinance prohibiting the removal, breaking or destruction of any seal placed upon any well by order of the Department of Public Health and Charities of the City of Indianapolis, Indiana, and providing a penalty for the violation thereof," begs leave to report that they have had the same under consideration and recommend that the same do pass.

OTTO HOFMANN.
E. J. STICKELMAN.
THEO. PORTEUS.

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

From the Committee on Public Safety and Comfort:

INDIANAPOLIS, IND., June 3, 1907.

To the President and Members of the Common Council:

GENTLEMEN—Your Committee on Public Safety and Comfort, to whom was referred General Ordinance No. 43, being an ordinance authorizing the Board of Public Works of the City of Indianapolis, Indiana, to improve Nineteenth (19th) street from west property line of Meridian street to the east property line of Illinois street with asphalt roadway and brick gutters, beg leave to report that we have had same under consideration and recommend that same do pass.

Respectfully submitted,

J. H. HAMLET.
WM. J. NEUKOM.
OTTO HOFMANN.
LOUIS F. HENRY.

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

From the Committee on Public Safety and Comfort:

INDIANAPOLIS, June 3, 1907.

To the President and Members of the Common Council:

Your Committee on Public Safety and Comfort, to whom was referred General Ordinance No. 27, 1907, entitled "An ordinance for fire protection in the City of Indianapolis, Indiana, and repealing all ordinances in connection therewith," beg leave to report that we have had same under consideration and recommend that same do not pass.

Respectfully submitted,

WM. J. NEUKOM,
JOHN F. WOOD,
OTTO HOFMANN,
LOUIS F. HENRY.

Mr. Neukom moved that the report of the committee be concurred in.

Mr. Uhl called for the ayes and noes.

The report of the committee was concurred in by the following vote:

Ayes, 13, viz: Messrs. Brown, Cottey, Wood, Davis, Neukom, Bangs, Stickelman, Portteus, Sullivan, Hofmann, Wright, Henry, and President Frederick W. Eppert.

Noes, 6, viz.: Messrs. Hamlet, Smither, Rhodes, Uhl, Royse, and Hilkene.

From the Committee on Sewers, Streets and Alleys:

INDIANAPOLIS, IND., June 3, 1907.

To the President and Members of the Common Council:

GENTLEMEN—We, your Committee on Sewers, Streets and Alleys, to which was referred General Ordinance No. 36, 1907, entitled "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 Eleventh street to south property line of Twelfth street, with brick roadway," beg leave to report that we have had the same under consideration and recommend that said ordinance do not pass.

Respectfully submitted,

CHAS. G. DAVIS,
ALBERT E. UHL,
H. C. SMITHER.

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

From the Committee on Sewers, Streets and Alleys:

INDIANAPOLIS, IND., June 3, 1907.

To the President and Members of the Common Council:

GENTLEMEN—We, your Committee on Sewers, Streets and Alleys, to which was referred General Ordinance No. 34, 1907, entitled "An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, 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," beg leave to report that we have had the same under consideration, and recommend that said ordinance do pass.

Respectfully submitted,

CHAS. G. DAVIS.
ALBERT E. UHL.
LOUIS F. HENRY,
H. C. SMITHER.

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

From the Committee on Rules:

INDIANAPOLIS, IND., June 3, 1907.

To the President and Members of the Common Council:

GENTLEMEN—Your Committee on Rules, to which was referred General Ordinance No. 42, entitled "An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Orange street from west property line of Shelby street to east property line of Leonard street with gravel roadway, cement sidewalks and curb," begs leave to report that it has had the same under consideration and recommends that said ordinance do pass.

Respectfully submitted,

HARRY E. ROYSE.
JACOB H. HILKENE.
H. C. SMITHER.

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Board of Public Works:

SWITCH CONTRACT.

General Ordinance No. 49—1907: An ordinance approving a certain contract granting Gill & Greenen the right to lay and maintain a sidetrack or switch from the west property line of Arsenal avenue to and across the first alley east of Summit street, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: on the 3d day of June, 1907,
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—We petition your honorable Board for permission to build and construct a sidetrack or switch across Arsenal avenue, the first alley east of Arsenal avenue, Summit street, and the first alley east of Summit street, in accordance with detailed description set forth below and blue print hereto attached and marked Exhibit "A."

NOW, THEREFORE, This agreement, made and entered into this 3d day of June, 1907, by and between Gill & Greenen, 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 Arsenal avenue to and across the first alley east of Summit street, in the City of Indianapolis, which is more specifically described as follows:

Beginning on the west line of Arsenal avenue, the north rail being located 204.5 feet south of the south property line of Williams street; thence running eastwardly across Arsenal avenue, the first alley east of Arsenal avenue, Summit street, and the first alley east of Summit street; the north rail of said track crossing the east property line of Arsenal avenue at a point 183 feet south of the south property line of Williams street; and crossing the west property line of the first alley east of Arsenal avenue at a point 180 feet south of the aforesaid line of Williams street; and crossing the east property line of said alley at a point 181.5 feet south of the aforesaid line of Williams street; and crossing the west property line of Summit street at a point 187 feet south of the aforesaid line of Williams street; and crossing the east property line of Summit street at a point 190 feet south of the aforesaid line of Williams street; and crossing the west property line of the first alley east of Summit street at a point 187 feet south of the aforesaid line of Williams street; and crossing the west property line of said alley at a point 185.5 feet south of the aforesaid line of Williams street, hereby covenants and fully bind themselves, their successors, legal representatives and assigns, that, in consideration of the grant of the privilege 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 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 no wise 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 sidetrack or switch across 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 3d day of June, 1907.

GILL & GREENEN,
Party of the first part.

Witness:

HARRY E. ROYSE.

CITY OF INDIANAPOLIS,

By

JOSEPH T. ELLIOTT, *Pres.*,
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.

Mr. Royse moved that the rules be suspended and General Ordinance No. 49, 1907, be placed upon its passage.

Which motion was lost, and the ordinance was referred to the Committee on Public Property and Improvements.

By Mr. Davis:

General Ordinance No. 50—1907: An ordinance amending clauses "b" and "f" of Section 5 of an ordinance 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," being General Ordinance No. 32, 1907, approved May 16th, 1907.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana: That clauses "b" and "f" of Section 5 of an ordinance 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," being General Ordinance No. 32, 1907, approved May 16th, 1907, are hereby amended to read as follows:

Section 5. Clause b. For the city engineer's force.

The City Civil Engineer shall receive a salary at the rate of twenty-five hundred (\$2,500.00) per annum.

The assistant city civil engineers, two in number, shall each receive a salary at the rate of fifteen hundred (\$1,500.00) dollars per annum.

The deputies or transmitters in charge of engineering corps shall each receive a salary at the rate of twelve hundred (\$1,200.00) dollars per annum.

The chief clerk to the city civil engineer shall receive a salary at the rate of thirteen hundred and twenty (1,320.00) dollars per annum.

The assistant clerks and the stenographer shall each receive a salary at the rate of eight hundred and forty (\$840.00) dollars per annum.

The draftsmen shall each receive a salary at the rate of eight hundred and forty (\$840.00) dollars per annum.

The chemist in charge of the laboratory shall receive a salary at the rate of nine hundred and sixty (\$960.00) dollars per annum.

The rodmen shall each receive a salary at the rate of eight hundred and forty (\$840.00) dollars per annum.

The chainmen shall each receive a salary at the rate of eight hundred and forty (\$840.00) dollars per annum.

The chief inspector shall receive a salary at the rate of eleven hundred (\$1,100.00) dollars per annum.

The assistant chief inspector shall receive a salary at the rate of nine hundred (\$900.00) dollars per annum.

The inspectors shall each receive a salary at the rate of eight hundred and forty (\$840.00) dollars per annum.

The city civil engineer, in addition to his regular salary, shall receive for his services in work of track elevation a salary at the rate of twelve hundred (\$1,200.00) dollars per annum.

The clerk to the city civil engineer engaged on work of track elevation shall receive a salary at the rate of nine hundred (\$900.00) dollars per annum.

Clause f. For the sprinkling and sweeping of streets:

The street sprinkling inspectors shall each receive a salary at the rate of seventy-five (\$75.00) dollars per month.

The chief inspector of street sweeping shall receive a salary at the rate of fifteen hundred (\$1,500.00) dollars per annum.

The assistant inspectors of street sweeping shall each receive a salary at the rate of one thousand (\$1,000.00) dollars per annum.

The clerk to the chief inspector of street sweeping shall receive a salary at the rate of seventy-five (\$75.00) dollars per month.

The drivers employed at night in street sweeping shall each receive wages at the rate of one dollar and seventy-five cents (\$1.75) per day.

The drivers employed during the day shall each receive wages at the rate of one dollar and sixty cents (\$1.60) per day.

The laborers shall each receive wages at the rate of one dollar and sixty cents (\$1.60) per day.

The chief stableman shall receive wages at the rate of eighteen (\$18.00) dollars per week.

The assistant stablemen shall each receive wages at the rate of twelve (\$12.00) dollars per week.

The blacksmiths shall each receive wages at the rate of three (\$3.00) dollars per day.

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

By Board of Public Works:

General Ordinance No. 51—1907: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Meridian street, from north property line Vermont street to north property line St. Clair street, with asphalt surface.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 12th day of April, 1907, adopt Improvement Resolution No. 5098, 1907, for the improvement of Meridian street, from north property line of Vermont street, to north property line of St. Clair street, with wooden block resurface, and

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 10th day of May, 1907, further action having been postponed to this day from April 29, 1907, the Board met in regular session, taking final action on said Improvement Resolution, modifying same so as to provide for asphalt surface; and

WHEREAS, On the 20th day of May, 1907, a written remonstrance was filed with the Board against the said improvement of Meridian street, and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 27th day of May, 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 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 Meridian street, from north property line of Vermont street to north property line of St. Clair street, with asphalt surface, in accordance with Improvement Resolution No. 5098, 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 Sewers, Streets and Alleys.

By City Controller:

General Ordinance No. 52—1907: An ordinance to amend section five of 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 therewith," approved May 16, 1907.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sixth paragraph, clause G, Section five (5) of 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," approved May 16, 1907, where said sixth paragraph reads "the custodian of the Haughville town hall shall receive wages at the rate of twenty-five (25.00) dollars per annum" be and the same is hereby amended so as to read "the custodian of the Haughville town hall shall receive wages at the rate of twenty-five (25.00) dollars per month."

SEC. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time.

Mr. Rhodes moved that the rules be suspended and General Ordinance No. 52, 1907, be placed upon its passage, which motion was lost and the ordinance was referred to the Committee on Fees and Salaries.

By City Controller:

General Ordinance No. 53—1907: An ordinance providing for the transfer of the sum of six hundred dollars from certain fund to a certain fund 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 there be and is hereby transferred the sum of six hundred (\$600.00) dollars from the appropriation heretofore made for the Fire Force pay-roll account to Fire Department Furniture and Fixtures account in and for the use of the Department of Public Safety.

SEC. 2. This ordinance shall take effect and be in full force from and after its passage.

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

Mr. Hamlet, by request:

General Ordinance No. 54—1907: An ordinance for fire protection in the City of Indianapolis, Indiana, and repealing all ordinances in connection therewith.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That it shall hereafter be unlawful for any person, firm, or corporation to use, lease or permit to be used or leased, any building containing a basement, cellar or sub-cellar in which any goods or articles of merchandise of any kind are to be stored, or in which any manufacturing is to be carried on, without first providing in said basement, cellar or sub-cellar, as a part of its construction and equipment, lines of wrought iron or galvanized iron water pipes with malleable iron fittings, said water pipes to have an area of not less than two and one-half ($2\frac{1}{2}$) inches in diameter for an area surface space of four thousand (4,000) square feet or less, and for basements, cellars or sub-cellars requiring more than one lateral line, then all lateral lines shall be connected together at both ends, making a complete circulating system, and the feed lines connecting the lateral lines together shall have an area equal to the combined areas of all lateral lines, and in no case shall a lateral line be less than two and one-half ($2\frac{1}{2}$) inches in diameter. It shall also be unlawful for any such person, firm or corporation to omit to provide said lines of pipe with branches of iron water pipe running therefrom, not less than one and one-half ($1\frac{1}{2}$) inches in diameter, or to omit to provide said pipe lines and branches with automatic rotary brass nozzles, in the proportion of one such nozzle to every four hundred (400) square feet of said area surface or fraction thereof, except where branch lines are used, then a smaller rotary nozzle of not less than three-quarter ($\frac{3}{4}$) inch diameter connection may be used, one such nozzle to every two hundred (200) square feet of said area surface or fraction thereof. And it shall likewise be unlawful for any such person, firm or corporation to omit to provide said system or basement, cellar or sub-cellar pipes with as many Siamese connections on the outside of said building as may be designated and required by the Chief of the Fire Force of said city, said Siamese connections to have an automatic check valve in each branch.

SEC. 2. It shall be unlawful for any person, firm or corporation owning or occupying any building in the City of Indianapolis, Indiana, already erected, containing a basement, cellar or sub-cellar in which any goods or articles of merchandise of any kind are stored, or in which any manufacturing is being carried on, or in which basement, cellar or sub-cellar any such goods or articles are to be stored or manufacturing is to be carried on, to continue to so store any such goods or articles, or to continue to carry on any manufacturing therein, after a notice of thirty days has been served on such person, firm or corporation, requiring such service to be installed, without having first provided said basement, cellar or sub-cellar with a system of iron water pipes, with automatic rotary brass nozzles and Siamese connections, as provided for in Section 1 of this ordinance.

SEC. 3. The Chief of the Fire Force of the City of Indianapolis, Indiana, shall require the system of pipe equipment described in Section 1 of this ordinance, to be placed in any part of any theater, hotel, or public assembly hall in said city within thirty (30) days after giving notice to the owner so to do. And it shall be unlawful for any such owner to neglect or refuse to so equip any such theater, hotel or public assembly hall, when so notified by said Chief of the Fire Force, beyond

the said space of thirty (30) days, and it shall be unlawful for any person, firm or corporation, after said period, to use or permit any building to be used for a theater, hotel or assembly hall, unless the same be equipped as herein provided.

SEC. 4. In any case where the owner of any such building already erected is not a resident of the City of Indianapolis, Indiana, the notices provided for in sections No. 2 and No. 3 hereof, may be served on any occupant, agent or representative of such owner, and such service shall be a valid and legal service on the owner, lessor or lessee of such building.

SEC. 5. All notices authorized or required to be served on the owners of premises or occupants thereof, or their agents or representatives, under the provisions of this ordinance, shall be served by the Chief of the Fire Force of the City of Indianapolis, Indiana, or any assistant of said Chief of Fire Force, designated by him, in his name, and the return of service under the official name or signature of such Chief of Fire Force shall be valid and binding on all parties.

SEC. 6. Any person, firm or corporation violating any provision of any or either of the sections of this ordinance, shall, upon conviction, be fined in any sum not less than ten dollars (\$10.00) nor more than one hundred dollars; and each day that any such owner, lessor, lessee, or occupant of any building shall allow goods or merchandise to be stored or manufacturing to be carried on in any such basement, cellar or sub-cellar without having the same provided with water pipes and equipment described in Section one (1) hereof, as required by Sections one (1), two (2) and three (3), shall constitute a separate offense.

SEC. 7. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in a newspaper of general circulation in the City of Indianapolis, Indiana.

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

ORDINANCES ON SECOND READING.

Mr. Rhodes called for General Ordinance No. 45, 1907, for second reading. It was read a second time.

Mr. Rhodes moved that General Ordinance No. 45, 1907, be amended as recommended by the Committee. Carried.

Mr. Rhodes moved that General Ordinance No. 45, 1907, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 45, 1907, was read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Smither, Rhodes, Bangs, Uhl, Stickelman, Portteus, Royse, Sullivan, Hofmann, Hilkené, Wright, Henry, and President Frederick W. Eppert.

Noes, none.

Mr. Stickelman called for General Ordinance No. 47, 1907, for second reading. It was read a second time.

Mr. Stickelman moved that General Ordinance No. 47, 1907, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 47, 1907, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Stickelman called for General Ordinance No. 29, 1907, for second reading. It was read a second time.

Mr. Stickelman moved that General Ordinance No. 29, 1907, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 29, 1907, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Hamlet called for General Ordinance No. 43, 1907, for second reading. It was read a second time.

Mr. Hamlet moved that General Ordinance No. 43, 1907, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 43, 1907, was read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Smither, Rhodes, Bangs, Uhl, Stickelman, Portteus, Royse, Sullivan, Hofmann, Hilkené, Wright, Henry, and President Frederick W. Eppert.

Noes, none.

Mr. Neukom called for General Ordinance No. 27, 1907, for second reading. It was read a second time.

Mr. Neukom moved that General Ordinance No. 27, 1907, be stricken from the files.

Mr. Uhl called for the ayes and noes.

The roll was called and General Ordinance No. 27, 1907, was stricken from the files by the following vote:

Ayes, 15, viz.: Messrs. Brown, Cottey, Wood, Davis, Neukom, Smither, Bangs, Stickelman, Portteus, Royse, Sullivan, Hofmann, Wright, Henry, and President Frederick W. Eppert.

Noes, 4, viz.: Messrs. Hamlet, Rhodes, Uhl, and Hilkené.

Mr. Davis called for General Ordinance No. 34, 1907, for second reading. It was read a second time.

Mr. Davis moved that General Ordinance No. 34, 1907, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 34, 1907, was read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Smither, Rhodes, Bangs, Uhl, Stickelman, Portteus, Royse, Sullivan, Hofmann, Hilkene, Wright, Henry, and President Frederick W. Eppert.

Noes, noné.

Mr. Davis called for General Ordinance No. 36, 1907, for second reading. It was read a second time.

Mr. Davis moved that General Ordinance No. 36, 1907, be stricken from the files.

Mr. Royse called for the ayes and noes.

The roll was called and General Ordinance No. 36, 1907, was stricken from the files by the following vote:

Ayes, 12, viz.: Messrs. Hamlet, Davis, Neukom, Smither, Rhodes, Bangs, Uhl, Stickelman, Sullivan, Hofmann, Wright, and Henry.

Noes, 7, viz.: Messrs. Brown, Cottey, Wood, Portteus, Royse, Hilkene, and President Frederick W. Eppert.

Mr. Royse called for General Ordinance No. 42, 1907, for second reading. It was read a second time.

Mr. Royse moved that General Ordinance No. 42, 1907, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 42, 1907, was read a third time and passed by the following vote:

Ayes, 16, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Neukom, Smither, Rhodes, Bangs, Stickelman, Portteus, Royse, Sullivan, Hofmann, Hilkene, Wright, and Henry.

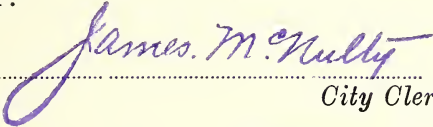
Noes, 3, viz.: Messrs. Davis, Uhl, and President Frederick W. Eppert.

On motion of Mr. Bangs the Common Council at 8:50 o'clock p. m. adjourned.



.....
President.

ATTEST:



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City Clerk.

