

## REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, July 18, 1921.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, July 18, 1921, at 7:30 o'clock in regular session, President Russell Willson in the chair.

Present: The Hon. Russell Willson, President of the Common Council, and six (6) members, viz.: Messrs. Brown, Furniss, Kirsch, Miller, Peake and Schmidt.

Absent: Messrs. Carnefix and Pettijohn.

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

## COMMUNICATIONS FROM THE MAYOR.

June 24, 1921.

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

Gentlemen—I have this day signed and returned to George O. Hutsell, City Clerk, the following ordinances:

Appropriation Ordinance No. 14—Appropriating to the Department of Finance the sum of \$3,085.20 to be added to Appropriation Ordinance No. 15, 1920, for the Art Association of Indianapolis.

Special Ordinance No. 7—Annexing certain territory to the City of Indianapolis, and defining a part of the boundary line of said city.

General Ordinance No. 40—Annexing Subdivision "F" of Section Two of General Ordinance No. 9, 1921, as amended by Section Two of General Ordinance No. 23, 1921.

General Ordinance No. 46—Switch contract to Thomas A. Moynahan.

General Ordinance No. 47—Switch contract to Thomas A. Moynahan.

General Ordinance No. 44—Regulating the location and establishment of junk yards and providing penalties for the violation thereof.

Yours very truly,

CHARLES W. JEWETT.

*Mayor...*

June 27, 1921.

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

Gentlemen—I have this day signed and returned to George O. Hutsell, City Clerk, the following ordinances:

Special Ordinance No. 8—Extending the present boundary lines of the City of Indianapolis and annexing to the City of Indianapolis certain territory contiguous thereto.

General Ordinance No. 45—Switch Contract—National Paper Stock Company. Switch across North and Walnut streets.

Yours very truly,

CHARLES W. JEWETT,  
*Mayor.*

July 13, 1921.

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

Gentlemen—I have this day signed and delivered to George O. Hutsell, City Clerk, the following ordinance:

General Ordinance No. 51—Authorizing the City Controller to make a temporary loan of \$500,000.00.

Yours very truly,

CHARLES W. JEWETT,  
*Mayor.*

#### REPORTS FROM CITY OFFICERS.

From the Controller:

July 18, 1921.

*To the Hon. President and Members of the Common Council, City:*

Gentlemen—I submit you herewith a communication from the Honorable Mayor asking for the passage of an ordinance appropriating the sum of \$75.00 to and for the use of the Finance Department to the fund known as "Salaries Mayor's Office."

I submit you also herewith an ordinance calling for \$291.67 to and for the use of the Department of Finance to the fund known as "Salaries City Court."

The last amount referred to herein is caused by the acts of the last legislature in increasing the salary of the Judge of the City Court from \$3500 to \$4000 per year, which acts went into effect June 1, 1921.

I recommend the passage of the above ordinance.

Yours very truly,

ROBT. H. BRYSON,  
*City Controller.*

July 16, 1921.

*Mr. Robert H. Bryson, City Controller, City of Indianapolis:*

Dear Mr. Bryson—Will you kindly have prepared and submit to the Common Council an appropriation ordinance appropriating the sum of \$75.00 to cover the expense of stenographic salary for this office?

Our stenographer, Miss Gelman, is leaving for an extended trip of from six to eight weeks, making it necessary that we engage the services of a substitute stenographer to fill this position. Miss Gelman is entitled to the customary two weeks vacation with pay, and I find it necessary to employ the services of a substitute stenographer one week prior to Miss Gelman's leaving in order to acquaint her with the duties of this office. Therefore, it is necessary to pay the substitute stenographer a salary of three weeks in all.

Inasmuch as we only have the one stenographer in our office, it is necessary that we employ some one outside to take Miss Gelman's place during her absence.

Yours very truly,

CHARLES W. JEWETT,  
*Mayor.*

July 15, 1921.

*Mr. Robert H. Bryson, City Controller, City Hall:*

Dear Sir—I reply to your request for an opinion concerning the attached letter relating to the salary of the Judge of the City Court.

It is my opinion that Judge Pritchard is entitled to the salary prescribed by his office by the last session of the legislature from the first day of June, 1921, without an ordinance of the City Council increasing his salary. Of course, an additional appropriation to the fund from which this salary is paid will be necessary before the year is out.

Yours very truly,

THOMAS D. STEVENSON,  
*City Attorney.*

From the Board of Public Works:

July 6, 1921.

*Mr. Geo. O. Hutsell, City Clerk, City of Indianapolis:*

Dear Sir—I am submitting herewith for transmission to the Common Council for the passage of an ordinance, a switch contract granting permission to the Klinestone Mfg. Co. to lay and maintain a sidetrack or switch from a point in the west line of the tracks of the Indianapolis Union Ry. Co. about 165 feet south of the south line of

East 13th street, across said 13th street north to a point 350 feet north of the north line of said 13th street in Brightwood.

Yours truly,

W. F. CLEARY,

*Clerk, Board of Public Works.*

From the Board of Park Commissioners:

July 16, 1921.

*Geo. O. Hutsell, City Clerk, Indianapolis, Ind.:*

Dear Sir—I am enclosing herein three copies of an ordinance providing for a temporary loan of \$85,000 for the use of the Department of Public Parks, which I have been instructed to submit for introduction at the next meeting of the Common Council.

In explanation of this ordinance I wish to state that one year ago a temporary loan of \$60,000 was authorized by ordinance, and pursuant thereto such loan was made and has been paid, and it was expected at that time that the funds to be derived from taxes would be sufficient to care for this loan which was necessitated by conditions arising in the previous year. It has later developed, however, that the revenues of the Department have not been sufficient to repay this loan and leave enough for the actual operating expenses for the remainder of the year 1921. This is partly occasioned by the loss of \$30,000, which was expected to be paid under the terms of the franchise of the Indianapolis Street Railway Company. This amount has not been paid and there has been nothing to offset the loss occasioned thereby.

It is the intention of the Department of Public Parks to include in the next year tax levy an amount sufficient to take care of this temporary loan and thereby avoid the necessity of coming periodically to the Council for such relief.

Trusting that this ordinance may receive favorable consideration, I am, your very truly,

J. CLYDE HOFFMAN.

#### REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

Indianapolis, Ind., July 18, 1921.

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

Gentlemen—We, your committee on Finance, to whom was referred Appropriation Ordinance No. 16, 1921, entitled, An ordinance appropriating the sum of \$150.25 to the Department of Public Safety, beg

leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. E. MILLER,  
J. P. BROWN,  
S. A. FURNISS,  
LEE J. KIRSCH.

Mr. Miller moved that the report of the Committee be concurred in. Carried.

From the Committee on Finance:

Indianapolis, Ind., July 18, 1921.

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

Gentlemen—We, your committee on Finance to whom was referred Appropriation Ordinance No. 17, 1921, entitled, An ordinance appropriating the sum of \$15,000.00 to the Department of Finance for the purpose of aiding in preparing for the 55th National Encampment of the G. A. R., beg leave to report that we have had said ordinance under consideration, and recommend that the same be amended to read as follows:

APPROPRIATION ORDINANCE NO. 17, 1921.

AN ORDINANCE, appropriating the sum of twelve thousand dollars (\$12,000.00) to the Department of Finance for the purpose of aiding in preparing for Fifty-fifth National Encampment of the Grand Army of the Republic, and providing a time when the same shall take effect.

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

Section 1. That there be and is hereby appropriated to the Department of Finance out of the General Fund of the City of Indianapolis, the sum of twelve thousand (\$12,000.00) dollars for the purpose of aiding in preparing for the Fifty-fifth National Encampment of the Grand Army of the Republic, and for the reception, housing and entertaining of such honorably discharged Union Soldiers, Sailors and Marines who may have served in the Civil war as may attend such encampment as delegates or otherwise.

Sec. 2. There is hereby created a City Executive Committee of the Fifty-fifth National Encampment of the Grand Army of the Republic, consisting of Councilmen Jesse E. Miller, chairman; Major Ed. Jackson, Judge Vincent Carter, Col. John B. Reynolds and Robert H. Bryson, City Controller, to supervise the expenditure of the money herein ap-

propriated, and in the event any of the persons, herein named fail or refuse to serve their successors shall be appointed by the Mayor of the City of Indianapolis. A majority of said committee shall constitute a quorum for the transaction of business. No indebtedness incurred shall be paid out of the funds herein appropriated unless made upon the order of said City Executive Committee. Such money so appropriated shall be paid by the City Treasurer upon the order of the City Controller, which order shall be issued only upon vouchers signed by the Chairman of said City Executive committee and signed by the Mayor of said city.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and that as so amended the same be passed.

J. E. MILLER,  
J. P. BROWN,  
S. A. FURNISS,  
LEE J. KIRSCH.

Mr. Miller moved that the report of the Committee be concurred in. Carried.

From the Committee on Finance:

Indianapolis, Ind., July 18, 1921.

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

Gentlemen—We, your committee on Finance to whom was referred Appropriation Ordinance No. 18, 1921, entitled, An Ordinance transferring and appropriating certain sums of money to certain funds of the Department of Public Works, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. E. MILLER,  
J. P. BROWN,  
S. A. FURNISS,  
LEE J. KIRSCH.

Mr. Miller moved that the report of the Committee be concurred in. Carried.

From the Committee on Finance:

Indianapolis, Ind., July 18, 1921.

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

Gentlemen—We, your committee on Finance to whom was referred General Ordinance No. 52, 1921, entitled, An ordinance authorizing the City of Indianapolis to make a temporary loan or loans for the use of the Board of Public Health, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. E. MILLER,  
J. P. BROWN,  
S. A. FURNISS,  
LEE J. KIRSCH.

Mr. Miller moved that the report of the Committee be concurred in. Carried.

From the Committee on Finance:

Indianapolis, Ind., July 18, 1921.

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

Gentlemen—We, your committee on Finance to whom was referred General Ordinance No. 53, 1921, entitled, "An ordinance transferring the sum of \$1500.00 from the Police Salary Fund of the Department of Public Safety transferring and re-appropriating the same to the Police Material and Supply for Regulating Traffic Fund of the Department of Public Safety, beg leave to report that we have had said ordinance under consideration and recommend that the same be passed.

J. P. BROWN,  
J. E. MILLER,  
S. A. FURNISS,

Mr. Miller moved that the report of the Committee be concurred in. Carried.

From the Committee on Health and Charities:

Indianapolis, Ind., July 18, 1921.

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

Gentlemen—We, your committee on Health and Charities to whom was referred General Ordinance No. 50, 1921, entitled, An ordinance

prohibiting the discharge or use of fireworks within the City of Indianapolis, Indiana, beg leave to report that we have had said ordinance under consideration and recommend that the same be passed.

S. A. FURNISS,  
J. E. MILLER,  
J. P. BROWN,

Mr. Furniss moved that the report of the Committee be concurred in. Carried.

#### INTRODUCTION OF APPROPRIATION ORDINANCES.

By the City Controller :

#### APPROPRIATION ORDINANCE NO. 19, 1981.

AN ORDINANCE, appropriating the sum of two hundred ninety-one dollars and sixty-seven cents (\$291.67) to and for the use of the Department of Finance to the fund known as "Salaries, City Court," and appropriating the sum of seventy-five dollars (\$75.00) to and for the use of the Department of Finance to the fund known as "Salaries, Mayor's Office," and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana :*

Section 1. That there be and is hereby appropriated the sum of Two Hundred and Ninety-one Dollars and Sixty-seven Cents (\$291.67) to and for the use of the Department of Finance, to the fund known as "Salaries, City Court."

Sec. 2. That there be and is hereby appropriated the sum of Seventy-five Dollars (\$75.00) to and for the use of the Department of Finance, to the fund known as "Salaries, Mayor's Office."

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

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

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By the Board of Public Works :

## SWITCH CONTRACT.

## GENERAL ORDINANCE NO. 54, 1921.

AN ORDINANCE approving a certain contract granting Klinestone Manufacturing Company the right to lay and maintain a sidetrack or switch from a point in the west line of the tracks of the Indianapolis Union Railway Company about 165 feet south of the south line of East Thirteenth Street, across said Thirteenth Street, north to a point 350 feet north of the north line of said Thirteenth Street in Brightwood Avenue, now vacated, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to wit: on the 6th day of July, 1921, Klinestone Manufacturing Company filed its petition before the Board of Public Works of the City of Indianapolis, as follows:

## PETITION.

*To the Board of Public Works, City of Indianapolis:*

Gentlemen: The undersigned, Klinestone Manufacturing Company, respectfully shows that it is a corporation duly organized under the laws of the State of Indiana, as a manufacturing company, with its principal office in the City of Indianapolis, Ind.; that it is the owner of real estate lying north of East Thirteenth Street, between the Indianapolis Union Railway Company's right-of-way and the first alley west of said right-of-way; that it is desirous of laying a switch from a point about 165 feet south of the south line of Thirteenth Street in the west line of the tracks of said Indianapolis Union Railway Company: thence north across said Thirteenth Street to a point 350 feet north of the north line of said Thirteenth Street. All of said switch north of the north line of said Thirteenth Street will be in what was formerly Brightwood Avenue and which is now vacated.

NOW, THEREFORE, This agreement made and entered into this 6th day of July, 1921, by and between Klinestone Manufacturing Company, of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a right-of-way for a sidetrack or switch from a point in the west line of the tracks of the Indianapolis Union Railway Company, about 165 feet south of the south line of Thirteenth Street running north to a point in what was formerly Brightwood Avenue, now vacated, about 350 feet north of the north line of Thirteenth Street, in the City of Indianapolis, which is more specifically described as follows: hereby covenants and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said track upon the terms and conditions hereinafter set forth, to wit:

(1) They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said track and switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said track shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said tracks.

(3) The crossing where said track intersects East Thirteenth Street shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, upon the written order of said Board, made for any good cause affecting the interest of the City or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to pave between said track to the entire satisfaction of the second party, and in case said tracks shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification in writing of ten (10) days, said Board shall do or cause the same to be done at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds himself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending against any such claims.

(7) Any violations of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated by said Board as hereinbefore set forth.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved Marh 6, 1905, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain an additional sdetrack or switch across East Thirteenth Street in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

Track to be built within year from date.

IN WITNESS WHEREOF, We have hereunto set our hands this 6th day of July, 1921.

KLINESTONE MANUFACTURING CO.,

By H. Z. Kline, President,

Witness:

L. D. Buenting.

CITY OF INDIANAPOLIS,

By Mark H. Miller, President,

N. S. Shirley,

Board of Public Works,

Party of the Second Part.

O.K.

F. C. Lingenfelter, C. C. E.

July 6, 1921.

AND, WHEREAS, Said contract has been submitted by the Board of Public Works to the Common Council of the City of Indianapolis, for its consideration and action, now, therefore.

Section 1. *Be it ordained by the Common Council of the City of Indianapolis, Indiana*, that such contract above set forth be, and the same is hereby in all things confirmed and approved.

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

Which was read a first time.

Mr. Schmidt moved that the rules be suspended and General Ordinance No. 54, 1921, be placed upon its passage.

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

Ayes, 7, viz.: Messrs. Brown, Furniss, Kirsch, Miller, Peake, Schmidt and President Russell Willson.

Mr. Schmidt called for General Ordinance No. 54, 1921, for second reading. It was read a second time.

Mr. Schmidt moved that General Ordinance No. 54, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 54, 1921, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Brown, Furniss, Kirsch, Miller, Peake, Schmidt and President Russell Willson.

By the Board of Park Commissioners:

GENERAL ORDINANCE No. 55, 1921.

AN ORDINANCE authorizing the City Controller to make a temporary loan in the name of the City of Indianapolis for the use of the Department of Public Parks of the City of Indianapolis in anticipation of revenues to be received from taxes as provided by law to enable said department to meet a deficit for the present fiscal year, authorizing the rate of interest to be paid therefor, and fixing the time when the same shall take effect.

WHEREAS, the revenue of the Department of Public Parks of the City of Indianapolis, an executive department of said city, are insufficient and so impaired as not to enable it to complete its fiscal year without a deficit; now, therefore,

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City Controller of the City of Indianapolis is hereby authorized to negotiate a temporary loan in the sum of Eighty-five Thousand (\$85,000.00) Dollars in the name of the City of Indian-

apolis, for the use of the Department of Public Parks of the City of Indianapolis, in anticipation of revenues to be derived from taxes, as provided by law, which said loan shall be payable from the revenues of said Department of Public Parks to be derived from taxes as provided by law, shall bear interest at a rate not exceeding six per cent. (6%) per annum, and shall mature not later than June 1, 1922, with the privilege of payment of the same or any part thereof at any time after sixty (60) days from date. The City Controller is authorized and empowered to negotiate such loan in such amounts and at such times as the Board of Park Commissioners shall request; provided,, however, that no part of said loan shall be made to extend beyond June 1, 1922.

Said loan shall be awarded to the lowest bidder at competitive bidding on the annual rate of interest and under the conditions prescribed in a notice of the same which the Controller shall cause to be published by at least one insertion in a daily newspaper of general circulation published in the City of Indianapolis, which said publication shall be at least five days before the date set for the awarding of said loan.

The form of obligation to be executed on behalf of the City of Indianapolis for such loan as well as the terms and tenor thereof not otherwise in this ordinance specified shall be such as may be determined by the City Controller to be most expedient, and the Mayor and the City Controller are hereby authorized to execute such evidence of indebtedness for and on behalf of the City of Indianapolis for the use of the Department of Public Parks of the City of Indianapolis; and when so executed, to the payment thereof the City of Indianapolis is hereby irrevocably pledged.

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

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

#### INTRODUCTION OF MISCELLANEOUS BUSINESS.

By Mr. Schmidt:

#### RESOLUTION No. 8, 1921.

*Be it Resolved by the Common Council of the City of Indianapolis:*

That Lee J. Kirsch, Russell Willson and Dixon H. Bynum be and they are hereby authorized and directed to proceed to Sioux City, Iowa, Des Moines, Iowa, Kansas City, Missouri, and such other points as they shall determine, as a committee representing this Council, and

the City of Indianapolis, to investigate the conditions in such points, effecting street car and jitney bus conditions; and, be it further

Resolved, That the expenses of the above named committee be paid out of the fund known as "For Expenses Council Investigations."

(Signed) G. G. SCHMIDT.

Which was read a first time.

Mr. Schmidt moved that the rules be suspended and Resolution No. 8, 1921, be placed upon its passage.

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

Ayes, 7, viz.: Messrs. Brown, Furniss, Kirsch, Miller, Peake, Schmidt and President Russell Willson.

Mr. Schmidt called for Resolution No. 8, 1921, for second reading. It was read a second time.

Mr. Schmidt moved that Resolution No. 8, 1921, be adopted. Resolution No. 8, 1921, was read a third time and adopted by the following vote:

Ayes, 7, viz.: Messrs. Brown, Furniss, Kirsch, Miller, Peake, Schmidt and President Russell Willson.

From the State Board of Accounts:

STATE BOARD OF ACCOUNTS  
OF INDIANA

JESSE E. ESCHBACH, State Examiner  
INDIANAPOLIS

Dear Sir: In compliance with the statutes concerning public accounting, I hereby file with you the enclosed copy of a report of an examination made under the authority of the State Board of Accounts, which report is to be filed by you as an official document subject to public inspection.

Your attention is respectfully directed to the matters therein set out,

and to whatever recommendations the field examiners may have made as to the proper keeping of the accounts and records of the office examined.

Yours very truly,

JESSE E. ESCHBACH,  
State Examiner.

STATE BOARD OF ACCOUNTS OF INDIANA  
DEPARTMENT OF INSPECTION

AND

SUPERVISION OF PUBLIC OFFICES.

Report of an examination of certain rolls Improvement Funds of the City of Indianapolis, Marion County, Indiana, for the period January 1, 1915, to May 1, 1921; and also the Improvement Sinking Fund of said city for the period January 1, 1914, to May 20, 1921.

RALPH A. LEMCKE, Treasurer,  
City of Indianapolis,  
Marion County, Indiana.

ROBERT H. BRYSON, Controller,  
City of Indianapolis,  
Marion County, Indiana.

JAMES D. SMITH,  
TRACY W. WHITAKER,  
Field Examiners.

May 31, 1921.

Filed June 30, 1921.

JESSE E. ESCHBACH,  
State Examiner.  
Indianapolis, Indiana, May 31, 1921.

J. E. Eschbach, State Examiner,  
Indianapolis, Indiana.  
Dear Sir:

Pursuant to your instructions, we have made an examination of certain rolls in the Improvement Funds of the City of Indianapolis, Marion County, Indiana, for the period January 1, 1915, to May 1, 1921; and also the Improvement Sinking Fund of said city for the period January 1, 1914, to May 20, 1921.

Roll Number 4563, Warman Avenue Interceptor, shows that the last certification of \$272.56 would pay the contractor more than he was entitled to receive on said contract, and that there were quite a number of assessments still remaining unpaid. We made a check of the

actual receipts with the cash books and ledgers and find that the City of Indianapolis has paid the amount assessed against said city in August, 1916, and again in April, 1921.

We took off a list of the delinquent assessments as shown by the original roll and find that there remains unpaid and delinquent on May 20, 1921, the sum of \$152.31, the ledgers of the Controller and Treasurer should show the same after the proper entries have been made.

We recommend that a warrant be drawn against Roll 4563 for the sum of \$272.56 and paid direct to the General Fund of the City of Indianapolis.

We would further recommend that balances be established in the "City Controller Fund" and a controlling account of same be maintained in the future.

We would recommend that a system be established to care for the Barrett Law Funds in a manner similar to the present method of handling taxes in the County Treasurer's office.

#### IMPROVEMENT SINKING FUND.

The records show that there has been collected from August, 1914, to December 31, 1920, as a sinking fund to relieve the deficit in the Barrett Law Funds occasioned by the prepayment or payment in full of certain assessments, the sum of \$173,490.00 and that during this period of time there has been a distribution of said sinking fund to the several rolls wherein a deficit has been created, in the sum of \$67,217.00, leaving a balance to be distributed of \$106,273.00.

We have determined that the correct method of ascertaining the deficit in each roll is to compute the lost or voided interest in each assessment wherein a prepayment has been made. As an example of the method proposed, we have totaled the lost or voided interest in each roll of three assessment duplicates; number 161 shows \$2,714.24, number 175 shows \$2,994.66 and number 177 shows \$3,541.97. The Improvement Sinking Fund should be apportioned to each roll in a sum equal to the lost or voided interest. The statute provides that a distribution be made of the sinking fund on June 1st and December 1st of each year, but the records show only three distributions of the sinking fund in the period August, 1914, to May 31, 1921.

The Acts of 1915 provide for an investment by the City Controller of the prepaid assessments in "bonds similar in kind and character"; this would care for any deficit arising subsequent to the year 1915 and the Improvement Sinking Fund would care for the deficit prior to said time if it were not for the fact that an injunction has been made permanent by the Federal Court restraining from depositing Barrett Law monies in a public depository for City Funds and thereby preventing the Controller from investing said prepaid money.

There is an approximate loss to the taxpayers of the City of Indianapolis each year of \$7,500.00 owing to the fact that the Controller can not invest the prepaid money. The bonds issued to cover the assessments are drawing interest throughout the entire ten-year period but the interest on the assessed property ceases after the property owner pays his assessment principal in full (plus six months' interest).

## SUMMARY.

Duplicate payment by the City (and due the City) of \$272.56 (said sum has been repaid to the City of Indianapolis).

State of Indiana, Marion County, ss:

We, James D. Smith and Tracy W. Whitaker, Field Examiners, hereby certify that the foregoing is a true and correct report of our examination of certain rolls in the Improvement Funds of the City of Indianapolis, Marion County, Indiana, for the period January 1, 1915, to May 1, 1921; and also for the Improvement Sinking Fund of said city for the period January 1, 1914, to May 20, 1921.

JAMES D. SMITH.

TRACY W. WHITAKER.

Dated May 21, 1921.

## ORDINANCES ON SECOND READING.

Mr. Miller called for Appropriation Ordinance No. 16, 1921, for second reading. It was read a second time.

Mr. Miller moved that Appropriation Ordinance No. 16, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 16, 1921, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Brown, Furniss, Kirsch, Miller, Peake, Schmidt and President Russell Willson.

Mr. Miller called for Appropriation Ordinance No. 17, 1921, for second reading. It was read a second time.

Mr. Miller moved that Appropriation Ordinance No. 17, 1921, be amended as recommended by the Committee. Carried.

Mr. Miller moved that Appropriation Ordinance No. 17, 1921, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 17, 1921, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Brown, Furniss, Kirsch, Miller, Peake, Schmidt and President Russell Willson.

Mr. Miller called for Appropriation Ordinance No. 18, 1921, for second reading. It was read a second time.

Mr. Miller moved that Appropriation Ordinance No. 18, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 18, 1921, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Brown, Furniss, Kirsch, Miller, Peake, Schmidt and President Russell Willson.

Mr. Miller called for General Ordinance No. 53, 1921, for second reading. It was read a second time.

Mr. Miller moved that General Ordinance No. 53, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 53, 1921, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Brown, Furniss, Kirsch, Miller, Peake, Schmidt and President Russell Willson.

Mr. Miller called for General Ordinance No. 52, 1921, for second reading. It was read a second time.

Mr. Miller moved that General Ordinance No. 52, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 52, 1921, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Brown, Furniss, Kirsch, Miller, Peake, Schmidt and President Russell Willson.

On motion of Mr. Peake the Common Council at 9:15 o'clock P. M. adjourned.

*Russell Willson*

*President.*

Attest:

*J. A. Peck*

*City Clerk.*