JOURNAL

—OF—

The House of Delegates.

REGULAR SESSION.

1900—1901.

(OFFICIAL.)

City of St. Louis,
House of Delegates,
December 7, 1900.

The House met at 7 p. m., Mr. Speaker Murrell in the chair.

Present—Messrs. Albright, Bersch, Faulkner, Gutke, Hannigan, Hartmann, Helms, Holtcamp, Madera, Murrell J. K., Robertson, Schnettler, Sturdevant, Zachritz and Mr. Speaker Murrell—15.

Absent—Messrs. Burke, Cronin, Decker, Denny, Kelly, Lehmann, Parker, Schumacher, Sheridan, Sweeney and Tamblyn—11.

The minutes of the meeting of December 4, as printed, were approved.

REPORTS OF CITY OFFICERS.

The following message from the Council was read and filed:

Council Chamber,
St. Louis, December 7, 1900.

To the Honorable Speaker and Members of the House of Delegates:

Gentlemen—I have the honor to inform you that the President of the Council has this evening, in the presence of the Council in open session, affixed his signature to the following entitled bills, viz.:

House Bill No. 138. An ordinance to reconstruct alley in city block number six hundred and forty-two.

House Bill No. 152. An ordinance to reconstruct alley in city block No. 81.

House Bill No. 153. An ordinance to reconstruct alley in city block No. 87.

House Bill No. 154. An ordinance to reconstruct alley in city block No. 162.

House Bill No. 155. An ordinance to reconstruct alley in city block No. 287 north.

House Bill No. 156. An ordinance to reconstruct eastern north and south alley in city block No. 399 north.

House Bill No. 157. An ordinance to reconstruct alley in city block No. 691 east.

House Bill No. 159. An ordinance to reconstruct north and south alley in city block No. 750.

House Bill No. 160. An ordinance to reconstruct alley in city block No. 792.

House Bill No. 161. An ordinance to reconstruct alley in city block No. 799.

House Bill No. 162. An ordinance to reconstruct northern north and south alley in city block No. 851.

House Bill No. 163. An ordinance to reconstruct alley in city block No. 895.

House Bill No. 164. An ordinance to reconstruct alley in city block No. 946.

House Bill No. 166. An ordinance to reconstruct alley in city block No. 1111.

House Bill No. 167. An ordinance to reconstruct alley in city block No. 1122.

House Bill No. 168. An ordinance to reconstruct alley in city block No. 1214.

House Bill No. 169. An ordinance to reconstruct east and west alley in city block No. 1739.

House Bill No. 170. An ordinance to reconstruct east and west alley in city block No. 1733 west.

House Bill No. 171. An ordinance to reconstruct east part of east and west alley in city block No. 3753.

House Bill No. 180. An ordinance authorizing the Comptroller to pay all taxes on the National Guard Armory property in city block 2179B.

House Bill No. 184. An ordinance making an additional appropriation for Poorhouse and transferring a certain amount heretofore appropriated back to municipal revenue.

Very respectfully,
CHAS. R. GRAVES,
Secretary.

The following message from the Council was read and filed:

Council Chamber,
St. Louis, December 7, 1900.

To the Honorable Speaker and Members of the House of Delegates:

Gentlemen—I have the honor to inform you that the Council, at its meeting, held this day, passed:

Council Bill No. 61. An ordinance to amend ordinance number twenty thousand one hundred and sixty-two, approved August 15, 1900, entitled "An ordinance to adopt general plans for City Hospital buildings, to be located on city block number 1252, and authorizing the construction of a portion of the buildings and providing for the preparation of detail plans and supervision of the work of construction, and making appropriation to pay the cost thereof."

Council Bill No. 76. An ordinance making certain appropriations and transferring certain amounts heretofore appropriated back to municipal revenue.

Very respectfully,
CHAS. R. GRAVES,
Secretary.

Council Bills, Nos. 61 and 76, as above, were each read first time.

Messrs. Sheridan, Burke and Sweeney entered.

Mr. Denny entered.

The following message from the Council was read and filed:

Council Chamber,
St. Louis, November 30, 1900.

To the Honorable Speaker and Members of the House of Delegates:

Gentlemen—I have the honor to inform you that the Council, at its meeting, held this day, passed:

House Bill No. 127. An ordinance authorizing the St. Louis Merchants' Bridge Terminal Railway Company to construct a switch track from its west main track in Hall street, near the north line of Mallinckrodt street, southwardly into the property of the Buck Stove and Range Company, in city block No. 1206.

With the following amendment:

Amend House Bill No. 127 by adding a new section, to be known as section 3, as follows:

Sec. 3. The City of St. Louis reserves the right to alter, amend or repeal this ordinance at any time.

Very respectfully,
CHAS. R. GRAVES,
Secretary.

On motion of Mr. Helms the House concurred in amendment offered by the Council to House Bill No. 127, as above, by the following vote:

Ayes—Messrs. Albright, Bersch, Burke, Denny, Faulkner, Gutke, Hannigan, Hartmann, Helms, Holtcamp, Madera, Murrell J. K., Robertson, Schnettler, Sheridan, Sturdevant, Sweeney, Zachritz and Mr. Speaker Murrell—19.

Absent—Messrs. Cronin, Decker, Kelly, Lehmann, Parker, Schumacher and Tamblyn—7.

House Bill No. 127, amended as above, was ordered to enrollment.

The following message from the Council was read and filed:

Council Chamber,
St. Louis, December 7, 1900.

To the Honorable Speaker and Members of the House of Delegates:

Gentlemen—I have the honor to inform you that the Council, at its meeting, held this day, passed:

Council Bill No. 51. An ordinance making an additional appropriation for Assessor and Collector of Water Rates.

Council Bill No. 56. An ordinance making an additional appropriation for street cleaning—stone and wood blocks and asphaltum pavements—and transferring a certain amount heretofore appropriated back to Municipal Revenue.

House Bill No. 142. An ordinance supplementary to ordinance number nineteen thousand six hundred and thirty-seven, making an additional appropriation for the improvement of Papin street, between Manchester avenue and Boyle avenue.

House Bill No. 149. An ordinance authorizing the St. Louis, Iron Mountain and Southern Railroad Company to construct, maintain and operate a track across Kosciusko and Soulard streets, and along the west side of Kosciusko street.

Very respectfully,
CHAS. R. GRAVES,
Secretary.

Council Bills Nos. 51 and 56, as above, were each read first time.

House Bills Nos. 142 and 149, as above, were each ordered to enrollment.

SECOND READING OF BILLS.

Council Bill No. 55. An ordinance making an additional appropriation for waterworks extension, salaries and expenses.

Bill as above was read second time and referred to Committee on Ways and Means.

Mr. Tamblyn entered.

INTRODUCTION OF BILLS.

Mr. Bersch introduced:

House Bill No. 217. An ordinance making an additional appropriation for First District Police Court.

Read first time.

REPORTS OF COMMITTEES.

Mr. Schnettler, Acting Chairman, from the Committee on Claims, submitted the following report:

House of Delegates,
St. Louis, December 7, 1900.

Mr. Speaker:

Your Committee on Claims, to whom was referred:

House Bill No. 27. An ordinance for the relief of Minnie L. Gross, wife of George W. Gross, deceased.

Respectfully report that they have considered the same, and recommend its passage with the following amendment.

JOHN H. SCHNETTLER,
Acting Chairman.

Amend House Bill No. 27 as follows:

In section 2, line 2, after the word "of" strike out the word "Municipal" and insert in lieu thereof the words "Water Works."

On motion of Mr. Bersch, amendment offered by the committee to House Bill No. 27 as above was adopted.

House Bill No. 27, amended as above, was ordered to engrossment.

Mr. Schnettler, Acting Chairman, from the Committee on Claims, submitted the following report:

House of Delegates,
St. Louis, December 7, 1900.

Mr. Speaker:

Your Committee on Claims, to whom was referred:

House Bill No. 128. An ordinance for the relief of Herman Bergmann.

Respectfully report that they have considered the same and recommend its passage, with the following amendment.

JOHN H. SCHNETTLER,
Acting Chairman.

Amend House Bill No. 128 as follows:

In section 2, line 1, after the word "of" strike out the word "municipal" and insert in lieu thereof the words "Water Works."

On motion of Mr. Madera amendment offered by the committee to House Bill No. 128 as above was adopted.

House Bill No. 128, amended as above, was ordered to engrossment.

Mr. Schumacher entered.

Mr. Bersch from the Committee on Engrossed and Enrolled Bills submitted the following report:

House of Delegates,
St. Louis, December 7, 1900.

To the Speaker of the House of Delegates:

Sir—The Committee on Engrossed and Enrolled Bills submitted the following as truly engrossed and correct, to wit:

House Bill No. 27. An ordinance for the relief of Minnie L. Gross, wife of George W. Gross, deceased.

House Bill No. 128. An ordinance for the relief of Herman Bergmann.

EDMUND BERSCH,
Chairman.

House Bill No. 27, as above, was read third time and passed by the following vote:

Ayes—Messrs. Albright, Bersch, Burke, Denny, Faulkner, Gutke, Hannigan, Hartmann, Helms, Holtcamp, Madera, Murrell J. K., Robertson, Schnettler, Schumacher, Sheridan, Sturdevant, Sweeney, Tamblyn, Zachritz and Mr. Speaker Murrell—21.

Nays—0.

Absent—Messrs. Cronin, Decker, Kelly, Lehmann and Parker—5.

House Bill No. 128, as above, was read third time and passed by the following vote:

Ayes—Messrs. Albright, Bersch, Burke, Denny, Faulkner, Gutke, Hannigan, Hartmann, Helms, Holtcamp, Madera, Murrell J. K., Robertson, Schnettler, Schumacher, Sheridan, Sturdevant, Sweeney, Tamblyn, Zachritz and Mr. Speaker Murrell—21.

Nays—0.

Absent—Messrs. Cronin, Decker, Kelly, Lehmann and Parker—5.

Mr. Bersch from the Committee on Engrossed and Enrolled Bills submitted the following report:

House of Delegates,
St. Louis, Dec. 7, 1900.

To the Speaker of the House of Delegates:

Sir—The Committee on Engrossed and Enrolled Bills report the following as truly enrolled, to-wit:

House Bill No. 127. An ordinance authorizing the St. Louis Merchants' Bridge Terminal Railway Company to construct a switch track from its west main track in Hall street, near the north line of Mallinckrodt street, southwardly into the property of the Buck Stove and Range Company, in city block No. 1206.

EDMUND BERSCH,
Chairman.

House Bill No. 127 as above was read at length, no objection being made, and all other business being suspended, Mr. Speaker Murrell, in the presence of the House, in open session, affixed his signature thereto in accordance with the provisions of the Charter.

On motion of Mr. Schumacher, a bill of A. Krone Livery and Undertaking Company of $30 for carriages, used by the Sanitary Committee, was allowed.

On motion of Mr. Helms all absentees were excused for nonattendance this evening.

Mr. Schumacher moved that the House do now adjourn.

The motion prevailed.

The House adjourned, to meet Tuesday, December 11, 1900, at 7 p. m.

W. H. JUDY,
Clerk.

JOURNAL

—OF—

The Council.

REGULAR SESSION.

1900—1901.

(OFFICIAL.)

City of St. Louis,
Council Chamber,
December 7, 1900.

The Council met at 5 o'clock p. m., Mr. President Meier in the chair.

Present—Messrs. Carroll, Gast, Gaus, Hodges, Hoffmann, Horton, Kratz, Meysenburg, Richards, Schnell, Thuner, Wiggins and Mr. President Meier—13.

There being no objections, the minutes of the meeting of December 4, 1900, as printed, were approved.

REPORTS OF CITY OFFICERS.

The following message from the House of Delegates was read and filed:

House of Delegates,
St. Louis, December 4, 1900.

To the Honorable President and Members of the Council:

Gentlemen—I have the honor to inform you that the Speaker of the House of Delegates has this evening, in the presence of the House in open session, affixed his signature to the following entitled bills, viz:

House Bill No. 138. An ordinance to reconstruct alley in city block number six hundred and forty-two.

House Bill No. 152. An ordinance to reconstruct alley in city block No. 81.

House Bill No. 153. An ordinance to reconstruct alley in city block No. 87.

House Bill No. 154. An ordinance to reconstruct alley in city block No. 162.

House Bill No. 155. An ordinance to reconstruct alley in city block No. 287 north.

House Bill No. 156. An ordinance to reconstruct eastern north and south alley in city block No. 399 north.

House Bill No. 157. An ordinance to reconstruct alley in city block No. 691 east.

House Bill No. 159. An ordinance to reconstruct north and south alley in city block No. 750.

House Bill No. 160. An ordinance to reconstruct alley in city block No. 792.

House Bill No. 161. An ordinance to reconstruct alley in city block No. 799.

House Bill No. 162. An ordinance to reconstruct northern north and south alley in city block No. 851.

House Bill No. 163. An ordinance to reconstruct alley in city block No. 895.

House Bill No. 164. An ordinance to reconstruct alley in city block No. 946.

House Bill No. 166. An ordinance to reconstruct alley in city block No. 1111.

House Bill No. 167. An ordinance to reconstruct alley in city block No. 1122.

House Bill No. 168. An ordinance to reconstruct alley in city block No. 1214.

House Bill No. 169. An ordinance to reconstruct east and west alley in city block No. 1739.

House Bill No. 170. An ordinance to reconstruct east and west alley in city block No. 1733 west.

House Bill No. 171. An ordinance to reconstruct east part of east and west alley in city block No. 3753.

House Bill No. 180. An ordinance authorizing the Comptroller to pay all taxes on the National Guard Armory property in city block 2179B.

House Bill No. 184. An ordinance making an additional appropriation for Poorhouse and transferring a certain amount heretofore appropriated back to municipal revenue.

Very respectfully,
W. H. JUDY,
Clerk.

House Bills Nos. 138, 152, 153, 154, 155, 156, 157, 159, 160, 161, 162, 163, 164, 166, 167, 168, 169, 170, 171, 180, 184, as above, were each read at length. No objection being made, and all other business being suspended, Mr. President Meier, in the presence of the Council in open session, affixed his signature thereto, in accordance with the provisions of the Charter.

SECOND READING OF BILLS.

Council Bill No. 75. An ordinance authorizing the Imperial Electric Light, Heat and Power Company, its successors or assigns, to construct, maintain and operate pipes, with necessary connections, manholes and other devices and appliances, along, in and under the streets, alleys and public places in the City of St. Louis, State of Missouri, for the distribution of steam, or hot water, or both, for heating purposes, for public or private use.

Council Bill No. 75, as above, was read second time and referred to Committee on Public Improvements.

PETITIONS, MEMORIALS AND REMONSTRANCES.

A communication from property holders protesting against the passage of Council Bill No. 46, locating a livery or boarding stable on Vanderburg avenue, was read and filed.

A protest from the Southwestern Mercantile Association against the passage of Council Bill No. 35, referring to the St. Louis Exposition and Music Hall Association, was read and filed.

A protest from Local Union No. 1 of the National Brotherhood Electrical Workers of America against the passage of Council Bill No. 35 was read and filed.

UNFINISHED BUSINESS.

Council Bill No. 35. An ordinance authorizing the St. Louis Exposition and Music Hall Association to refund its existing obligations and to make additions to and alterations in its buildings in Missouri Park, and to borrow money therefor, and to secure the same by deed of trust on its said improvement, buildings, license and franchise.

November 20, 1900, reported favorably.

Laid over under the rules.

November 27, 1900, laid over one meeting.

Was taken up.

The following communications from the City Comptroller in reference to Council Bill No. 35, as above, were read:

City of St. Louis,
Law Department,
December 4, 1900.

To the Honorable Council:

Gentlemen—I have the honor to acknowledge through the secretary of the Council a communication under date of December 3, 1900, asking me to advise the Council respecting the following three inquiries, in reference to Council Bill No. 35, regular session 1900-1901:

1. Should the bill become an ordinance and, acting under its authority, the St. Louis Exposition and Music Hall Association borrow money secured by deed of trust on its improvements, franchise, etc., and default in the payment of the whole or any installment of the sum borrowed, and the sale of the improvements, franchise, etc., fail to realize the sum of the indebtedness, would the city be liable for any unpaid balance?

2. Would the purchasers under said deed of trust acquire the right to use the improvements, franchises, etc? Or, if they had the right to use same could they use it for other purposes than that of conducting an exposition, as provided in the ordinance granting the franchise?

3. After the sale of the improvements, franchise, etc., would the property revert to the city?

I beg to answer these inquiries as follows, in the order in which they are put:

1. In the event the bill becomes an ordinance and the St. Louis Exposition and Music Hall Association should issue the bonds therein provided for, and secure the same by deed of trust on the improvements and the franchise, or license, and should, on default in any of the payments stipulated to be made by the deed of trust, a sale take place, and the amount realized upon such sale be insufficient to satisfy the association's obligations, the city would not be liable for the deficit. This for the very simple reason that the city has assumed no personal liability or obligation in the premises. As owner of the ground and grantor of the license, it has merely authorized the Exposition and Music Hall Association to encumber its own improvements and its franchise or license, but has in no wise guaranteed the payment of the association's bonds, or assumed any individual responsibility for their payment.

2. In the event of a foreclosure sale the purchaser or purchasers would acquire the right to use the improvements in the same manner as the St. Louis Exposition and Music Hall Association, provided the purchaser or purchasers be authorized by the State to do those things which the association is now authorized to do. In other words, the franchise to be a corporation and to conduct an exposition, etc., is derived, not from the city, but from the State. By its ordinances the city has merely furnished the association with the use of its premises and limited that use to the same purposes for which the association was incorporated by the State.

Under the original ordinance granting the license, Ordinance No. 12728, the license and privilege were expressly declared to be nontransferable and not subject to sale; but by ordinances 13267 and 15277 the association was given the power, not only to issue bonds and to secure the same by a deed of trust upon its improvements, but also upon the license or franchise granted by ordinance 12728, thus authorizing a transfer of such license or franchise.

Ordinance No. 18832, approved March 4, 1897, authorizing the association to make additions to and alterations in its building, also empowered it to issue bonds for the purpose of raising funds to make such alterations and additions, and authorized that the same be secured by deed of trust embracing the franchise or license to use the premises for the purposes of an exposition.

To the same effect is the bill which has been referred to me and which is now before the Council. The purchaser or purchasers, however, would succeed merely to the rights of the present association, and could use the premises for no purpose other than that for which they may be used by the association. The purchaser's rights would be no greater than those now belonging to the Exposition and Music Hall Association.

3. If, by the third inquiry, whether on a sale of the improvements and franchise the property would "revert" to the city, is meant whether immediately after a foreclosure sale the city could take possession of the premises, my answer is in the negative, in line with what is above stated. The purchaser would be permitted to continue in possession of the premises until the expiration of the franchise, which is for fifty years from March 7, 1883, using the same in accordance with the terms of the original grant, and not otherwise. This statement is again qualified, however, by the observation that the authority to carry on the enterprise must be acquired from the State.

Respectfully,
B. SCHNURMACHER,
City Counselor.

City of St. Louis,
City of St. Louis,
Law Department,
December 7, 1900.

Charles R. Graves, Esq., Secretary of the Council:

Dear Sir—Replying to your communication of the 5th instant, I answer the inquiries in relation to Council Bill No. 35, which you say you were directed to submit to me by a member of the Council, as follows:

1. The first inquiry is whether or not ordinance No. 12328, granting permission to the St. Louis Exposition and Music Hall Association to use Missouri Park, was not inconsistent with the uses for which it was acquired, and to which it was dedicated by James H. Lucas, and therefore void.

Missouri Park, if final, consisted of two blocks of ground; block 514, bounded on the south by Olive street, north by Locust street, east by Thirteenth street and west by Fourteenth street, and block 825, lying immediately north of the foregoing block. Block 514 was purchased outright by the city from James H. Lucas, who, together with his wife, conveyed the same to the city in fee by warranty deed, dated October 1, 1854. This deed it seems was lost or mislaid without having been recorded, and on March 19, 1887, Mr. Lucas and his wife executed in lieu thereof another warranty deed, which is duly recorded in the Recorder's office of this city in book 185, at page 19. This deed recites a consideration of $6,000.00 for the block of ground, is in the usual form of a warranty deed and contains no restrictions upon the use to which the city may put the property.

Block 825, being the northern block of the two, was conveyed to the city by Mr. Lucas and wife, by a deed dated March 19, 1887, recorded in book 185, at page 180, for a recited consideration of one dollar and a desire on the part of said Lucas to contribute "to the ornament and health of the city of St. Louis, and at the same time to establish a permanent monument to the memory of his ancestor, the late Honorable John B. C. Lucas, in the shape of a public square bearing his name." The deed also contains a condition in the following language: This conveyance is, however, made with this express condition, to wit, that said public square shall be forever maintained as a public promenade for the inhabitants of the city of St. Louis, and be graded at the expense of the city, and in due time suitably inclosed and protected."

It will thus be seen that, as to the block between Olive and Locust streets the city had the absolute title, acquired by purchase, without limitation as to the use of the property, but as to the block between Locust and St. Charles streets the use was a limited one, imposed by the donor.

The franchise of the St. Louis Exposition and Music Hall Association is derived in the first instance from ordinance No. 12328, approved March 7, 1883. Section 3 of the ordinance provides that it shall not take effect unless within 90 days from its approval the heirs at law of Mr. Lucas shall convey to the city, by deed approved by the City Counselor, all their right, title and interest in and to all of Missouri Park, situated within block 825, with permission to use the same as a public park, OR FOR AN EXPOSITION BUILDING, etc. The same section also required that the deed so to be obtained should further authorize the maintenance of an exposition building on the strip of ground 72 feet in width immediately south of block 825, said strip being, I believe, the street or space which intervened between blocks 825 and 514.

I find that Nancy L. Johnson and others, claiming to be the heirs of James H. Lucas, deceased, did execute a deed to the city of St. Louis, the same being recorded on April 18, 1883, in the Recorder's office, in book 626, at page 501, whereby for a recited consideration of one dollar to each of the grantors, they did grant, release and quitclaim to the city "so much of the Missouri Park as is embraced within the lines of block 825, as the same formerly existed, for use as a park, OR FOR AN EXPOSITION BUILDING, etc." And did further authorize the city to permit such a building to be maintained on the 72-foot strip immediately south of said block.

It was under these circumstances that the permission to erect the exposition building was granted, and it will be seen that with reference to the southernmost block no doubt could reasonably be suggested why the city could not grant such permission, and that with respect to the northernmost block the heirs of Lucas gave their consent to the city's permission.

I, therefore, answer the first inquiry as to whether the grant was inconsistent with the uses for which the premises in question were acquired, and to which they were dedicated to the city by James H. Lucas, in the negative. The deed to block 514 does not show that it was acquired for any particular use, block 825 was dedicated for a particular use, and the deed of the Lucas heirs authorized the city to permit it to be used for the purpose designated in ordinance 12328.

2. The second inquiry as stated is, "Has the exposition association the right under the present ordinances to use the property for other purposes than strictly an exposition of the Mechanical Arts and Sciences?" Section 1 of ordinance 12328 authorizes the erection and maintenance in Missouri Park of a building "for the purpose of holding an annual exposition in St. Louis." Section 2 provides that an annual exposition shall be held in said building, extending through a period of one month at least. Section 6 provides that the ordinance shall not be construed to be other than a license "for the purposes aforesaid."

Under these limitations of the ordinance it is clear that the premises can be used only for exposition purposes, and such uses as are connected with an exposition or reasonably incident thereto.

The foregoing, I believe, covers the inquiries as they are stated. The bill is herewith returned.

Respectfully yours,
B. SCHNURMACHER,
City Counselor.

Mr. Kratz moved that Council Bill No. 35, as above, be laid over one meeting.

Carried.

Council Bill No. 46. An ordinance authorizing William Voelpel to erect and maintain a livery stable.

November 27, 1900, reported favorably.

Laid over under the rules.

December 4, 1900, laid over one meeting.

Was taken up.

Mr. Richards moved that Council Bill No. 46, as above, be referred back to the Committee on Public Improvements.

Carried.

Council Bill No. 57. An ordinance making an additional appropriation for the Commissioner of Public Improvements and transferring a certain amount heretofore appropriated back to Municipal Revenue.

November 20, 1900, reported favorably.

Laid over under the rules.

Was taken up.

On motion of Mr. Carroll Council Bill No. 57, as above, was ordered to engrossment.

Council Bill No. 61. An ordinance to amend ordinance number twenty thousand one hundred and sixty-two, approved August 15, 1900, entitled "An ordinance to adopt general plans for City Hospital Buildings, to be located on city block number 1252, and authorizing the construction of a portion of the buildings and providing for the preparation of detail plans and supervision of the work of construction, and making appropriation to pay the cost thereof."

November 20, 1900, reported favorably.

Laid over under the rules.

Was taken up.

On motion of Mr. Richards Council Bill No. 61, as above, was ordered to engrossment.

REPORTS OF COMMITTEES.

Mr. Carroll from the Committee on Ways and Means, submitted the following report:

Council Chamber,
St. Louis, December 7, 1900.

Mr. President:

Your Committee on Ways and Means, to whom was referred

Council Bill No. 38. An ordinance making an additional appropriation for the Commissioner of Public Buildings.

Respectfully report that they have considered the same and recommend its passage.

CHAS. E. CARROLL,
Chairman.

Council Bill No. 58, as above, was laid over under the rules.

Council Chamber,
St. Louis, December 7, 1900.

Mr. President:

Your Committee on Ways and Means, to whom was referred

Council Bill No. 76. An ordinance making certain appropriations and transferring certains amounts heretofore appropriated back to municipal revenue.

Respectfully report that they have considered the same and recommend its passage with the following amendments:

CHAS. E. CARROLL,
Chairman.

Amend section 1 by adding thereto the following:

Coroner's Office: For office expenses, furniture, printing and stationery, rent of telephone, keeping and shoeing horses, repairing vehicles and harness and typewriter, four hundred fifty dollars.

Morgue: For office expenses, furniture, ice, disinfectants and conveying bodies to the morgue, nine hundred dollars.

Board of Engineers and Boiler Inspector: For apparatus and repairs of same, keeping and shoeing horses, repairing harness and vehicles, hire of horses and vehicles, office expenses, furniture, car fare, printing and stationery and rent of telephone, four hundred dollars.

City Hospital: For drugs, medical and surgical instruments and supplies, three thousand dollars.

Insane Asylum: For dry goods, clothing, bedding, house-furnishing goods and hospital furniture, fifteen hundred dollars.

Poorhouse: For dry goods, clothing, bedding, house-furnishing goods and furniture, thirty-five hundred dollars; for forage, shoeing horses, repairing harness and vehicles, printing and stationery, car fare, oils, packing, waste and tools used by the engineer, material for coffins, and labor and material for repairing fences and maintaining grounds, three hundred fifty dollars; aggregating thirty-eight hundred fifty dollars.

Quarantine and Smallpox Hospital: For groceries and provisions, fuel, ice, light, drugs, medical and surgical instruments and supplies, dry goods, clothing and bedding, house-furnishing goods and hospital furniture, printing and stationery, car fare, oils, packing, waste and tools used by the engineer, forage, shoeing horses, repairing harness and vehicles, material necessary for repairing fences and maintaining grounds, one thousand dollars.

House of Refuge: For drugs, medicines, medical attendance, medical and surgical instruments, dry goods, clothing, bedding, house-furnishing goods and furniture, eleven hundred fifty dollars; for labor and material for repairs of buildings—including boilers, machinery and steam-heating apparatus—requiring prompt attention, seven hundred fifty dollars; aggregating nineteen hundred dollars.

Board of Public Improvements—President's Department: For salary of inspector employed under ordinance number twenty thousand three hundred seventy-six, one hundred seventy-seven dollars forty-two cents.

Amend by adding a new section, to be known as section two.

Section 2. The Auditor is hereby authorized and directed to transfer the amounts from the accounts named back to Municipal Revenue, as follows, namely:

From Marshal's Office: From appropriation for salaries of Marshal, one chief deputy, one deputy of the first class, two deputies of the second class, and fifteen deputies of the third class, one hundred dollars.

From Recorder of Deeds: From appropriation for salaries of copyists, four hundred dollars.

From Fire Department: From appropriation for salaries, thirty-five hundred dollars; from appropriation for horses, two thousand dollars; aggregating fifty-five hundred dollars.

From City Dispensary: From appropriation for salaries for additional physicians at the Dispensary, nine hundred dollars.

From New City Hall—Salaries and Current Expenses: From appropriation for salaries of engineer, assistant engineers, firemen and watchmen, one hundred twenty-seven dollars seventy-six cents; from appropriation for wages of coal passers, two hundred dollars; aggregating three hundred twenty-seven dollars seventy-six cents.

From Municipal Assembly: From appropriation for furnishing new quarters, seven hundred ninety-eight dollars sixty-three cents.

From appropriation for office expenses for Mayor, Comptroller, Auditor, Register and Treasurer, one thousand dollars.

On motion of Mr. Carroll, the rules were suspended and Council Bill No. 58 was taken up for immediate consideration.

The report of the committee was adopted and Council Bill No. 76, amended as above, was ordered to engrossment.

Mr. Horton, from the Committee on Public Improvements, submitted the following report:

Council Chamber,
St. Louis, December 7, 1900.

Mr. President:

Your Committee on Public Improvements, to whom was referred

House Bill No. 145. An ordinance to establish the width of the roadway and sidewalks of Sullivan avenue between Garrison avenue and Grand avenue.

House Bill No. 146. An ordinance to establish the width of the roadway and sidewalks of Palm street between Garrison avenue and Grand avenue.

Respectfully report that they have considered the same and recommend their passage.

WILLIAM M. HORTON,
Chairman.

House Bill No. 145, as above, was read third time and passed by the following vote:

Ayes—Messrs. Carroll, Gast, Gaus, Hodges, Hoffmann, Horton, Kratz, Meysenburg, Richards, Schnell, Thuner, Wiggins and Mr. President Meier—13.

Nays—0.

House Bill No. 146, as above, was read third time and passed by the following vote:

Ayes—Messrs. Carroll, Gast, Gaus, Hodges, Hoffmann, Horton, Kratz, Meysenburg, Richards, Schnell, Thuner, Wiggins and Mr. President Meier—13.

Nays—0.

Council Chamber,
St. Louis, December 7, 1900.

Mr. President:

Your Committee on Public Improvements, to whom was referred

Council Bill No. 61. An ordinance to amend section nine hundred and thirty-seven of "The Municipal Code of St. Louis" by striking out said section and substituting and inserting a certain new section therefor, relating to street sweeping.

House Bill No. 185. An ordinance authorizing the Meinert Livery and Undertaking Company to erect and maintain a livery stable.

Respectfully report that they have considered the same, and recommend their passage.

WILLIAM M. HORTON,
Chairman.

Council Bill No. 69, as above, was laid over under the rules.

House Bill No. 185, as above, was read third time and passed by the following vote:

Ayes—Messrs. Carroll, Gast, Gaus, Hodges, Hoffmann, Horton, Kratz, Meysenburg, Richards, Schnell, Thuner, Wiggins and Mr. President Meier—13.

Nays—0.

Mr. Hoffmann from the Committee on Engrossed and Enrolled Bills submitted the following report:

Council Chamber,
St. Louis, December 7, 1900.

To the President of the Council:

Sir—Your Committee on Engrossed and Enrolled Bills report that they find the following entitled bills truly engrossed and correct, to wit:

Council Bill No. 61. An ordinance to amend ordinance number twenty thousand one hundred and sixty-two, approved August 15, 1900, entitled "An ordinance to adopt general plans for City Hospital Buildings, to be located on city block number 1252, and authorizing the construction of a portion of the buildings and providing for the preparation of detail plans and supervision of the work of construction, and making appropriation to pay the cost thereof."

AUGUST HOFFMANN,
Chairman.

Council Bill No. 61, as above, was read third time and passed by the following vote:

Ayes—Messrs. Carroll, Gast, Gaus, Hodges, Hoffmann, Horton, Kratz, Meysenburg, Richards, Schnell, Thuner, Wiggins and Mr. President Meier—13.

Nays—0.

Mr. Richards moved that the vote by which Council Bill No. 61, as above, was passed be reconsidered and that the motion lie on the table.

Carried.

Council Chamber,
St. Louis, December 7, 1900.

To the President of the Council:

Sir—Your Committee on Engrossed and Enrolled Bills report that they find the following entitled bills truly engrossed and correct, to wit:

Council Bill No. 76. An ordinance making certain appropriations and transferring certain amounts heretofore appropriated back to municipal revenue.

AUGUST HOFFMANN,
Chairman.

Council Bill No. 76, as above, was read third time and passed by the following vote:

Ayes—Messrs. Carroll, Gast, Gaus, Hodges, Hoffmann, Horton, Kratz, Meysenburg, Richards, Schnell, Thuner, Wiggins and Mr. President Meier—13.

Nays—0.

Mr. Carroll moved that the vote by which Council Bill No. 76, as above, was passed be reconsidered and that the motion lie on the table.

Carried.

Mr. Wiggins from the special committee appointed to investigate the office of the Commissioner of Supplies submitted the following report:

Council Chamber,
St. Louis, December 7, 1900.

Mr. President:

Your special committee, appointed under resolution adopted July 2, 1900, to make inquiry into the official conduct of the Commissioner of Supplies, respectfully submits herewith its report, with recommendations.

CHARLES WIGGINS,
Chairman.

At a meeting of the Council, held June 29th, 1900, the following resolution was introduced:

Resolved, That the committee of this Council be and is hereby instructed to make inquiry into the official conduct of the Commissioner of Supplies and into the business methods of his office, also as to the connection which any other official or officials of the city may have had, or may have, with any irregularity or malfeasance in the purchase of supplies for any department or institution of the City of St. Louis, if there has been, or may be, any such irregularity or malfeasance. If said committee shall find that there is ground for the charge that the Commissioner of Supplies, or any other officer of the city, is incompetent, negligent, or has willfully refused or failed to obey the ordinances governing the purchase of supplies, or has in his discharge of his official duties been guilty of any fraud, extortion, oppression, favoritism, partiality or willful wrong or injustice, then said committee shall report to the Council in the form of charges against such official, together with specifications under such charges. Otherwise to report the facts and recommendations of the committee.

At the meeting July 2nd the resolution was unanimously adopted, and the following members were appointed to serve on the committee: Messrs. Wiggins, Hodges, Kratz, Meysenburg and Hoffman. At the committee's first meeting Mr. Wiggins was elected chairman.

The duties of the office of Commissioner of Supplies are, stated briefly, as follows:

The office of Commissioner of Supplies was created by the Charter evidently to the end that purchases made for articles needed by the several departments and institutions might be so made as to secure the greatest economy, by concentrating the entire business in the hands of one responsible officer, who is required to devote all his time and energies to his duties. The duties of the office are defined in Section 24, of Article IV of the Charter as:

He is to purchase all articles needed by the city departments; purchases are to be made under contracts for all articles, so far as practicable; contracts to be let as directed by ordinance; purchases made without advertising for proposals must be approved by the Comptroller; and the manner in which contracts are to be let is prescribed.

The Municipal Assembly, acting under its power conferred by the Charter, has established ordinances as provisions to guide and control the Commissioner of Supplies, which ordinance provisions are contained in Chapter IV of Revised Ordinances, 1892, Sections 48 to 64.

Immediately after its appointment, your committee proceeded on its duty and summoned the heads of departments and institutions, together with their subordinates, and all persons from whom they had reason to believe information relating to the conduct of the office of the Supply Commissioner could be obtained.

The result is a mass of testimony covering nearly five hundred typewritten pages, which we herewith submit as a part of this report. An examination of the testimony will disclose the fact that during the first four or five months of Mr. Meier's administration there was a vast number of irregularities. Taking advantage of his inexperience and that of his newly appointed subordinates, there seems to have been a general effort on the part of those from whom supplies were purchased to obtain excessive prices. As a rule, the heads of the various institutions and departments seemed to have been on the alert, and a great number of bills were rejected as being in excess of the Supply Commissioner called to the excessive charges. In every instance he sustained their action, and in most cases reductions were obtained.

Where purchases are made without advertisement, it is provided that the requisitions must be approved by the Comptroller. This was evidently intended as a safeguard to the city's interests, but it is manifest to your committee that it creates a division of responsibility, and that it is a physical impossibility for the Comptroller, with his office as now constituted, to exercise intelligent supervision over such purchases, and that in most instances his approval is merely perfunctory.

It appears from the testimony that the quality of coal furnished to the city institutions, notably the Poorhouse, was very inferior; that the same was rejected repeatedly by the Superintendent. Section 226, Revised Ordinances, provides that "When the Commissioner of Supplies finds any party engaged in selling or delivering any article to the city, who has failed or refused to comply with the terms of his contract or agreement, or when a party fails to make restitution to the city for any loss the city has met by failure or neglect on his part to comply with the terms of his agreement, then the Commissioner of Supplies, with the consent and approval of the Mayor, shall decline to receive any further bids from said party for any articles to be furnished to the city."

Notwithstanding the attention of the Supply Commissioner was called to this matter, the same contractor was one of the successful bidders last summer, and was awarded a new contract by him and approved by the Mayor.

Other parties, whose bills were repeatedly rejected on account of overcharges, were permitted to continue furnishing supplies.

The city is a large loser from the lack of scales at the City Hall, Four Courts, Courthouse and the various institutions. Under the present system, the only evidence presented by the driver of a coal wagon of the alleged quantity he proposes to deliver is a ticket from a city weigher. The driver of a wagon containing a light load may fake the ticket of a heavy load, and unless the engineer is on the alert the fraud will not be detected. On one lot of coal delivered at the Four Courts the tickets called for 39½ tons, and it was found by measurement that there were 242 tons; and other instances of attempted fraud of this character were disclosed. Scales should be provided at each of the places indicated, and every load of coal weighed before it is accepted. We believe an enormous saving to the city would result, not only in coal, but in other supplies furnished by weight.

It appears to some of the members of the committee that favoritism was exercised in the selection of some of the dealers from whom supplies were purchased. However, this custom prevailed long prior to the appointment of the present Commissioner of Supplies.

After attention had been directed to irregularities in the office of Commissioner of Supplies by the newspapers, together with the report of the February, 1900, Grand Jury, the Comptroller required that thereafter a schedule of approximate prices should accompany each requisition, and much good resulted therefrom. During the few months preceding the closing of the testimony taken by your committee but few complaints were made of excessive charges.

The new requirement of the Comptroller, however, shifts the responsibility from the Commissioner of Supplies, where it belongs, to the heads of the various departments and institutions, and, in the opinion of your committee, additional safeguards are required.

The most astonishing development connected with our investigation has been the fact that the most important ordinance provision relating to