

## REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, December 4, 1911.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, December 4, 1911, at 7:30 o'clock, in regular session, President John Blumberg in the chair.

Present: The Hon. John Blumberg, President of the Common Council, and 8 members, viz: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stilz and Troy.

Absent, none.

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

## COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., November 22, 1911.

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

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

General Ordinance No. 74, 1911, being an ordinance providing for the transfer of \$500.00 from a 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.

General Ordinance No. 76, 1911, being an ordinance providing for the

transfer of \$600.00 from certain fund to certain fund in and for the use of the Department of Public Health and Charities and fixing a time when the same shall take effect.

General Ordinance No. 77, 1911, being an ordinance providing for the transfer of \$3,000.00 from a certain fund to a certain fund in and for the use of the Department of Public Works and fixing a time when the same shall take effect.

General Ordinance No. 78, 1911, being an ordinance providing for the transfer of \$500.00 from a certain fund to a certain fund in and for the use of the Department of Public Works and fixing a time when the same shall take effect.

General Ordinance No. 79, 1911, being an ordinance providing for the transfer of \$500.00 from a certain fund to a certain fund in and for the use of the Department of Public Works and fixing a time when the same shall take effect.

Appropriation Ordinance No. 86, 1911, being an ordinance appropriating the sum of \$3,000.00 to and for the use of the Department of Public Works and fixing a time when the same shall take effect.

Appropriation Ordinance No. 87, 1911, being an ordinance appropriating the sum of \$5,000.00 to and for the use of the Department of Public Works and fixing a time when the same shall take effect.

I have the honor to remain,

Very truly yours,

S. L. SHANK,  
*Mayor City of Indianapolis.*

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., November 24, 1911.

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

GENTLEMEN; I return herewith with my approval General Ordinance No. 85, 1911, same being an ordinance prescribing the penal sum for the bond of the City Treasurer.

I have the honor to remain,

Very truly yours,

S. L. SHANK,  
*Mayor City of Indianapolis.*

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., December 1, 1911.

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

GENTLEMEN: I am returning herewith with my approval General Ordinance No. 62, 1911, same being an ordinance amending clause "A" of Section 7 of General Ordinance No. 32, 1907, being "An ordinance

concerning the compensation of all officers, heads of departments, clerks, assistants and employes of the City of Indianapolis, Indiana, and repealing all laws and ordinances in conflict herewith," and fixing a time when the same shall take effect.

I have the honor to remain,

Very truly yours,

S. L. SHANK,  
*Mayor City of Indianapolis.*

#### REPORTS FROM CITY OFFICERS.

#### From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER,  
INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: I submit herewith a petition of William A. Drury, requesting the refunding of the amount due for the unexpired term of retail liquor license No. 198, issued May 2, 1911, and expiring May 1, 1912, on which he demands a refund from November 29, 1911, to May 1, 1912.

I submit herewith an ordinance providing for the appropriation of \$209.61 and recommend its passage.

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*

(Copy.)

INDIANAPOLIS, IND., December 4, 1911.

*Hon. Harry R. Wallace, City Controller:*

DEAR SIR: Referring to your inquiry with reference to refunding of certain licenses, growing out of local option elections held on August 31st, and to the tentative ordinances submitted by you, kindly be advised that legally the City is under obligations to refund the pro rata shares of such license fees, and in case the amounts are properly verified, the ordinances submitted are sufficient and adequate to cover the appropriations asked for, for the purpose of refunding such license fees.

Very truly yours,

MERLE N. A. WALKER,  
*City Attorney.*

*To the City of Indianapolis and Harry R. Wallace, City Controller of the City of Indianapolis:*

The undersigned licensee of the retail license for the sale of intoxicating liquors at the place of business commonly known as Maywood, in Wayne Township, in Marion County, would respectfully represent and

show that the said license was issued to him on behalf of said City of Indianapolis by S. L. Shank, Mayor, and Harry R. Wallace, City Controller, on the second day of May, 1911.

That on or about the 31st day of August, 1911, an election was held in said Wayne Township, to determine whether the sale of intoxicating liquor as a beverage should be prohibited in said Wayne Township. As a result of said election, a majority of the legal votes cast at said election were in favor of prohibiting the sale of intoxicating liquors as a beverage in said Wayne Township outside of the City of Indianapolis.

Now therefore, under and pursuant to Section 8 of the acts providing for the holding of such elections, said act being chapter 148 of the Acts of 1911, beginning at page 363 in said Section 8, being found on page 368 of said Acts of 1911, the undersigned licensee does now upon this 29th day of November, 1911, surrender the said license to the City of Indianapolis, and demands that the sum of two hundred and nine and 61-100 dollars (\$209.61) be refunded to him, the same being the proportionate amount due him on account of the unexpired time for which the said license fee was paid.

W. A. DRURY.

State of Indiana, County of Marion. ss:

Subscribed and sworn to before me, the undersigned, a notary public, in and for the above named County and State, this 2d day of December, 1911.

OSCAR E. SHERMAN,

*Notary Public.*

My commission expires —

[Seal]

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER,  
INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: I submit herewith a petition of William Henderson, requesting the refunding of the amount due for the unexpired term of retail liquor license No. 278, issued June 8, 1911, and expiring June 5, 1912, on which he demands a refund from November 29, 1911, to date of expiration June 5, 1912.

I submit herewith an ordinance providing for the appropriation of \$258.93 and recommend its passage.

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*

(Copy.)

INDIANAPOLIS, IND., December 4, 1911.

*Hon. Harry R. Wallace, City Controller:*

DEAR SIR: Referring to your inquiry with reference to refunding of certain licenses, growing out of local option elections held on August 31st, and to the tentative ordinances submitted by you, kindly be advised that legally the City is under obligations to refund the pro rata shares of such license fees, and in case the amounts are properly veri-

fied, the ordinances submitted are sufficient and adequate to cover the appropriations asked for, for the purpose of refunding such license fees.

Very truly yours,

MERLE N. A. WALKER,  
*City Attorney.*

*To the City of Indianapolis and Harry R. Wallace, City Controller of the City of Indianapolis:*

The undersigned licensee of the retail license for the sale of intoxicating liquors at the place of business commonly known as the corner of the Hanch gravel road and the National road in Wayne Township in Marion County, the said place of business being situated about two miles west of the corporate limits of the City of Indianapolis, would respectfully represent and show that the said license was issued to him on behalf of said City of Indianapolis by S. L. Shank, Mayor, and Harry R. Wallace, City Controller, on the 8th day of June, 1911.

That on or about the 31st day of August, 1911, an election was held in said Wayne Township to determine whether the sale of intoxicating liquor as a beverage should be prohibited in said Wayne Township. As a result of said election a majority of the legal votes cast at said election were in favor of prohibiting the sale of intoxicating liquors as a beverage in said Wayne Township outside of the City of Indianapolis.

Now, therefore, under and pursuant to Section 8 of the act providing for the holding of such elections, said act being Chapter 148 of the Acts of 1911 beginning at page 363 and said Section 8 being found on page 268 of said Acts of 1911, the undersigned licensee does now upon this 27th day of November, 1911, surrender the said license to the City of Indianapolis and demands that the sum of \$258.93 be refunded to him, the same being the proportionate amount due him on account of the unexpired time for which the said license fee was paid.

WILLIAM HENDERSON.

State of Indiana, County of Marion. ss:

Subscribed and sworn to before the undersigned notary public in and for the above named County and State, this 27th day of November, 1911.

EDWARD C. SIMPSON,  
*Notary Public.*

My commission expires February 21, 1915.

[Seal]

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER,  
INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: I submit herewith a communication from the Department of Public Safety, also a letter from Fire Chief Coots, requesting me to recommend an appropriation of \$5,500.00 to a fund to be known as "Motor Chemical and Hose Wagon."

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

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*



DEPARTMENT OF PUBLIC SAFETY.  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., November 29, 1911.

*Mr. Harry R. Wallace, City Controller:*

DEAR SIR: At a meeting of the Board of Public Safety held this date, it was decided to request you to please ask the Common Council, to appropriate for the use of the fire force, under a fund to be known as "Motor Chemical and Hose Wagon," the sum of fifty-five hundred dollars (\$5,500.00) to be used in the purchase of a new motor combination chemical and hose wagon to replace horse-drawn chemical No. 3, which will be moved to North Indianapolis, to give that portion of the City the additional needed protection, as explained in Chief Coots recommendation herewith attached.

Respectfully yours,

BOARD OF PUBLIC SAFETY,  
WM. E. DAVIS, *President.*

INDIANAPOLIS FIRE DEPARTMENT,  
OFFICE OF THE CHIEF.  
INDIANAPOLIS, IND., November 29, 1911.

*To the Board of Public Safety:*

GENTLEMEN: In answer to the request of the committee from the North Indianapolis Commercial Club for additional fire protection, I would recommend the purchase of a motor combination chemical and hose wagon for Hose Company No. 5, and the removal of Chemical Co. No. 3, now located at Fire Station No. 5, to Fire Station No. 23, North Indianapolis. No additional men will be necessary as the motor will replace the horse-drawn wagon No. 5.

Respectfully submitted,

C. E. COOTS,  
*Chief Fire Force.*

**From City Controller:**

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: I submit herewith a communication from the Department of Public Works, requesting me to recommend an appropriation of \$2,187.90 to the fund for the payment of "Assessments Against City of Indianapolis."

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

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., December 1, 1911.

*Mr. Harry R. Wallace, City Controller:*

DEAR SIR: You are hereby requested to recommend to the Common Council the passage of an ordinance appropriating the sum of \$2,187.90, to pay an assessment against the City of Indianapolis for the improvement of Locke street, under Improvement Resolution No. 6476.

Respectfully,

C. A. SCHRADER,  
CHARLES L. HUTCHINSON,  
E. J. O'REILLY,  
*Board of Public Works.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: I submit herewith a communication from the Department of Public Health and Charities requesting me to recommend the transfer of \$75.00 from the horse-shoeing fund to the stable fund.

I submit herewith an ordinance providing for the amount of the transfer requested and recommend its passage.

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., December 1, 1911.

*Mr. Harry R. Wallace, City Controller:*

MY DEAR SIR: The Department of Public Health and Charities respectfully requests you to ask the Council to transfer the sum of seventy-five dollars (\$75.00) from the horse-shoeing fund to the stable fund.

These are City Hospital funds.

Thanking you, I am

Yours very truly,

C. S. WOODS,  
*Secretary Board of Health.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: I submit herewith an ordinance requesting an appropriation of \$6,800.00 to and for the use of the Finance Department for the payment of interest on City Bonds. An additional appropriation

being needed on account of the last issue of City Bonds, Fire Improvement and City Hospital.

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

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: I submit herewith a communication from the Department of Public Safety, requesting me to recommend an appropriation of \$30.00 to cover a deficit in December pay-roll, this being caused by the increase in the salary of the secretary for November and December.

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

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*

DEPARTMENT OF PUBLIC SAFETY.  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., November 29, 1911.

*Mr. Harry R. Wallace, City Controller:*

DEAR SIR: At a meeting of the Board of Public Safety held this date, it was decided to request you to please ask the Common Council to appropriate for the Board of Public Safety salaries account the sum of thirty dollars (\$30.00) to cover a deficit in December pay-roll, this being caused by the increase in the salary of the secretary for November and December.

Respectfully yours,

BOARD OF PUBLIC SAFETY,  
WM. E. DAVIS, *President.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: I submit herewith a communication from the Department of Public Safety, requesting me to recommend an additional appropriation of \$2,100.00 to the "Police Force Pay-Roll" fund to cover a deficit in the December salaries which exists.

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

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*



DEPARTMENT OF PUBLIC SAFETY,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., November 29, 1911.

*Mr. Harry R. Wallace, City Controller:*

DEAR SIR: At a meeting of the Board of Public Safety, held this date it was decided to request you to please ask the Common Council to appropriate for the Police Force Pay-Roll account the sum of twenty-one hundred dollars (\$2,100.00) to cover a deficit in the December salaries which exists.

Respectfully yours,

BOARD OF PUBLIC SAFETY,

WM. E. DAVIS, *President.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: I submit herewith a communication from the Department of Public Health and Charities, requesting me to recommend the transfer of the following funds:

\$218.52 from the Weed fund to the Salary fund.

\$200.00 from the Food and Milk fund to the Printing fund.

\$1,200.00 from the Public Charity fund to the Horse Board and Transportation fund.

I submit herewith an ordinance providing for the amount of the transfer requested and recommend their passage.

Respectfully submitted,

HARRY R. WALLACE,

*City Controller.*

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., December 4, 1911.

*Mr. Harry R. Wallace, City Controller:*

GENTLEMEN: The Department of Public Health and Charities respectfully requests you to ask the Council to transfer

\$218.52 from the Weed fund to the Salary fund.

\$200.00 from the Food and Milk fund to the Printing fund.

\$1,200.00 from the Public Charity fund to the Horse Board and Transportation fund.

Thanking you, I am

Yours very truly,

C. S. WOODS,

*Secretary Board of Health*

**From City Controller:**

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: I submit herewith a communication from the Department of Law, requesting me to recommend an appropriation of \$23,757.23 to the "Judgments, Compromises and Costs" fund.

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

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*

DEPARTMENT OF LAW,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., December 4, 1911.

*Mr. Harry R. Wallace, City Controller:*

DEAR SIR: Kindly be advised that a judgment was recovered against the City of Indianapolis, in the case of the American Construction Company vs. the City of Indianapolis, upon which there is due \$23,757.23.

Kindly invite an appropriation ordinance covering this judgment, in order to save any interest accumulation on it. This is to cover reduced assessments on the sewer constructed by the American Construction Company where the assessments were reduced by order of the Court in the amounts set forth in the aggregate of this judgment.

We would be glad to have this matter attended to at your earliest convenience.

Very truly yours,

MERLE N. A. WALKER,  
*City Attorney.*

**From Board of Public Works:**

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., December 1, 1911.

*Honorable Members of Common Council:*

GENTLEMEN: The attached ordinance ratifying, confirming and approving a certain contract entered into on the 29th day of November, 1911, between the City of Indianapolis and the Citizens Gas Company, being a contract amending a certain contract entitled "a contract entered into on the 25th day of August, 1905, with Alfred F. Potts, Frank D. Stalnaker and Lorenz Schmidt," is herewith submitted to you for your consideration and action thereon.

Respectfully,

C. A. SCHRADER,  
CHARLES L. HUTCHINSON,  
E. J. O'REILLY,  
*Board of Public Works.*

## REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: We, your Committee on Finance, to whom was referred General Ordinance No. 84, 1911, being "An ordinance providing for the transfer of \$150.00 from a certain fund to a certain fund in and for the Department of Law and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration and would recommend that the same do pass.

Respectfully submitted,

FRED C. OWEN,  
CHARLES F. COPELAND,  
FRANK E. MCCARTHY,  
GEORGE L. DENNY,  
GEORGE B. RUBENS.

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

From the Committee on Finance:

INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 77, 1911, being an ordinance entitled "An ordinance appropriating the sum of \$5,000.00 to and for the use of the Department of Public Safety and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration and would recommend that said ordinance be amended by striking out of the title and Section 1, the words and figures five thousand dollars (\$5,000.00) and inserting in lieu thereof the words and figures three thousand five hundred dollars (\$3,500.00), and when said ordinance is so amended we would recommend that the same do pass.

Respectfully submitted,

FRED C. OWEN,  
CHARLES F. COPELAND,  
FRANK E. MCCARTHY,  
GEORGE B. RUBENS.

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

**From the Committee on Finance:**

INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 89, 1911, being "An ordinance appropriating the sum of \$1,000.00 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 we have had said ordinance under consideration and would recommend that the same do pass.

Respectfully submitted,

FRED C. OWEN,  
CHARLES F. COPELAND,  
FRANK E. MCCARTHY,  
GEORGE L. DENNY,  
GEORGE B. RUBENS.

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

**From the Committee on Finance:**

INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 90, 1911, being "An ordinance appropriating the sum of \$4,000.00 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 we have had said ordinance under consideration and would recommend that the same do pass.

Respectfully submitted,

FRED C. OWEN,  
CHARLES F. COPELAND,  
FRANK E. MCCARTHY,  
GEORGE L. DENNY,  
GEORGE B. RUBENS.

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

**From the Committee on Finance:**

INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 91, 1911, being "An ordinance appropriating the sum of \$1,000.00 to and for the use of the Department of Pub-

lic Works and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration and would recommend that the same do pass.

Respectfully submitted,

FRED C. OWEN,  
CHARLES F. COPELAND,  
FRANK E. MCCARTHY,  
GEORGE L. DENNY,  
GEORGE B. RUBENS.

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

#### From the Committee on Public Service:

INDIANAPOLIS, IND., December 4, 1911.

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

GENTLEMEN: We, your Committee on Public Service, to whom was referred General Ordinance No. 83, 1911, being "An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain a sidetrack or switch from the Belt Railroad across Martindale avenue and Sheldon street, according to blue print attached, in the City of Indianapolis, Indiana," beg leave to report that we have had said ordinance under consideration and would recommend that the same do pass.

Respectfully submitted,

WM. H. JOHNSON,  
CHARLES F. COPELAND,  
FRED C. OWEN,  
FRANK E. MCCARTHY,  
GEORGE B. RUBENS.

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

#### INTRODUCTION OF APPROPRIATION ORDINANCES.

##### By City Controller:

Appropriation Ordinance No. 94—1911: An ordinance appropriating the sum of \$2,100.00 to and for the use of the Department of Public Safety and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana. That the sum of twenty-one hundred dollars



(\$2,100.00) be, and is hereby appropriated out of any moneys in the City Treasury, not otherwise appropriated, to and for the use of the Department of Public Safety, the amount appropriated herein to be added to and form a part of the fund known as "Police Force Pay-Roll."

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. 95—1911: An ordinance appropriating the sum of \$30.00 to and for the use of the Department of Public Safety and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of thirty dollars (\$30.00 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 Safety, the amount appropriated herein to be added to and form a part of the fund known as "Board of Public Safety Salaries."

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. 96—1911: An ordinance appropriating the sum of \$5,500.00 to and for the use of the Department of Public Safety and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of five thousand five hundred dollars (\$5,500.00) be, and is hereby appropriated out of any moneys in the City Treasury, not otherwise appropriated, to and for the use of the Department of Public Safety, the amount appropriated herein to be known as "Motor Chemical and Hose Wagon" fund.

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

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

By City Controller:

Appropriation Ordinance No. 97—1911: An ordinance appropriating the sum of \$2,187.90 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 one hundred and eighty-seven dollars and ninety cents (\$2,187.90) be, and is hereby appropriated, out of any moneys in the City Treasury, not otherwise appropriated, to and for the use of the Department of Public Works, the amount appropriated herein to be added to and form a part of the fund known as "Assessments Against the City of Indianapolis."

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. 98—1911: An ordinance appropriating the sum of \$23,757.23 to and for the use of the Department of Law 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 twenty-three thousand seven hundred and fifty-seven dollars and 23-100 (\$23,757.23) be, and is hereby appropriated out of any moneys in the City Treasury, not otherwise appropriated, to and for the use of the Department of Law, the amount appropriated herein to be added to and form a part of the fund known as "Judgments, Compromises and Costs."

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

Which was read a first time.

Mr. Owen moved that the rules be suspended and Appropriation Ordinance No. 98, 1911, be placed upon its passage.

The roll was called and the motion to suspend the rules carried by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stilz, Troy and President John Blumberg.

Noes, none.

Mr. Owen called for Appropriation Ordinance No. 98, 1911 for second reading. It was read a second time.

Mr. Owen moved that Appropriation Ordinance No. 98, 1911, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 98, 1911, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stilz, Troy and President John Blumberg.

Noes, none.

**By City Controller:**

Appropriation Ordinance No. 99—1911: An ordinance appropriating the sum of \$258.93 to and for the use of the Department of Finance 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 fifty-eight dollars and ninety-three cents (\$258.93) 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 Finance, the sum appropriated to be paid to William Henderson as a refund on retail liquor license No. 278 from November 29, 1911, to June 5, 1912.

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. 100—1911: An ordinance appropriating the sum of \$209.61 to and for the use of the Department of Finance 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 nine dollars and sixty-one cents (\$209.61) be, and is hereby appropriated out of any

moneys in the City Treasury, not otherwise appropriated, to and for the use of the Department of Finance, the sum appropriated to be paid to William A. Drury as a refund on retail liquor license No. 198 from November 29, 1911, to May 1, 1912.

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. 101—1911: An ordinance appropriating \$6,800.00 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 six thousand eight hundred dollars (\$6,800.00) 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 Finance, the sum herein appropriated to be added to and form a part of the fund known as "Interest and Exchange on City Bonds."

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 Board of Public Works:**

General Ordinance No. 86—1911: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 29th day of November, 1911, between the City of Indianapolis, by and through its Board of Public Works, and the Citizens' Gas Company of Indianapolis, Indiana, viz.:

This contract and agreement made and entered into by and between the City of Indianapolis, of Marion County, Indiana, by and through its Board of Public Works, party of the first part, and the Citizens' Gas Company of Indianapolis, Indiana, a corporation organized and acting

under and pursuant to the laws of the State of Indiana, party of the second part, witnesseth:

WHEREAS, Said City of Indianapolis, on the 25th day of August, 1905, entered into a certain contract with Alfred F. Potts, Frank D. Stalnaker and Lorenz Schmidt, which contract was approved by an ordinance adopted by the Common Council of the City of Indianapolis, and approved by the Mayor of the City of Indianapolis, August 30th, 1905, by the terms of which contract there was granted unto said Alfred F. Potts, Frank D. Stalnaker and Lorenz Schmidt, for themselves and their assigns, a franchise for the manufacture and sale of gas; and,

WHEREAS, Said contract, pursuant to the provisions of Section 24 thereof, was assigned to the said Citizens' Gas Company, party hereto, and,

WHEREAS, It is desired for the mutual benefit and accommodation of the parties that certain provisions of said contract shall be amended;

*Now, therefore, it is agreed* by and between the parties hereto as follows:

1. That Section 17 of said contract, hereinabove referred to, be amended to read as follows:

The parties of the second part hereby bind themselves, their successors and assigns, to so extend the various lines and mains of said plant that all the inhabitants of said city may be supplied with gas for fuel and lighting purposes, when they may reasonably require the same and when a petition therefor has been presented to the Board of Public Works signed by the owners of the property in any territory in said city asking for such extension, and in which said owners or occupants of at least three houses already erected shall bind themselves to make five or more stove or grate connections or fifteen or more burner connections, and to use the same, for each five hundred (500) feet of space that said lines are asked to be extended. Whenever such petition has been filed with the said Board of Public Works it shall cause written notice to be given to the parties of the second part, their successors or assigns, which may be served on any officer or employe of said parties of the second part or assigns, at the main Indianapolis office of said parties or assigns, requiring said parties of the second part or assigns to appear before said Board of Public Works at a certain hour specified in said notice in not less than five days after the serving of such notice, to show cause why the prayer of said petitioners should not be granted. Such notice shall contain an accurate description of the streets, alleys and public places through and along which such extension is asked and the territory and inhabitants of which it is proposed to supply with gas, as aforesaid. On the day and at the time named in such notice the Board of Public Works shall give to the parties of the second part, or assigns, if they so desire, a full hearing on the question as to whether such petition has been signed by the required number of owners and occupants of property who have agreed therein to take and use the number of stoves or grate connections or burners, and whether such extension should be required; if said parties of the second part or assigns should not appear before said Board of Public Works at the time fixed in said notice, said Board of Public Works may act upon such petition and upon such evidence or information as it may have from any source. If said Board of Public Works, after such hearing, shall decide that said petition has been signed as hereinbefore provided, and contains the agreement as to burners or stove connections herein required, and that such extension may be reasonably required, it may make an order requiring such extension and fixing the time within which said work of extension shall be completed, reasonable time being given, written notice of which shall be given to the parties of the



second part, or assigns, and if the parties of the second part, or assigns, should fail or refuse to make such extension within the time limited, unavoidable delays excepted, the parties of the second part, or assigns, shall forfeit and pay to said City the sum of fifty (\$50.00) dollars for each and every day that the completion of such extension is delayed beyond the period so fixed, which sum shall be considered as liquidated damages for breach of this contract: *Provided*, however, That said parties of the second part, or assigns, shall not be required to proceed with the extension of any lines, pipes or mains between the first day of November and the first day of April of the following year, in any year: *And provided, further*, That such extension shall not be required by said Board of Public Works of said city unless the earnings of said company will permit the same after payment of the dividend of ten per centum per annum, upon the subscribers' certificates; *And provided, further*, That such extensions may be required by said Board of Works of said city during the five years beginning January 1, 1912, to an extent not exceeding in the aggregate in any one year twenty thousand (20,000) feet of mains of adequate size to serve the consumers along such extension; during the five years beginning January 1, 1917, to an extent not exceeding in the aggregate in any one year twenty-five thousand (25,000) feet, and during the remaining term of the franchise, i. e., beginning January 1, 1922, to an extent not exceeding in the aggregate in any one year thirty thousand (30,000) feet, without regard to the previous payment of the dividend of ten per centum per annum upon the subscribers' certificates.

2. That Section 24 of said contract hereinabove referred to be amended to read as follows:

This contract shall not be assigned, nor in any manner transferred, whether directly or indirectly, without the consent of the Board of Public Works, and approval of the Common Council of said city, except by way of mortgage or deed of trust, and as a part of the security for bonds of the company, and which mortgage or deed of trust shall contain, among others, the following limitations and conditions:

First. That such bonds shall bear interest at not to exceed five (5) per cent. per annum.

Second. That there be set aside annually as a sinking fund or otherwise applied toward the immediate or future retirement of such bonds, a sum equal to at least one-half ( $\frac{1}{2}$ ) of one per cent. of the total bonds at the time outstanding, beginning not later than five (5) years after issue thereof.

Third. That bonds may be certified at or after the date of the execution of such mortgage or deed of trust to the amount of the bonds heretofore authorized for the purpose of refunding the same, and in addition thereto bonds to the amount of forty (40) per cent. of the present capital stock of the company, which stock has been sold at not less than par, may be certified and used for proper corporate purposes, but that no other bonds shall be issued and certified except for betterments, replacements and extensions to the plant of the company hereafter made or other property for any of the company's corporate purposes hereafter acquired, and this only to the extent of eighty (80) per cent. of the cost thereof: *Provided, however*, The foregoing shall not be deemed as in any wise affecting the transfer of this franchise heretofore made to the Citizens' Gas Company, which transfer was expressly authorized by the terms of Section twenty-four (24) of such franchise, as originally adopted.

*In Witness Whereof*, The said City of Indianapolis has caused its corporate name to be hereunto affixed by its Board of Public Works, and the said Citizens' Gas Company has caused this instrument to be executed in its name and on its behalf by its president and the due

execution thereof to be attested by its secretary and its corporate seal hereto affixed, this 29th day of November, A. D. 1911.

Approved:

S. L. SHANK, *Mayor.*

*City of Indianapolis:*

C. A. SCJRADER,

CHARLES L. HUTCHINSON,

E. J. O'REILLY,

*Board of Public Works.*

*Citizens' Gas Company of Indianapolis:*

*By FRANKLIN VONNEGUT, President.*

[Seal]

Attest:

J. D. FORREST, *Secretary.*

*And, Whereas,* Said contract and agreement has been submitted through the Board of Public Works, to the Common Council of the City of Indianapolis, for its action thereon; therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, That the foregoing contract and agreement made and entered into on the 29th day of November, 1911, by the City of Indianapolis, by and through its Board of Public Works, and the Citizens' Gas Company, be and the same is hereby in all things ratified, confirmed and approved.

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

By City Controller:

General Ordinance No. 87—1911: An ordinance providing for the transfer of \$75.00 from a certain fund to a certain fund in and for the use of the Department of Public Health and Charities and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of seventy-five dollars (\$75.00) be, and the same is hereby transferred from the Horseshoeing fund to the Stable fund. All to and for the use of the Department of Public Health and Charities.

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

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

By City Controller:

General Ordinance No. 88—1911: An ordinance providing for the transfer of \$1,618.52 from certain funds to certain funds in and for the use of the Department of Public Health and Charities and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of one thousand six hundred eighteen dollars and fifty-two cents (\$1,618.52) be, and the same is hereby transferred from certain funds to certain funds as follows, to-wit:

From the Weed fund to the Salary fund.....	\$ 218 52
From the Food and Milk fund to the Printing fund.....	200 00
From the Public Charity fund to the Horse Board and Transportation fund .....	1,200 00

All to and for the use of the Department of Public Health and Charities.

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 Mr. Owen:

General Ordinance No. 89—1911: An ordinance fixing the compensation for the chief clerk to the Superintendent of Streets 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 chief clerk to the Superintendent of Streets shall receive for his services as such compensation the sum of twelve hundred (\$1,200.00) dollars per year, payable monthly after the termination of each month's service.

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

SEC. 3. That whereas an emergency exists for the passage of this ordinance, the same shall be in force and effect from and after its passage.

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

By Mr. Denny:

General Ordinance No. 90—1911: An ordinance presenting rules for the procedure of the Common Council of Indianapolis.

Be it ordained by the Common Council of the City of Indianapolis, That on and after January 1st, 1912, the following rules of procedure shall be followed at all meetings of said body:

#### MEETINGS.

The regular meetings shall be held on the first and third Monday evenings of each month, at the hour of 7:30. At the hour fixed the Clerk shall call the roll, noting those present and those absent. If the President be absent at the time of the first roll call, the Vice-President shall

call the Council to order; and if the latter is absent, any member of the Council may, upon motion, be called to the chair, and such chairman shall act as presiding officer until the arrival of the one entitled to preside.

Special meetings of the Common Council may be held upon the call made as follows: By the Mayor, or by the President, or by any three (3) members of the Common Council. In case of a call for a special meeting, in whatever manner made, it shall be the duty of the persons authorizing the same to duly notify the City Clerk thereof, and it shall be the duty of that officer to cause notice of such meeting to be immediately served upon each member, either in person or by notice left at his place of residence.

At special meetings of the Common Council only such ordinances or resolutions shall be considered or acted upon, or such communications received, as are specifically stated in the call for said special meeting.

#### DUTIES OF OFFICERS.

##### PRESIDENT.

The presiding officer shall preserve order and decorum.

He shall decide all questions of order, subject to an appeal to the Council.

He shall vote on all questions, when the ayes and noes are taken (his name being called last), and upon all other questions, when the Council is equally divided, he shall cast the deciding vote.

He shall appoint all standing committees as well as all special committees that may be ordered by the Council, except as hereinafter provided. All standing committees shall be appointed at the commencement of the term of Council: *Provided, however,* That said standing committees shall survive only during the term of the President appointing same. He shall also fill all existing vacancies that may hereafter occur in any of said committees. He shall announce the result of all votes by the Council upon all motions, resolutions, ordinances, etc., whether by roll-call or by viva voce vote.

It is the duty of the President to sign all ordinances, orders or resolutions passed by the Council before being presented to the Mayor, as well as all ordinances after enrollment, and the journal of proceedings.

Before putting the question to a vote of the Council the President shall rise to his feet, but may state the question sitting.

##### CLERK.

It shall be the duty of the City Clerk to keep an accurate journal of the proceedings of the Common Council.

He shall have said proceedings printed after each regular or special meeting, one copy of which shall be presented to each member within ten days after the meeting, and at least fifty (50) copies of which shall be kept on file, to be bound at the end of the year, with a proper index thereto, which shall be the official journal of the Common Council of said city.

He shall arrange a roll-call in the order of districts, and where there are two councilmen from the same district their names shall be placed alphabetically.

He shall keep a proper file of all papers and documents of every kind and character, and shall hold them subject to the orders of the Common Council.

He shall be the custodian of all ordinances, resolutions, petitions, memorials, and all other papers pertaining to the business of the Common Council, except when such ordinances, resolutions, petitions, me-



memorials or other papers are necessarily in the hands of any committee for the consideration of such committee.

Immediately after the last Council meeting in each calendar month he shall also cause to be printed at least fifty Council Calendars, one of which shall be mailed to each Councilman, to the Mayor, the head of each executive department of the city government, and to the judge of the City Court. The remaining copies of said calendar shall be distributed upon request to other city officials or citizens in the judgment of the Clerk.

Each issue of said calendar shall supplement its predecessor and shall contain separate tables of all General Ordinances, Special Ordinances, Appropriation Ordinances and Resolutions, respectively, upon which any official action shall have been had within the year and up to the date of publication, with the last action thereon and date thereof. It is hereby intended that said calendar shall contain the substance and be in the form of the tables printed on pages 9 to 15 of the Official Council Proceedings of 1910, except that any matters pending and undisposed of after the last meeting in any year shall be carried over and shown upon the calendar for the succeeding year.

#### SERGEANT-AT-ARMS.

The Sergeant-at-Arms shall act as messenger for the Common Council, and shall deliver into the hands of the proper committee chairman all ordinances, resolutions, petitions, memorials or other papers or documents within two days after any meeting of the Common Council at which the same shall have been referred to any committee.

He shall at all times be subject to the orders of the Common Council or the President thereof.

#### RULE 1.

1. Reed's Parliamentary Rules shall be authority on all questions of parliamentary law and procedure not specifically covered by these rules.

2. A quorum shall consist of a majority of all members elected, but no ordinance, order or resolution shall be passed, or ordinance engrossed, which shall not have received the votes of a majority of all members constituting the Common Council.

3. No one not a member of the Common Council shall be permitted to address the same except by a two-thirds secret ballot vote of the Common Council: *Provided, however,* That any officer of the city or his authorized deputy may, when called upon by the President, make a report.

4. No smoking will be allowed in the Council Chamber during the sitting thereof.

5. The presiding officer shall decide whether any question is carried by affirmative or negative vote; but if he doubt, and the "ayes and noes" or a division be called for, the Council shall decide. In case of a rising vote, those voting in the affirmative shall first rise and be counted; afterward those voting in the negative.

#### COMMITTEES.

There shall be eight standing committees of the Council, consisting of five members each, as follows:

- (1) Committee on Finance.
- (2) Committee on Public Works.
- (3) Committee on Public Safety.
- (4) Committee on Public Health and Charities.



- (5) Committee on Parks.
- (6) Committee on Law and Judiciary.
- (7) Committee on Elections.
- (8) Committee on the City's Welfare.

In addition, the President may appoint special committees of any odd number of members of the Council for any special purpose, either on his own motion or on motion of a majority of the Council.

The Committee on Finance shall be composed of the Chairman thereof, to be appointed by the President, and the Chairman of the Committee on Public Works, Public Safety, Public Health and Charities and Public Parks, respectively.

All appropriation ordinances, and ordinances for the purpose of raising revenues, shall be referred to said Committee on Finance.

In case any business is pending in any committee, it shall be the duty of the chairman of such committee to assemble the same at least one week before the next regular meeting, and to present to said committee for action all ordinances then pending therein. Each such ordinance shall be reported back to the Council at the next regular meeting, unless a majority of said committee shall vote to postpone action. In that event the action on the motion to postpone shall be reported at the next regular meeting: *Provided*, That nothing herein contained shall be construed to affect any action taken at any special meeting of the Council.

No penal ordinance shall be reported back to the Council by any committee thereof unless the same be accompanied by a written opinion from the Department of Law as to its legality and form.

When a reference is made of any subject to a standing or special committee, the member introducing the same shall be a member of such committee during its deliberations thereon, but shall have no right to vote. He shall be notified by the chairman of such committee of the time and place of meeting of said committee.

All reports from committees shall be made in writing, giving both the title and number thereof, and must be signed by a majority of the members thereof; and all committees shall return all ordinances, resolutions and papers referred to them, and report upon the same to the Common Council not later than the second regular meeting night after the same is introduced: *Provided*, That the Council may, at its discretion, extend the time for making such reports.

## RULE 2.

### ORDINANCES.

1. Ordinances shall be of three distinct classes, viz.: First, appropriation ordinances; second, special ordinances relating to special matters; third, general ordinances relating to the government of the city. The Clerk shall keep each class of ordinances in distinct files, according to the number of their readings, and shall give each ordinance of each class a distinct number in the order of its introduction, and shall place such files on the Clerk's desk at the opening of each meeting.

All ordinances shall be read three times before they may be put to vote upon passage, unless these rules shall be suspended, but no ordinance shall be put upon its passage without having been read in its entirety at least once by the Clerk, nor shall any ordinance or resolution be passed upon the same day it is introduced, except by unanimous consent of the Common Council.

2. First and third readings of ordinances shall be by title only, but all ordinances shall be read in their entirety by the Clerk upon second reading.

All ordinances shall be read by title only when introduced, and shall be immediately referred to the proper committee by the President, unless the Common Council shall vote to take up consideration of such ordinance in Committee of the Whole.

All ordinances shall be open to amendment after second reading, but not before.

After second reading all ordinances shall be ordered engrossed by the Common Council before they may be read the third time and placed upon passage, but it shall be proper to include an order for engrossment in a motion for third reading and passage, in which case the proper form of such motion shall be as follows: "I move that ——— Ordinance No. ——— be ordered engrossed, read a third time and placed upon its passage."

3. No amendment, except to strike out, shall be in order after an ordinance has been ordered engrossed unless by unanimous consent.

Any ordinance failing to receive a majority of the votes upon order for engrossment shall be considered as still upon its second reading and awaiting engrossment unless stricken from the files or otherwise disposed of by the Common Council.

All votes upon the passage of ordinances and resolutions, upon motions to suspend the rules or motions to reconsider, shall be by roll-call.

The Common Council may, at any time, order that ordinances, resolutions, petitions, memorials or other papers shall be printed for distribution among the members or other persons.

4. Any ordinance may be stricken from the files at any time by a vote of two-thirds of all the members elected, or by a majority vote after the ordinance shall have passed a second reading.

5. A majority of all members elected shall be required to pass or defeat any ordinance, and any ordinance failing of passage or defeat because of not having received such a majority for or against passage, shall be considered as engrossed and awaiting call for third reading and final passage. Any such ordinance may be called for third reading and final passage at any subsequent meeting of the Council unless it shall have been stricken from the files or otherwise disposed of.

6. Any amendment to an ordinance may be referred, delayed, or otherwise disposed of, without delay or prejudice to the ordinance itself.

7. Ordinances reported back to the Council by committees or officers will take their proper place in first, second or third readings.

8. Ordinances, resolutions and reports may be committed and re-committed at the pleasure of the Council.

9. When a reference is made of any subject to a standing or special committee, the member introducing the same shall be a member of such committee during its deliberation thereon, but shall have no right to vote. He shall be notified by the chairman of such committee of the time and place of meeting of said committee.

10. All reports from committees shall be made in writing, giving both the title and number thereof, and must be signed by a majority of the members thereof; and all committees shall return all ordinances, resolutions and papers referred to them, and report upon the same to the Common Council not later than the second regular meeting night after the same is introduced: *Provided*, That the Council may, at its discretion, extend the time for making such reports.

11. Upon call of the roll on any question after any one member shall have voted, it shall not be in order for any member to offer remarks except in explanation of his vote; and no explanation shall be in order under the operation of the "previous question" or motion to "lay on the table."

12. All resolutions presented for any action by the Council shall be read by the Clerk and immediately referred to a proper committee by the President, and no debate shall be in order upon such resolution until the same shall have been reported back to the Council by the committee to which it was referred.

### RULE 3.

#### MOTIONS, THEIR PRECEDENCE, ETC.

1. When any motion is made and seconded it shall be stated by the presiding officer, or, being in writing, it shall be handed to the Clerk and read aloud before debate, and shall be entered upon the journal with the name of the member making it, unless it is withdrawn at the same meeting.

2. Every motion shall be reduced to writing except to adjourn; to adjourn to a day certain; to reconsider the previous question or the seconding thereof; to lay on the table; to postpone to a day certain; to postpone indefinitely; to commit; to amend; to suspend the rules, or to concur; and every other motion not so reduced to writing shall, upon the objection of any one member, be considered out of order.

3. A motion to "lay on the table," or for the "previous question," shall not be in order if prefaced by any speech or remarks.

4. Any motion or resolution which in effect contemplates a violation of law, or is in conflict with any ordinance, shall be ruled out of order.

5. A motion to adjourn can not be repeated unless other business has intervened between the motions.

6. A motion to adjourn can not be reconsidered.

7. Any matter laid upon the table may be taken up by a vote of the Council at any time: *Provided*, A motion to reconsider, once laid upon the table, can not again be taken up.

8. A motion to "reconsider," and "that when the Council adjourn it adjourn to meet on a day certain," are privileged questions, and are debatable.

9. A business which by law or necessity must or should be transacted within or by a certain time will be considered a question of privilege.

10. A motion to "suspend the rules" is a privileged question, is not debatable, and can not be amended, except to the acceptance of the mover.

### RULE 4.

#### RECONSIDERATION.

When any question has been once decided, in the affirmative or negative, any member voting with the majority may move a reconsideration thereof on the same or the next regular meeting: *Provided*, That no such motion shall be introduced at the next or subsequent meeting, unless the member intending to make the same shall have given written notice of such intention at the meeting at which the vote which he desired to have reconsidered was taken. A resolution once adopted may be rescinded by subsequent resolution, and ordinances passed may be repealed by subsequent ordinances.

### RULE 5.

#### PREVIOUS QUESTION.

The "previous question" shall be put in this form: "Shall the main question be now put?"

It shall only be admitted when decided by a majority of the members

present, and, until decided, shall preclude all other motions or amendments, except the motion to adjourn. If the motion be sustained, the Chair shall at once put the question, first upon the pending amendments in their order, and then upon the main question.

## RULE 6.

### ORDER OF BUSINESS.

1. The following order of business shall be observed by the Common Council at its meetings:

- (a) Calling of roll.
- (b) Reading and correcting journal of the preceding regular or special meetings.
- (c) Communications, etc., from Mayor.
- (d) Reports, etc., from City Officers and Official Boards.
- (e) Reports from standing committees in the following order:
  1. Finance.
  2. Public Works.
  3. Public Safety.
  4. Public Health and Charities.
  5. Parks.
  6. Law and Judiciary.
  7. City's Welfare.
  8. Elections.
- (f) Reports from select committees.
- (g) Introduction of appropriation ordinances.
- (h) Introduction of general and special ordinances.
- (i) Introduction of miscellaneous business.
- (j) Call for ordinances on second reading and final action.
- (k) Unfinished business.

When an ordinance is called for second reading, the subsequent action on the same ordinance may be had immediately before any other business is called or transacted.

2. The reading of the journal may be dispensed with at any time by order of the Council.

3. Special orders may be taken up immediately after "Reports from Select Committees," if so ordered by the Council.

4. The Council may order a return to any order of business after the call of the regular order of business.

5. The chairman of each standing committee, in the order named in Section 1 of this rule, or in his absence some other delegated member of the same committee, shall have the privilege of asking for action upon all matters reported upon by his committee, before reports of other committees are considered, unless a majority of the members present decide to the contrary.

## RULE 7.

### COMMITTEE OF THE WHOLE.

1. In forming a Committee of the Whole Council the presiding officer, leaving the chair, shall appoint a chairman to preside.

2. Upon the ordinance being committed to a Committee of the Whole Council the ordinance shall be read throughout by the Clerk and then again read and debated by sections. The body of the ordinance shall not be defaced or interlined, but all amendments, noting the line and page, shall be duly entered by the Clerk upon a separate paper, as the



same shall be agreed to by the committee and so reported to the Council; after report, the ordinance shall again be subject to be debated and amended by clauses before a question to engross it be taken.

3. The rules of proceeding in the Council shall be observed (as well as parliamentary law) in a Committee of the Whole Council, so far as they may be applicable, except the rule limiting the time of speaking; but no member shall speak more than twice to any question until every member choosing to speak shall have spoken.

## RULE 8.

### DECORUM AND DEBATE.

1. When any member is about to speak or deliver any matter to the Council he shall rise from his seat and respectfully address himself to the presiding officer, and on being recognized may address the Council, and shall confine himself to the question in debate, and avoid personality. The Chair shall not recognize any member as in order unless he shall be in his proper seat.

2. No member shall speak more than twice on the same question without leave of the Council, nor more than once until every member choosing to speak shall have spoken: *Provided*, All speeches shall be limited to five minutes, unless further time be granted by the Council. Time consumed in answering questions shall not be considered as a part of the speaker's time.

3. When two or more members rise at the same time the presiding officer shall decide which shall speak first.

4. While the presiding officer is putting a question or addressing the Council, or when any member is speaking, no member shall engage in any private discourse or walk across or leave the room unnecessarily.

5. No member shall impugn the motive of any other.

6. Any member may change his vote before the announcement of the result by the Chair. Every member must vote upon every question, unless excused from voting by a majority of the members present.

7. If any member in anywise transgress the rules of the Council any other member may call him to order, in which case the alleged offender shall immediately take his seat, unless permitted to explain. If the question of order be decided against him he shall be liable, if the case require it, to the censure of the Council. If the decision be in his favor he shall be at liberty to proceed.

8. After the Council shall have been called to order by the President, Vice-President or President *pro tem.*, no member shall absent himself from the Council Chamber without he shall have been excused by the presiding officer: *Provided, however*, That should such presiding officer refuse to grant such excuse, the member seeking to be excused shall have the right to demand a vote of the Council upon his request to be excused, and the affirmative vote of two-thirds of the members present shall be sufficient to excuse him from further attendance at that meeting of the Council. The question upon excusing a member, notwithstanding the refusal of the presiding officer to do so, shall be a question of privilege, and shall be immediately put to vote by the presiding officer, taking precedence of all other questions and motions that may be before the Council at the time.

When any member shall be excused in accordance with the provisions of this rule the Clerk shall note on the minutes that such leave was granted, showing whether leave be granted by the presiding officer or by vote of the Council.



## MISCELLANEOUS RULES.

## RULE 9.

When the reading of any paper is called for, if objection be made, the Council shall decide whether the paper shall be read; and no paper shall be read, if objected to, without the consent of the Council.

## RULE 10.

No matter or proposition on a subject different from that under consideration shall be admitted under color of an amendment.

## RULE 11.

When any matter is postponed indefinitely it shall not be again voted upon during that or the next two succeeding meetings.

Any member may demand the "ayes and noes" upon any question to be voted upon by the Council, and when such demand is made the Clerk shall call the roll.

Any member may demand a division of a question when the question is capable of a division.

## AMENDING THE RULES.

These rules may be amended or annulled by a majority vote of all the members of the Common Council. All proposed amendments to the rules shall be referred to the Committee on Law and Judiciary, without debate, and said committee shall have the right to report at any time, and may, at any time, report any change in the rules: *Provided, however,* That no vote on any amendment or resolution to annul shall be taken until at least two weeks' notice shall be given of such intended action.

All ordinances, resolutions or action of any kind heretofore taken by this body, adopting or attempting to adopt rules of procedure for this body in conflict with this ordinance are hereby repealed.

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

By Mr. Stilz (by request):

General Ordinance No. 91—1911: An ordinance concerning licenses for motor vehicles and fixing a time when the same shall take effect, and fixing a penalty therefor.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, That the owners of all vehicles propelled by other power than animal power shall pay an annual license fee to the Controller of the City of Indianapolis in the following amounts, for the following kind of vehicles:

The owner of each passenger motor vehicle having a carrying capacity of not more than three passengers shall pay an annual license fee of five (\$5.00) dollars per year per car.

The owner of each passenger motor vehicle having a carrying ca-

capacity of four passengers or more shall pay an annual license fee of eight (\$8.00) dollars per year per car.

The owner of each motor bus, used in public or private service, shall pay an annual license fee of fifteen (\$15.00) dollars per year per car.

The owner of each light delivery truck with a carrying capacity of not to exceed one thousand (1,000) pounds shall pay an annual license fee of ten (\$10.00) dollars per year per truck.

The owner of each and every truck having a carrying capacity exceeding one thousand (1,000) pounds shall pay an annual license fee of fifteen (\$15.00) dollars per year per truck.

The owner of each motorcycle shall pay an annual license fee of two (\$2.00) dollars per year per machine.

Sec. 2. That the City Controller, upon application, shall issue licenses as hereinbefore provided, and in addition to such license fees he shall charge the usual Controller's fees for issuing and recording and indexing such license.

Sec. 3. That this ordinance shall be in force and effect from and after its passage and after its publication once each week for two weeks successively in a daily newspaper of general circulation.

Sec. 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be fined, upon conviction, in any sum not exceeding twenty-five (\$25.00) dollars, and each day's operation of a motor vehicle without procuring a license therefor shall be considered a separate and distinct offense under the provisions of this ordinance.

Sec. 5. All ordinances and parts of ordinances in conflict herewith are now hereby repealed.

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

By Mr. Denny (by request):

General Ordinance No. 92—1911: An ordinance creating the position of Superintendent of the East Market, defining his duties, fixing his salary, creating a fund to be known as the "East Market Expense Fund." and defining the purposes thereof, and otherwise regulating the East Market, providing for publication 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 is hereby created the position of "Superintendent of the East Market." Such Superintendent shall be appointed by the Board of Public Safety for a term of four years, and shall serve until removed by said board or until his successor has been appointed and qualified. Before assuming the duties of his office he shall take the usual oath of office and execute an official bond in the sum of three thousand (\$3,000.00) dollars, conditioned upon the faithful and honest discharge of his duties and accounting for all funds that may come into his hands as such official. He shall receive an annual salary of twenty-five hundred (\$2,500.00) dollars, payable monthly.

Sec. 2. The duties of such Superintendent of the East Market shall be to familiarize himself with market conditions and prices at all the leading markets of the country and to keep in touch with general market conditions and with producers and producers' associations here

and elsewhere. It shall also be his duty to attend the East Market on each market day, and to keep himself advised as to the prices of all kinds of produce on said East Market.

If, in his judgment, the prices of produce sold on said market are higher than that of surrounding markets, plus transportation charges, or if, in his judgment, there exists any combination or agreement among marketers, or among commission men, or other persons who sell produce to said marketers, either to maintain high prices or in any way to prevent produce from coming to said city or market, which naturally would come otherwise, he shall have the power to buy any kind or kinds of produce of which, in his opinion, the market prices are too high, and sell the same to the patrons of the market at a price equal to the cost of such produce to him, plus cost of handling the same, but in no case shall he charge as expenses more than ten (10%) per cent. of the cost price of such produce. At such times as he is unable to handle such sales himself, he may call upon the Assistant Market Master to assist him, and employ such other assistants or clerks as may be necessary, paying the same out of the commission fee charges as expenses for selling. If, in his opinion, an emergency exists at any time that requires more assistants or clerks than said expense money will pay, said Superintendent shall have the power to pay the same out of the expense fund which is hereinafter provided for.

Any producer not on market may consign his produce to said Superintendent of Markets for sale, and said Superintendent of Markets is hereby authorized to sell the same at the then prevailing market price, retaining from the amount he receives from such produce a sum equal to ten per cent (10%) of such amount, to pay the expenses of selling the same.

All produce which said Superintendent of the East Market is hereby authorized to buy or receive on consignment shall be inspected by said Superintendent of the East Market within twenty-four (24) hours after its arrival, for the purpose of determining its condition. If he finds such produce is not fit to be sold or is not of the kind or quality ordered by him, he shall immediately have the same returned to the consignor or consignors, without cost to the city. If he finds the same is of acceptable quality, he shall report the same to the Market Master, as to the amount received, and the cost of the same. The Market Master of the East Market shall keep in his office a record of all purchases and the prices paid for the same.

SEC. 3. Said Superintendent of Markets shall receive no fees for his services, other than his salary, and all moneys collected by him, above his expenses herein provided for, shall be paid to the City Controller. He shall keep a record of his sales and his expenses of sales and make a report to the City Controller once each week, and, at the same time, he shall pay to said Controller any balance that he may have on hand.

SEC. 4. There shall be created a special fund, to be known as the "East Market Expense Fund." On the first day of May of each year the City Controller shall set apart for said fund out of the general fund the sum of one thousand (\$1,000.00) dollars. On the first day of November of each year he shall set aside the further sum of one thousand (\$1,000.00) dollars for said fund out of the general fund. So much of said special fund as is necessary to be used by said Superintendent of the East Market in carrying out the provisions of this ordinance shall be used by him, and said fund shall not be used for any other purpose: *Provided, however,* That if at the end of any year said fund shall exceed one thousand (\$1,000.00) dollars in amount, the excess shall thereupon revert to the general fund.

SEC. 5. The Board of Public Safety is hereby empowered and directed

to acquire and to maintain a wholesale market place. Said market place shall be located not nearer than five hundred feet from the East Market. On said market produce shall be sold at wholesale exclusively, and after the same is established no produce of any kind shall be sold by marketers at wholesale on the East Market. The Board of Public Safety shall make reasonable rules for the regulation of said wholesale market in conformity to this ordinance.

SEC. 6. The Board of Public Safety is hereby directed to set apart a suitable place, or suitable places, on the East Market for the exclusive use of producers who deal in their own products exclusively, and thereafter no marketer who deals in any products procured from others shall be assigned to or permitted to occupy any stand within the place or places so designated. Every applicant for, or occupant of, a stand in such space so designated shall, upon demand, be required to furnish proof to the Market Master, by affidavit or otherwise, that he is a bona-fide producer of all products sold or to be sold at such stand and any person who misrepresents the facts as to his right to a stand in such portion of the market shall forfeit permanently his right to any stand on market, without refund of rent, (in addition to any other penalties to which he may be legally subject).

SEC. 7. The Board of Public Safety shall make such other classification of marketers and consequent separation of stands on the market as will best serve the purposes of the market and expedite purchasing thereon by the public. Each stand on market shall be labeled by the Market Master with a sign to be furnished by the city, indicating clearly whether the occupant of such stand is a producer, grocer, peddler, or otherwise, according to the fact. Such sign shall be exhibited in a uniform place, to be designated by the Market Master, on each stand, at all times, and any person removing or concealing such sign without authority of the Market Master shall be guilty of a misdemeanor and punished as hereinafter provided. Each stand-holder is also authorized to exhibit on his stand one sign not larger than said city sign which shall contain only his name. No other sign shall be exhibited on any stand higher than five feet above the floor or ground.

SEC. 8. The stands of dealers in live poultry, fish, or any other classes of produce which, in the opinion of the Board of Public Safety, are offensive in any way, shall be separated from the stands of other dealers by suitable partitions to be built by the city.

SEC. 9. It shall be unlawful for any lessee or occupant of a stand on the East Market to occupy or have any interest in the business conducted at any other stand thereon, without first having obtained the written consent of the Board of Public Safety so to do.

SEC. 10. Any person or corporation violating any of the provisions of this ordinance shall, on conviction thereof, be fined in any sum not exceeding one hundred and fifty dollars, and any person or corporation convicted of violation of any of the provisions of this or any other law or ordinance respecting the public markets of the City of Indianapolis shall be expelled from the markets as a marketer. It is hereby made the duty of the Board of Public Safety to keep a permanent record of the names of all persons so expelled, and no stand on market shall thereafter be leased to or occupied by any such person.

SEC. 11. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the Indianapolis Commercial.

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



## MISCELLANEOUS BUSINESS.

By Mr. Owen:

## RESOLUTION NO. 4—1911.

WHEREAS, No provision has been made by statute for indexing the proceedings of the Common Council of the City of Indianapolis, and the same are practically worthless without an index; and,

WHEREAS, A custom has been established by the Common Council of former years, making an allowance to the persons indexing the proceedings; and,

WHEREAS, By reason of the present charter provisions which require the Common Council to elect its presiding officer and reorganize on the first Monday in January of each year, and the further fact that the accumulation of Council proceedings during each year renders their use by the several executive departments, and other public officers almost impossible without an index, and a public necessity exists for the same, it becomes necessary to have such proceedings indexed each year; now,

Therefore, Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the City Controller of said City of Indianapolis be, and hereby is, authorized and directed to pay Edward A. Ramsay, who is the present City Clerk, the sum of three hundred dollars (\$300.00) for preparing an index to the Journal of the Common Council Proceedings from January 1 to December 31, 1911, inclusive. And the City Controller is hereby authorized and directed to draw a proper warrant therefor, and charge the same to the appropriation to the Finance Department for miscellaneous expense of city officers.

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

## ORDINANCES ON SECOND READING.

Mr. Owen called for General Ordinance No. 84, 1911, for second reading. It was read a second time.

Mr. Owen moved that General Ordinance No. 84, 1911, be ordered engrossed, read a third time and placed upon its passage. Carried.



General Ordinance No. 84, 1911, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stilz, Troy and President John Blumberg.

Noes, none.

Mr. Owen called for Appropriation Ordinance No. 77, 1911, for second reading. It was read a second time.

Mr. Owen moved that Appropriation Ordinance No. 77, 1911, be amended as recommended by the committee. Carried.

Mr. Owen moved that Appropriation Ordinance No. 77, 1911, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 77, 1911, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. McCarthy, Copeland, Rubens, Owen, Stilz, Troy and President John Blumberg.

Noes, 2, viz.: Messrs. Johnson and Denny.

Mr. Owen called for Appropriation Ordinance No. 89, 1911, for second reading. It was read a second time.

Mr. Owen moved that Appropriation Ordinance No. 89, 1911, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 89, 1911, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stilz, Troy and President John Blumberg.

Noes, none.

Mr. Owen called for Appropriation Ordinance No. 90, 1911, for second reading. It was read a second time.

Mr. Owen moved that Appropriation Ordinance No. 90, 1911, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 90, 1911, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stilz, Troy and President John Blumberg.

Noes, none.

Mr. Owen called for Appropriation Ordinance No. 91, 1911, for second reading. It was read a second time.

Mr. Owen moved that Appropriation Ordinance No. 91, 1911, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 91, 1911, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stilz, Troy and President John Blumberg.

Noes, none.

Mr. Johnson called for General Ordinance No. 83, 1911, for second reading. It was read a second time.

Mr. Johnson moved that General Ordinance No. 83, 1911, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 83, 1911, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stiltz, Troy and President John Blumberg.

Noes, none.

UNFINISHED BUSINESS.

INDIANAPOLIS, IND., December 4, 1911.

MR. PRESIDENT—I have the honor to notify the Council that I shall call for a vote on General Ordinance No. 90, 1911, annulling certain rules of this body, at the next regular meeting, December 18, 1911.

GEO. L. DENNY.

On motion of Mr. McCarthy, the Common Council, at 8:55 o'clock P. M., adjourned.

*John Blumberg*  
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President.

ATTEST

*Edward A. Ramsay*  
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City Clerk.

