

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, September 5, 1921.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, September 5, 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, Carnefix, Furniss, Kirsch, Miller and Schmidt

Absent: Messrs. Peake and Pettijohn.

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

COMMUNICATIONS FROM THE MAYOR.

Indianapolis, Ind., August 15, 1921.

Members of the Common Council, City of Indianapolis:

Gentlemen: I have signed under date of August 11 and delivered to George O. Hutsell General Ordinance No. 48, an ordinance amending Section 291 of General Ordinance No. 12, 1917, and declaring the time when same shall take effect.

Yours very truly,

CHARLES W. JEWETT, Mayor.

Indianapolis, Ind., August 20, 1921.

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

Gentlemen: I have signed and delivered to George O. Hutsell the following ordinances:

General Ordinance No. 39, 1921—An ordinance amending clause "D" of Section Five of General Ordinance No. 76, 1919, as amended by Section One of the General Ordinance No. 47, 1920, and declaring a time when the same shall take effect.

General Ordinance No. 61, 1921—An ordinance regulating the Dumping of Materials, Fixing Penalties and prescribing a time when the same shall take effect.

General Ordinance No. 57 (Switch Contract)—An ordinance approving a certain contract granting to Allen A. Wilkinson Lumber Company the right to lay and maintain a sidetrack or switch from, etc.

Appropriation Ordinance No. 20, 1921—An ordinance appropriating the sum of Thirty-five Thousand (\$35,000.00) Dollars to the Water Rental Fund of the Department of Public Works, and declaring a time when the same shall take effect.

Yours very truly,

CHARLES W. JEWETT, Mayor.

August 22, 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 resolutions:

Resolution No. 9, 1921, for the Budget.

Resolution No. 10, 1921—*Be it resolved by the Common Council of the City of Indianapolis, Indiana:* That the attached list shall be and are hereby declared to be the places of holding sessions of the Board of Registration in the several precincts in the City of Indianapolis, Indiana, for the September Term of Registration to be held on Saturday, the 10th day of September, 1921, for registration in the City of Indianapolis, Indiana.

Resolution No. 11, 1921—*Be it resolved by the Common Council of the City of Indianapolis, Indiana:* That the following persons are hereby named and appointed as inspectors in the several precincts of the City of Indianapolis for the Board of Registration for the session of the Board of Registration to be held in the City of Indianapolis on Saturday, the 10th day of September, 1921, to wit:

Yours very truly,

CHARLES W. JEWETT, Mayor.

August 31, 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 ordinance:

Appropriation Ordinance No. 23—Appropriating money to the Department of Law for the payment of judgments against the City of Indianapolis.

Yours very truly,

CHARLES W. JEWETT, Mayor.

REPORTS FROM CITY OFFICERS.

From the City Controller :

September 3, 1921.

Hon. President and Members of the Common Council, Indianapolis, Ind. :

Gentlemen: I am submitted to you letter from the City Judge, asking for an appropriation of \$500 to the fund known as Special City Judge.

The last Legislature increased the pay of Special Judges from \$5.00 to \$10.00 per day. This leaves this fund short of money, and I am asking that this appropriation be made and submit ordinance herewith covering same, and recommend its passage.

Yours very truly,

ROBERT H. BRYSON, City Controller.

August 24, 1921.

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

Dear Sir: Our Special Judge Fund is exhausted, and we need an appropriation of five hundred dollars. This should be sufficient, unless the number of changes of venue from the regular judge increases.

Respectfully,

WALTER PRITCHARD,

City Judge.

WP-M.

September 3, 1921.

Hon. President and Members of the Common Council, Indianapolis, Ind. :

Gentlemen: I submit herewith letter from the Board of Public Works, asking for the transfer of certain sums of money from certain funds under their control and reappropriating the same to other funds under said board.

I submit herewith ordinance covering same and recommend its passage.

Yours very truly,

ROBERT H. BRYSON, City Controller.

September 3, 1921.

Hon. President and Members of the Common Council, Indianapolis, Ind. :

Gentlemen: I am enclosing you letter from the Board of Public Safety, asking for the transfer of certain sums of money from certain funds and reappropriating the same to certain funds under their control.

I hand you herewith ordinance covering same and recommend its passage.

Yours very truly,

ROBERT H. BRYSON, City Controller.

September 3, 1921.

Mr. Robert H. Bryson, City Controller, Indianapolis, Indiana :

Dear Sir: The Board of Public Safety requests that you recommend to the Common Council the passage of the attached ordinance, transferring funds of the Department of Public Safety and reappropriating same to the various departments under the Board of Public Safety.

Yours very truly,

BOARD OF PUBLIC SAFETY,

GEORGE W. WILLIAMS,

GWV:EHA.

Executive Secretary.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance :

Indianapolis, Ind., September 5, 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 Appropriate Ordinance No. 21, 1921, 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., September 5, 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. 22, 1921, 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 Public Health and Charities:

Indianapolis, Ind., September 5, 1921.

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

Gentlemen: We, your Committee on Public Health, to whom was referred General Ordinance No. 59, 1921, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

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

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

From the Committee on Elections:

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

We, your Committee on Elections, to which was referred certain remonstrances filed on the 24th, 25th and 27th days of June, 1921, against Declaratory Resolution No. Four of the year 1921 of the Common Council of the City of Indianapolis, Indiana, reading as follows, to wit:

"Be it resolved by the Common Council of the City of Indianapolis, Indiana: That said City should proceed alone or jointly with Marion County, in which it is located to carry out the purposes of an Act of the General Assembly of the State of Indiana, entitled 'An Act authorizing any city in the State of Indiana, to acquire grounds, real estate, and interest therein by purchase, donation or condemnation, and to erect and maintain thereon suitable structures to commemorate the valor and sacrifice of the soldiers, sailors and marines of the United States, of all patriotic organizations and all others who rendered loyal service and made sacrifices at home and overseas in the great World War, and to provide therein a place or places of meeting and headquarters for organizations of such soldiers, sailors and marines, of all patriotic organizations and others and for other public purposes, and authorizing



any city to join with the county in which it is located in the acquisition of such grounds, real estate, and interests therein, and the erection and maintenance of such memorial structure and to provide for the creation of a board of trustees, its powers and duties, and authorizing any such city to acquire, or to join with the county in which it is located in the acquisition of real estate and interests therein, by purchase, donation or condemnation, to be dedicated and set apart for world war memorial and other public purposes and added to and used in connection with any real estate which may have been, or may hereafter designated for use, or dedicated and set apart by the State of Indiana for world war memorial and other public purposes; authorizing such city or such city and county jointly by proper contract, deed or grant to convey to the State of Indiana, the real estate so acquired for world war memorial and other public purposes, as provided therein, and to provide for the levy of taxes and the issuance of bonds, and the appropriation of money for said purposes; exempting the same from taxation, and declaring an emergency; approved March 10, 1921. (Approved by me this 21st day of May, 1921. Charles W. Jewett, Mayor.)" beg leave to report as follows:

That, J Frank Cantwell and others filed a verified answer in two paragraphs to said remonstrances in which verified paragraphs of answer the said respondents challenged the sufficiency and validity of said remonstrances and the names purporting to be signed thereto, which said verified answer in two paragraphs is returned by your Committee with its report, for your consideration.

That on the 27th day of July and on the 29th day of August, 1921, your Committee heard the evidence adduced by said remonstrants and said respondents, all of which evidence is returned herewith as a part of this report, for your consideration, listened to the arguments of counsel and thereafter considered in detail and determined the various questions of fact arising in connection with said remonstrances and the verified answer thereto, and respectfully report that in the judgment of your Committee, the said remonstrances filed on the 24th, 25th and 27th days of June, 1921, are invalid and insufficient and do not comply with Section 24 of the City War Memorial Act of 1921, Acts 1921, page 536, in that said Remonstrances do not contain valid signatures of five per cent. of the qualified voters of the City of Indianapolis, Indiana.

Your Committee therefore recommends that said remonstrances be rejected as insufficient and invalid and held to be null and void, and that the Common Council of City of Indianapolis, Indiana, shall not cause said Declaratory Resolution to be submitted to the qualified voters of said City either at a general City Election or a Special City Election to be held for that purpose, but recommends that on the contrary, the

Common Council proceed with the purpose of said Declaratory Resolution No. Four as therein outlined, without submitting such Resolution to the qualified voters of the City at an election.

Respectfully submitted,

S. A. FURNISS,

J. E. MILLER,

J. P. BROWN,

WM. B. PEAKE,

*Committee on Elections.*

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

The roll was called and the motion to concur in the report of the Elections Committee carried by the following vote:

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

We, the undersigned members of the Common Council, have given the most careful and painstaking consideration to the remonstrances that were filed against Declaratory Resolution No. 4, 1921, and the evidence that has been submitted to the Council in public hearings relating thereto.

We started into the investigation with the conviction and a desire to sustain the remonstrances, and call an election thereon. However, we were forced, by the evidence and the facts, to the conclusion that said remonstrances did not contain the required five per cent. of the qualified voters of the City of Indianapolis, required by law.

In reaching this conclusion, we were bound by the law as determined by Judge A. B. Anderson of the United States District Court for the District of Indiana, in the case of Aczel vs. U. S. which was affirmed by the United States Circuit Court of Appeals, in which it was held that the term "voter" or "qualified voter" did not mean registered voter, but every person over the age of twenty-one years, who was qualified to register.

The Council in determining the number of qualified voters, took as its basis of computation, the United States Census as of January 1, 1920, which would require 10,517 valid signatures to the remonstrances, to make the required five per cent. From this we deducted an average of ten from each precinct, to cover aliens and incompetents, although we are convinced that the natural increase of qualified

voters in each precinct since January 1, 1920, would more than balance the disqualified voters in such precincts.

Our unanimous conclusion on the evidence was that the remonstrances as filed, were far short of having the required number of valid signatures. We have therefore, felt in duty bound to reject the remonstrances, as insufficient to authorize the Council to submit the Resolution to an election.

LOUIS W. CARNEFIX,  
S. A. FURNISS,  
J. E. MILLER,  
G. E. SCHMIDT,  
RUSSELL WILLSON,  
LEE J. KIRSCH,  
J. P. BROWN.

From the Committee of the Whole:

Indianapolis, Ind., September 5, 1921.

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

Gentlemen: We, your Committee of the Whole, to whom was referred General Ordinance No. 63, 1921, entitled "Tax Levy for the year 1921," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. P. BROWN, Chairman,  
J. E. MILLER,  
S. A. FURNISS,  
G. E. SCHMIDT,  
RUSSELL WILLSON,  
LOUIS W. CARNEFIX,  
LEE J. KIRSCH.

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

#### INTRODUCTION OF APPROPRIATION ORDINANCES.

By the City Controller:

#### APPROPRIATION ORDINANCE No. 24, 1921.

AN ORDINANCE, appropriating the sum of Five Hundred Dollars



(\$500.00) to the Special City Judges' Fund of the Department of Finance 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 Five Hundred Dollars (\$500) to the Special City Judges' Fund of the Department of Finance.

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 GENERAL AND SPECIAL ORDINANCES.

By the City Controller:

#### GENERAL ORDINANCE No. 65, 1921.

AN ORDINANCE, authorizing the sale of seventy-three (73) bonds of Five Hundred Dollars (\$500.00) each of the City of Indianapolis, payable from the general revenues and funds of said city, or from the sinking funds of said city, or as may be required by law, for the purpose of procuring money to pay the city's part of the cost of improving West Washington Street from a point five hundred and thirty-eight (538) feet west of the west property line of Harris Street to the east end of Big Four Railway subway; and the city's part of the cost of improving Indiana Avenue from the west property line of Montcalm Street to the north property line of Sixteenth Street; and the city's part of the cost of improving Madison Avenue from the north property line of Raymond Street to the south property line of Glendale Avenue, except the bridge over Pleasant Run; under separate contracts for each of said improvements entered into on the 10th day of August, 1921, by and between the City of Indianapolis, by and through its Board of Public Works, with the approval of its Mayor and the County of Marion, State of Indiana, by and through its Board of Commissioners, as provided for and authorized by an act of the General Assembly of the State of Indiana, entitled, "An Act for an act concerning the improvement of streets and public highways in cities of the first class, which connect with, extend or continue as hard surface public highways beyond the corporate limits of such city in the county in which such city is located, providing for the assessment of part of the cost of such improvement against the abutting real estate and that the

remainder of the cost of such improvement shall be paid equally by such city and the county in which such city is located, and declaring an emergency", approved March 10, 1921, fixing a time when the same shall take effect.

Whereas, the City of Indianapolis, by and through its Board of Public Works, with the approval of its Mayor, on the 10th day of August, 1921, entered into a written contract with Marion County by and through its Board of Commissioners, which contract, omitting the signatures, is as follows:

#### CONTRACT.

THIS AGREEMENT, made and entered into this, the 10th day of August, 1921, by and between the City of Indianapolis, by and through its Board of Public Works, with the approval of its Mayor, party of the first part, and Marion County, State of Indiana, by and through its Board of Commissioners, party of the second part, WITNESSETH:

*First.* It has been ascertained that the estimated cost of the proposed improvement of West Washington Street from a point five hundred and thirty-eight (538) feet west of the west property line of Harris Street to the east end of Big Four Railway subway, except space occupied by street railway tracks, by the Board of Public Works of the City of Indianapolis, which said street connects with, extends or continues as a hard surface public highway beyond the corporate limits of the City of Indianapolis and in to the County of Marion, is in excess of the amount of special benefits that may be assessed against the real estate which abuts upon that part of said street so proposed to be improved.

*Second.* That said proposed improvement is a matter of public utility and general benefit to such city and such county.

*Third.* That it is agreed that said improvement shall begin at a point five hundred thirty-eight (538) feet west of the west property line of Harris Street and extend to the east end of Big Four Railway subway, except space occupied by street railway tracks and shall be from curb to curb, uniform width of fifty (50) feet wide and shall be paved with two-course concrete pavement, with granite aggregate top course, according to Improvement Resolution No. 9908 adopted by said Board of Public Works and plans and specifications therefor on file in the office of the Board of Public Works of said city, to be modified by said Board of Public Works to conform to the terms and conditions of this contract.

*Fourth.* It is agreed that the cost of the proposed improvement in excess of the amount of special benefits that may be assessed against the real estate which abuts upon that part of said street so proposed to be improved shall be paid one-half by said city and one-half by said county.

*Fifth.* This contract is made subject to the condition that the same shall not be binding or effective on either party unless money to pay the city's part of the cost of said proposed improvement is appropriated by the Common Council of said city, and unless the money to pay the county's part of the cost of said improvement is appropriated by the County Council of said county.

In Witness Whereof, the parties hereto have hereunto set their hands in duplicate this, the 10th day of August, 1921.

CITY OF INDIANAPOLIS,

By-----

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Board of Public Works.

Approved:

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Mayor.

MARION COUNTY,

By-----

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Board of County Commissioners.

WHEREAS, the City of Indianapolis, by and through its Board of Public Works, with the approval of its Mayor, on the 10th day of August, 1921, entered into a written contract with Marion County by and through its Board of Commissioners, which contract, omitting the signatures, is as follows:

CONTRACT.

THIS AGREEMENT, made and entered into this, the 10th day of August, 1921, by and between the City of Indianapolis, by and through its Board of Public Works, with the approval of its Mayor, party of the first part, and Marion County, State of Indiana, by and through its Board of Commissioners, party of the second part, WITNESSETH:

*First.* It has been ascertained that the estimated cost of the proposed improvement of Indiana Avenue from the west property line of Montcalm Street to the north property line of Sixteenth Street, by the Board of Public Works of the City of Indianapolis, which said street connects with, extends or continues as a hard surface public highway beyond the corporate limits of the City of Indianapolis and into the County of Marion, is in excess of the amount of special benefits that may be assessed against the real estate which abuts upon that part of said street so proposed to be improved.

*Second.* That said proposed improvement is a matter of public utility and general benefit to such city and such county.

*Third.* That it is agreed that said improvement shall begin at the west property line of Montcalm Street and extend to the north property line of Sixteenth Street and shall be from curb to curb, uniform width of forty (40) feet wide and shall be paved with vertical fibre brick, with asphalt filler in joints according to Improvement Resolution No. 9926 by the Board of Public Works and plans and specifications therefor on file in the office of the Board of Public Works of said city to be modified by said Board of Public Works to conform to the terms and conditions of this contract.

*Fourth.* It is agreed that the cost of the proposed improvement in excess of the amount of special benefits that may be assessed against the real estate which abuts upon that part of said street so proposed to be improved shall be paid one-half by said city and one-half by said county.

*Fifth.* This contract is made subject to the condition that the same shall not be binding or effective on either party unless money to pay the city's part of the cost of said proposed improvement is appropriated by the Common Council of said city, and unless the money to pay the county's part of the cost of said proposed improvement is appropriated by the County Council of said county.

In Witness Whereof, the parties hereto have hereunto set their hands in duplicate, this, the 10th day of August, 1921.

CITY OF INDIANAPOLIS,

By-----  
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Board of Public Works.

Approved:

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Mayor.

MARION COUNTY,

By-----  
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Board of County Commissioners.

WHEREAS, the City of Indianapolis, by and through its Board of Public Works, with the approval of its Mayor, on the 10th day of August, 1921, entered into a written contract with Marion County by and through its Board of Commissioners, which contract, omitting the signatures, is as follows:

CONTRACT.

THIS AGREEMENT, made and entered into this, the 10th day of August, 1921, by and between the City of Indianapolis, by and through



its Board of Public Works, with the approval of its Mayor, party of the first part, and Marion County, State of Indiana, by and through its Board of Commissioners, party of the second part, WITNESSETH:

*First.* It has been ascertained that the estimated cost of the proposed improvement of Madison Avenue from the north property line of Raymond Street to the south property line of Glendale Avenue, except the bridge over Pleasant Run, by the Board of Public Works of the City of Indianapolis, which said street connects with, extends or continues as a hard surface public highway beyond the corporate limits of the City of Indianapolis and in the County of Marion, is in excess of the amount of special benefits that may be assessed against the real estate which abuts upon that part of said street so proposed to be improved.

*Second.* That said proposed improvement is a matter of public utility and general benefit to such city and such county.

*Third.* That it is agreed that said improvement shall begin at the north property line of Raymond Street and extend to the south property line of Glendale Avenue, except the bridge over Pleasant Run, and shall be from curb to curb, uniform width of thirty-nine (39) feet wide and shall be paved with sheet asphalt, according to Improvement Resolution No. 9910 of the Board of Public Works and plans and specifications therefor on file in the office of the Board of Public Works of said city, to be modified by said Board of Public Works to conform to the terms and conditions of this contract.

*Fourth.* It is agreed that the cost of the proposed improvement in excess of the amount of special benefits that may be assessed against the real estate which abuts upon that part of said street so proposed to be improved shall be paid one-half by said city and one-half by said county.

*Fifth.* This contract is made subject to the condition that the same shall not be binding or effective on either party unless money to pay the city's part of the cost of said proposed improvement is appropriated by the Common Council of said city, and unless the money to pay the county's part of the cost of said proposed improvement is appropriated by the County Council of said county.

In Witness Whereof, the parties hereto have hereunto set their hands in duplicate, this, the 10th day of August, 1921.

CITY OF INDIANAPOLIS,

By \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Approved:

Board of Public Works.

\_\_\_\_\_  
Mayor.

## MARION COUNTY,

By-----  
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Board of County Commissioners.

Whereas, it is estimated by the City Civil Engineer and the Board of Public Works that the city's portion of the cost of the improvement of that part of West Washington Street covered by said contract will be Seventeen Thousand, One Hundred and Fifty Dollars (\$17,150) and that the city's portion of the cost of the improvement of that part of Indiana Avenue covered by said contract will be Twelve Thousand Dollars (\$12,000) and that the city's portion of the cost of the improvement of that part of Madison Avenue covered by said contract will be Seven Thousand, Three Hundred and Twenty-five Dollars (\$7,325), and

Whereas, there is not now and will not be sufficient funds in the treasury of the City of Indianapolis for the year 1921 with which to meet the aforesaid expenditures for the general benefit of said city and it being necessary for the City of Indianapolis to borrow the sum of Thirty-six Thousand, Five Hundred Dollars (\$36,500) in order to procure funds to pay its part of the cost of said street improvements and to issue and sell its bonds in such an amount, payable from the revenues of said city or from the sinking fund of said city, or as may be required by law therefor;

*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 be and he is hereby authorized for the purpose of procuring money to be used to pay the city's part of the improvement of that part of West Washington Street and of Indiana Avenue and of Madison Avenue, as provided for in said contracts as set out in this ordinance to prepare and sell seventy-three (73) new bonds of the City of Indianapolis, Marion County, Indiana, for the sum of Five Hundred Dollars (\$500) each, which bonds shall bear date of December 1st, 1921, and be numbered from one (1) to seventy-three (73), both inclusive, and shall be designated as "City Streets and Public Highway Bonds of 1921", and shall be issued in ten (10) series as follows:

The first series shall be for nine (9) bonds of Five Hundred Dollars (\$500.00) each.

The second series shall be for eight (8) bonds of Five Hundred Dollars (\$500.00) each.

The remaining eight (8) series shall be issued in eight (8) equal series of seven (7) bonds of Five Hundred Dollars (\$500.00) each.

The first series shall mature on the first day of January, 1923, and one (1) series on the first day of January thereafter to and including January 1st, 1932, and shall bear interest at the rate of six per cent. (6%) per annum, payable semi-annually on the first day of July and January of each year and said installments of interest shall be evidenced by interest coupons attached to said bonds, and the first coupon attached to each of said bonds for the interest on said bonds from date of issue until the first day of July, 1922. Said bonds and interest coupons shall be negotiable and payable at The Union Trust Company, of Indianapolis, Indiana. Said bonds shall be signed by the Mayor and the City Controller of the City of Indianapolis and attested by the City Clerk, who shall affix the seal of said city to each of said bonds and the interest coupons attached to said bonds shall be authenticated by a lithographed fac simile of the signatures of the Mayor and City Controller of said city engraven thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof. Said bonds shall be prepared by the City Controller in due form irrevocably pledging the faith and credit of the City of Indianapolis to the payment of the principal and interest stipulated therein respectively.

It shall be the duty of the City Controller at the time of the issue and negotiation of said bonds to register in the book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with bond number one (1) entering the date of issue, the amount of bond, the rate of interest, the date of maturity, the time and plan for the payment of interest and the place of payment of the principal; said bonds shall be prepared according to the following forms and all blanks therein shall be properly filled in before the issue thereof:

No. -----

\$500.00.

UNITED STATES OF AMERICA

CITY OF INDIANAPOLIS

MARION COUNTY, STATE OF INDIANA

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 CITY STREETS AND PUBLIC HIGHWAY BONDS OF 1921.
 

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For value received, the City of Indianapolis, in Marion County, State of Indiana, hereby promises to pay to the bearer, without any relief from valuation or appraisement laws, on January first, -----, at the Union Trust Company, of Indianapolis, Indiana, Five Hundred Dollars (\$500) in lawful money of the United States, together with interest thereon at the rate of six per cent. (6%) per annum, from date until paid, the first interest payable on the first day of July, 1922, and interest thereafter payable semi-annually on the first day of January

and July respectively on the presentation and surrender of the proper interest coupons hereunto attached and which are made a part of this bond.

This bond is one of an issue of seventy-three (73) bonds of Five Hundred Dollars (\$500) each, numbered from one (1) to seventy-three (73), both inclusive, of date of December 1st, 1921, issued by the City of Indianapolis pursuant to an ordinance passed by the Common Council of said city on the ----- day of September, 1921, and an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations", approved March 6, 1905, and Acts amendatory thereof and supplemental thereto.

It is hereby certified that all things and acts required by laws of the State of Indiana and by ordinance of the Common Council of the City of Indianapolis precedent to the issuance of this bond have happened, and have been done and performed in and about the authorization, appropriation, issuance and complete execution of this bond and it is further certified that this bond is within every limit of debt prescribed by the constitution and laws of the State of Indiana and that the faith and credit of the City of Indianapolis, Indiana, is hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

In Witness Whereof, The Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Controller, and attested by the City Clerk, and the corporate seal of said city to be hereunto affixed this 1st day of December, 1921.

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Mayor.

Attest:

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City Controller.

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City Clerk.

Sec. 2. The City Controller shall, as soon as practicable after the passage of this ordinance, advertise for bids or proposals for said bonds by at least one insertion each week for two weeks in two daily newspapers of general circulation printed and published in the City of Indianapolis, and may otherwise advertise for such bids or proposals as he may deem advisable. Said advertisements shall describe said bonds with such minuteness and particularity as the City Controller may see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they shall bear, that the bidder may bid for all or any part of said bonds, the date of opening bids or proposals therefor,



the right of the City Controller to reject any or all bids, the amount of deposit each bidder will be required to make, and when and where the bonds shall be delivered and paid for.

Sec. 3. Each and every bid and proposal shall be presented to the City Controller sealed, and shall be accompanied by a duly certified check upon some responsible bank in the City of Indianapolis, Indiana, payable to the order of the City Treasurer, for a sum of money which shall equal two and one-half per centum ( $2\frac{1}{2}\%$ ) of the face or par value of the bonds bid for, or proposed to be purchased. The City Controller shall continue to receive all bids or proposals therefor at the office of the City Controller until twelve o'clock noon, on the day fixed by the Controller and designated in the advertisement for receiving bids or proposals at which time and place and between the said hour and two P. M. of said day, he shall open said bids or proposals. The City Controller shall award said bonds, or if he shall see fit, a part of any number thereof, to the highest and best bidder therefor, but said Controller shall have the full right to reject any and all bids or proposals, or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole or a less number of the bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply in the case of reoffering and readvertisement of said bonds as hereinafter provided.

Sec. 4. In case the City Controller shall reject all bids submitted, or if he shall award only a part of said bonds, he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix the date and the time both for receiving and opening bids or proposals and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time, in like manner, to readvertise said bonds for sale until said bonds are sold.

Sec. 5. In case any bid or proposal shall not be accepted, and there shall be no award of bonds thereon by the Controller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such non-payment of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to readvertise said bonds for sale

at once, and shall, in such event, retain said check, and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the city. In case any successful bidder shall fail to complete the purchase of bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the City Controller, as herein provided, the proceeds of such certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or, at the option of the City Controller, at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

Sec. 6. Delivery of any bonds sold shall be made at the office of the City Treasurer of the City of Indianapolis, Indiana, upon such day or days as may be specified in the advertisement or readvertisement for proposals, or within such time thereafter as may be fixed by the Controller, or at such time or times as may be agreed upon by the Controller and the purchaser or purchasers, and the Controller may extend the time for such delivery not more than ten days after the day or days specified or agreed upon as above provided; and the successful bidder or bidders shall take the bonds awarded to him or them and pay for the same at such place and times, and his or her refusal, neglect or omission to do so shall be a breach of the contract of his bid or proposal, on account of which damages shall be retained or recovered as liquidated and provided in this ordinance.

Sec. 7. The full amount of the proceeds for the sale of said bonds authorized to be issued and sold by this ordinance is hereby appropriated to the City Streets and Public Highway Fund of said city for the use of the Department of Public Works for the payment of the city's part of the cost under said contracts hereinbefore referred to and in the event there is any surplus remaining, the same shall be used by the Board of Public Works on the payment of the city's part under like contracts.

Sec. 8. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time.

Mr. Miller moved that the rules be suspended and General Ordinance No. 65, 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, Carnefix, Furniss, Kirsch, Miller, Schmidt and President Russell Willson.

Mr. Miller called for General Ordinance No. 65, 1921, for second reading. It was read a second time.

Mr. Miller move that General Ordinance No. 65, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 65, 1921, was read a third time and passed by the following vote:

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

By the City Controller:

GENERAL ORDINANCE No. 66, 1921.

AN ORDINANCE transferring certain sums of money from certain funds and reappropriating the same to certain funds under the Department of Public Safety, 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 the sum of Four Thousand (\$4,000.00) Dollars be and the same is hereby transferred from the Fire Department Horse-Shoeing Fund of the Department of Public Safety and that the same be and is hereby reappropriated and transferred to the Fire Department Material and Supply Fund of the Department of Public Safety.

Sec. 2. That the sum of Nine Thousand (\$9,000.00) Dollars be and the same is hereby transferred from the Fire Department Horse

Feed and Stable Supplies Fund of the Department of Public Safety and that the same be and is hereby reappropriated and transferred to the Fire Department Repairs to Apparatus Fund of the Department of Public Safety.

Sec. 3. That the sum of One Thousand Five Hundred (\$1,500.00) Dollars be and the same is hereby transferred from the Police Department Payroll Fund of the Department of Public Safety and that the same be and is hereby reappropriated and transferred to the Police Department Gas and Electric Light Fund of the Department of Public Safety.

Sec. 4. That the sum of Five Hundred (\$500.00) Dollars be and the same is hereby transferred from the Police Department Payroll Fund of the Department of Public Safety and that the same be and is hereby reappropriated and transferred to the Police Department Motorcycle Repairs, Tires and Tubes Fund of the Department of Public Safety.

Sec. 5. That the sum of One Thousand (\$1,000.00) Dollars be and the same is hereby transferred from the Police Department Payroll Fund of the Department of Public Safety and that the same be and is hereby reappropriated and transferred to the Police Department Prisoners' Meals Fund of the Department of Public Safety.

Sec. 6. That the sum of Three Hundred (\$300.00) Dollars be and the same is hereby transferred from the Police Department Payroll Fund of the Department of Public Safety and that the same be and is hereby reappropriated and transferred to the Police Department Photo Material and Supplies Fund of the Department of Public Safety.

Sec. 7. That the sum of One Thousand (\$1,000.00) Dollars be and the same is hereby transferred from the Police Department Furniture and Fixtures Fund of the Department of Public Safety and that the same be and is hereby reappropriated and transferred to the Police Department Traffic Material and Supplies Fund of the Department of Public Safety.

Sec. 8. That the sum of Two Thousand Five Hundred (\$2,500.00) Dollars be and the same is hereby transferred from the Electrical Department New Fire Alarm Boxes Fund of the Department of Public Safety and that the same be and is hereby reappropriated and transferred to the Electrical Department Salaries Fund of the Department of Public Safety.

Sec. 9. That the sum of Two Thousand Five Hundred (\$2,500.00) Dollars be and the same is hereby transferred from the Fire Department Purchase of Horses Fund of the Department of Public Safety and that the same be and is hereby reappropriated and transferred to the Fire Department New Equipment Fund of the Department of Public Safety.

Sec. 10. 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.

By the Board of Public Works:

GENERAL ORDINANCE No. 67, 1921.

AN ORDINANCE transferring certain sums of money from certain funds and reappropriating the same to certain funds under the Department of Public Works of the City of Indianapolis, Indiana, 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 the sum of Three Thousand Dollars (\$3,000) be and the same is hereby transferred from the Street and Alley Improvement Fund of the Department of Public Works and that the same be and is hereby reappropriated and transferred to the Asphalt Street Repair Salary Fund of the Department of Public Works.

Sec. 2. That the sum of Sixteen Thousand Dollars (\$16,000) be and the same is hereby transferred from the Street and Alley Improvement Fund of the Department of Public Works and that the same be and is hereby reappropriated and transferred to the Asphalt Plant Department Material and Supply Fund of the Department of Public Works.

Sec. 3. That the sum of Thirty-five Hundred Dollars (\$3500) be and the same is hereby transferred from the Public Buildings and Repair Fund of the Department of Public Works and that the same be and is hereby reappropriated and transferred to the Blank Books, Printing and Advertising Fund of the Department of Public Works.

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

Mr. Miller moved that the rules be suspended and General Ordinance No. 67, 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, Carnefix, Furniss, Kirsch, Miller, Schmidt and President Russell Willson.

Mr. Furniss called for General Ordinance No. 67, 1921, for second reading. It was read a second time.

Mr. Miller moved that General Ordinance No. 67, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 67, 1921, was read a third time and passed by the following vote:

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

By the Board of Public Works:

SPECIAL ORDINANCE No. 10, 1921.

AN ORDINANCE changing the names of certain streets and parts thereof in the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

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

Section 1. That the names of streets and parts thereof herein mentioned be and the same are hereby altered, changed and hereafter shall be known by the names given them in this ordinance.

Sec. 2. New York Street from Dorman Street to Arsenal Avenue shall be changed to and hereafter be known and designated as "Marlowe" Avenue.

Sec. 3. Marlowe Avenue from Dorman Street to Arsenal Avenue shall be changed to and hereafter be known and designated as "New York" Street.

Sec. 4. 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 City's Welfare.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

By Mr. Furniss:

RESOLUTION No. 12, 1921.

*Be it resolved by the Common Council of the City of Indianapolis, Indiana,* That the inspectors for the Board of Registration, named and appointed by Resolution No. 11, 1921, be changed in the following precincts as follows, to wit:

Eighth Precinct, Second Ward—From C. O. Nixon to John Kobins.  
Sixth Precinct, Third Ward—From Helen Hildebrand to Harry Hildebrand.

First Precinct, Fourth Ward—From Frank Cones to George Schmidt.  
Third Precinct, Fourth Ward—From C. W. Smalley to Charles B. Jackson.

Fifth Precinct, Fourth Ward—From William T. Rasmussen to W. R. Adams.

Seventh Precinct, Fourth Ward—From Virgil Rudd to J. Fred Masters.

Twelfth Precinct, Fourth Ward—From George A. Nicholson to L. N. Pentecost.

Twenty-third Precinct, Fourth Ward—From Benjamin Eaton to L. E. Banta.

Seventh Precinct, Sixth Ward—From Joe Stokes to J. B. Heaton.  
Sixth Precinct, Eleventh Ward—From C. G. Mount to D. L. Jackson.  
Sixth Precinct, Thirteenth Ward—From Charles Koss to Newton Rush.

Fifth Precinct, Fourteenth Ward—From Macklin Mack to Harry D. Wood.

Which was read a first time.

Mr. Miller moved that the rules be suspended and Resolution No. 12, 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, Carnefix, Furniss, Kirsch, Miller, Schmidt and President Russell Willson.

Mr. Carnefix called for Resolution No. 12, 1921, for second reading. It was read a second time.

Mr. Kirsch moved that Resolution No. 12, 1921, be adopted. Resolution No. 12, 1921, was read a third time and adopted by the following vote:

Ayes, 6, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller and President Russell Willson.

Noes: Mr. Schmidt.

By Mr. Furniss:

RESOLUTION No. 13, 1921.

*Be it resolved by the Common Council of the City of Indianapolis, Indiana, That the official registration places for the September term of registration to be held on the tenth day of September, 1921, be changed as follows, to wit:*

Tenth Precinct, First Ward—From 1252 Windsor Street to 1207 Newman Street.

Fifth Precinct, Seventh Ward—From 605 North Liberty Street to 605 Lockerbie Street.

Second Precinct, Fourteenth Ward—From 908 River Avenue to 828 River Avenue.

Third Precinct, Sixth Ward—From 226 West Michigan Street to 623 North West Street.

Sixth Precinct, Fourth Ward—From 2950 Central Avenue to 2966 Talbott Avenue.

Which was read a first time.

Mr. Miller moved that the rules be suspended and Resolution No. 13, 1921, be placed upon its passage.

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

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

Mr. Miller called for Resolution No. 13, 1921, for second reading. It was read a second time.



Mr. Brown moved that Resolution No. 13, 1921, be adopted. Resolution No. 13, 1921, was read a third time and adopted by the following vote:

Ayes, 6, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller and President Russell Willson.

Noes, 1, viz.: Mr. Schmidt.

ORDINANCES ON SECOND READING.

Mr. Miller called for Appropriation Ordinance No. 21, 1921, for second reading. It was read a second time.

Mr. Miller moved that Appropriation Ordinance No. 21, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 21, 1921, was read a third time and passed by the following vote:

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

Mr. Miller called for Appropriation Ordinance No. 22, 1921, for second reading. It was read a second time.

Mr. Miller moved that Appropriation Ordinance No. 22, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 22, 1921, was read a third time and passed by the following vote:

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

Mr. Brown called for General Ordinance No. 63, 1921, for second reading. It was read a second time.

Mr. Brown moved that General Ordinance No. 63, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 63, 1921, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller and President Russell Willson.

Noes, 1, viz.: Mr. Schmidt.

Mr. Furniss called for General Ordinance No. 59, 1921, for second reading. It was read a second time.

Mr. Furniss moved that General Ordinance No. 59, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 59, 1921, was read a third time and passed by the following vote:

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

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

*Russell Willson*

*President.*

Attest:

*Edith Willson*

*City Clerk.*