

REGULAR MEETING

Monday, March 20, 1922.

The Common Council of the City of Indianapolis met at the Council Chamber, Monday evening, March 20, 1922, at 7:30 o'clock in regular session, President Theodore J. Brend in the chair.

Present: The Hon. Theodore J. Bernd, President of the Common Council and eight members, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Thompson and Wise.

Mr. Claycombe moved that the reading of the journal be dispensed with. Carried.

March 7, 1922.

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

Gentlemen—I have approved, signed and delivered to John W. Rhodehamel, City Clerk, the following ordinances:

Special Ordinance No. 1, 1922, an ordinance providing for the change of the names of certain streets in the northwest part of the City of Indianapolis.

Appropriation Ordinance No. 6, 1922, an ordinance appropriating the sum of One Thousand (\$1,000.00) Dollars to the Department of Public Safety out of the General Fund for use by the Director of Fire Prevention to aid the work of a city wide Fire Prevention Committee to be appointed for the purpose of carrying on an extensive campaign for Fire Prevention in the City of Indianapolis, and providing a time when the same shall take effect.

General Ordinance No. 16, 1922, an ordinance transferring the sum of Five Hundred Dollars (\$500.00) from the Office Force Salaries Fund of the Street Commissioners Department to a fund to be created and known as the Sewer New Equipment Fund of the Street Commissioner's Department transferring and reappropriating said sum to said last mentioned fund, and declaring a time when the same shall take effect.

General Ordinance No. 20, 1922, being an ordinance approving a certain contract granting the Hydraulic-Press Brick Company of Indianapolis, Indiana, the right to lay and maintain a sidetrack or switch across East Thirty-second, west of and immediately adjoining the Chicago, Indianapolis & Louisville Railway Co. (Monon Railway), according to blue print attached, in the City of Indianapolis, Indiana.

General Ordinance No. 21, 1922, being an ordinance approving a certain contract granting H. Benjamin Marks and Isaac Marks,

partners doing business under the name of Henry Marks & Sons, the right to lay and maintain a sidetrack or switch from a point forty-five feet south of the south property line of West St. Clair Street, in the first alley west of North Senate Avenue, through said alley and across said St. Clair Street to the north property line of said St. Clair Street where the same intersects said alley and adjacent to the rails of the C. C. C. & St. L. Railway, according to blue print attached, in the City of Indianapolis, Indiana.

General Ordinance No. 23, 1922, being an ordinance authorizing the employment of an additional clerk in the Department of Public Purchase of the City of Indianapolis, fixing the salary thereof, appropriating the sum of Fifteen Hundred (\$1,500.00) Dollars to the Salaries Fund of the Department of Public Purchase, and fixing a time when the same shall take effect.

Very truly yours,

LEW SHANK,
Mayor.

March 20, 1922.

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

Gentlemen—I am sending you herewith General Ordinance No. 29, 1922, amending Section 4 of General Ordinance No. 64, 1921, repealing any and all ordinances in conflict therewith, and fixing a time when the same shall take effect.

I respectfully request you to pass the above ordinance at your next meeting.

Respectfully submitted,

S. L. SHANK,
Mayor.

REPORTS FROM CITY OFFICERS.

From the City Controller:

March 20, 1922

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

Gentlemen—I hand you herewith a communication from the City Civil Engineer asking for the passage of an ordinance transferring Four Hundred Dollars (\$400.00) from the City Civil Engineer's Office Salary Account to the Street Sign Maintenance Account.

I respectfully recommend the passage of this ordinance.

Yours very truly,

JOS. L. HOGUE,
City Controller.

March 20, 1922.

Mr. Jos. L. Hogue,
City Controller,
Indianapolis.

Dear Sir—During the last administration a contract was made for street signs to be paid out of the 1921 appropriation. The bill,

however, was not received until after the first of the year. The Street Sign Maintenance Fund does not contain enough money to pay this bill which amounted to \$828.49. In addition to this bill, there was a drayage bill against the Street Sign Maintenance Fund of \$43.05, which cannot be paid out of the present fund.

Would therefore recommend that you approve and send the attached appropriation ordinance to the Council for transferring \$400.00 from the City Civil Engineer's Office Salary Account to the Street Sign Maintenance Account, and ask for a suspension of rules in order that these bills may be paid as soon as possible.

Yours truly,

J. L. ELLIOTT,

City Civil Engineer.

March 20, 1922.

To the Present Members of the Common Councils

Gentlemen—I hand you herewith Appropriation Ordinance No. 9, 1922, making an appropriation of Fifty-two (\$52.00) Dollars to the Department of Finance for the purpose of refunding to Jacob Friedman, for overpayment on two licenses for the operation of two Motion Picture Houses, in the City of Indianapolis, Indiana. This appropriation to be known as "Refund of License Fund." Jacob Friedman has since taken out and paid for other and higher-priced licenses on both said theatres.

I submit this ordinance covering the above mentioned facts and recommend its passage.

Respectfully yours,

JOS. L. HOGUE,

City Controller.

March 20, 1922.

To the Present Members of the Common Councils

Gentlemen—I hand you herewith Appropriation Ordinance No. 10, 1922, same being an ordinance making an appropriation of Sixty-five (\$65.00) Dollars to the Department of Finance of the City of Indianapolis, for the purpose of refunding to the Klu Klux Klan, E. D. Smith, agent, for rent for the use of Tomlinson Hall for Saturday evening, March 18th, 1922, which money was received by Clerk of the Board of Public Works of the City of Indianapolis on March 13, 1922, and was turned over to the City Controller of said city in accordance with order of said Board on said date granting the use of said hall and which order was rescinded March 15, 1922, and money ordered returned.

I submit the above mentioned ordinance and recommend its passage.

Respectfully yours,

JOS. L. HOGUE,

City Controller.

From the Board of Public Works:

March 20, 1922.

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

Gentlemen—I am directed by the Board of Public Works to submit for your passage an ordinance for the improvement of the first alley north of Eleventh Street from Scioto Street to Pennsylvania Street, in the City of Indianapolis.

Very truly yours,

GEO. O. HUTSELL,

Clerk, Board of Public Works.

March 20, 1922.

Mr. John W. Rhodehamel,
City Clerk,
City of Indianapolis.

Dear Sir—I am submitting herewith for the attention of the Common Council, an ordinance providing for a Switch Contract with the L. E. & W. Railway, giving them the right to lay and maintain a sidetrack or switch together with the Davidson Street contract of said company and crossing St. Clair Street, also shifting present west track across Walnut Street and present track across St. Clair Street.

Yours truly,

GEO. O. HUTSELL,

Clerk, Board of Public Works.

From the Board of Park Commissioners:

March 20, 1922.

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

Gentlemen—The Board of Park Commissioners herewith presents to your honorable body an ordinance authorizing the sale of certain property belonging to the City of Indianapolis, under and by virtue of Property Sale Resolution No. 1, 1922, of this Board.

Trusting your honorable body will give this ordinance favorable consideration, we remain,

Yours very truly,

BOARD OF PARK COMMISSIONERS OF THE CITY OF
INDIANAPOLIS.

By J. Clyde Hoffman, *Attorney.*

From the City Civil Engineer:

March 20, 1922.

Mr. John W. Rhodehamel,
City Clerk,
Indianapolis.

Dear Sir—There is attached herewith a special ordinance for the annexation of certain property in the vicinity of Raymond Street and State Street, which is desirable in straightening out the city line at this point.

Would be pleased to have you submit this to the Council for action.

Yours truly,
J. L. ELLIOTT,
City Civil Engineer.

March 20, 1922.

Mr. John W. Rhodehamel,
City Clerk,
Indianapolis.

Dear Sir—There is attached herewith a special ordinance for the annexation of some territory in the vicinity of Arlington Avenue and Brookville Road. It is desired to annex this property in order to improve Arlington Avenue under the Connecting Link Road Law from the end of the present improvement at Pennsylvania R. R. to the hard surface road on Brookville Road.

Would be pleased to have you forward this to the Council for action.

Yours truly,
J. L. ELLIOTT,
City Civil Engineer.

March 20, 1922.

Mr. John W. Rhodehamel,
City Clerk,
Indianapolis.

Dear Sir—There is attached herewith a special ordinance for the annexation of property in the vicinity of St. Clair Street and Audubon Road. This annexation is desirable to straighten out the corporation line at this point.

Would be pleased to have you forward same to City Council for action.

Yours truly,
J. L. ELLIOTT,
City Civil Engineer.

March 20, 1922.

Mr. John W. Rhodehamel,
City Clerk,
Indianapolis.

Dear Sir—There is attached herewith a special ordinance for the changing of the name of Water Street. This is necessary to straighten out a discrepancy caused by a recent ordinance.

Would be pleased to have you forward this to the Council for their action.

Yours truly,
J. L. ELLIOTT,
City Civil Engineer.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Public Works:

March 20, 1922.

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

Gentlemen—We, your Committee on Public Works, to whom was referred General Ordinance No. 24, 1922, entitled, "An ordinance transferring a certain sum 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," beg leave to report that we have had said ordinance under consideration, and recommend that the same be not passed.

JOHN E. KING,
L. D. CLAYCOMBE,
H. W. BUCHANAN,
I. L. BRAMBLETT,
BEN H. THOMPSON.

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

From the Committee on Public Safety:

March 20, 1922.

Indianapolis, Indiana.

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

Gentlemen—We, your Committee on Public Safety, to whom was referred General Ordinance No. 25, 1922, entitled, "An ordinance transferring a certain sum 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," beg leave to report that we have had said ordinance under consideration, and recommend that the same be not passed.

BEN H. THOMPSON,
I. L. BRAMBLETT,
JOHN E. KING,
H. W. BUCHANAN,
L. D. CLAYCOMBE.

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

From the Committee of Public Safety:

Indianapolis, Indiana.

March 20, 1922.

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

Gentlemen—We, your Committee on Public Safety, to whom was referred General Ordinance No. 26, 1922, entitled, "An ordinance

creating the office of Inspector of Police in the Police Department, under the Department of Public Safety of the City of Indianapolis, Indiana; defining the powers and duties thereof, fixing the salary thereof, and declaring a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

BEN H. THOMPSON,
L. D. CLAYCOMBE,
I. L. BRAMBLETT,
H. W. BUCHANAN,
JOHN E. KING.

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

From the Committee of Public Safety:

Indianapolis, Indiana.

March 20, 1922.

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

Gentlemen—We, your Committee on Public Safety, to whom was referred General Ordinance No. 28, 1922, entitled, "An ordinance authorizing contests of skill in boxing and wrestling, providing a license fee and method of regulating such contests," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

BEN H. THOMPSON,
H. W. BUCHANAN,
I. L. BRAMBLETT,
JOHN E. KING,

and the following recommends that it be not passed.

L. D. CLAYCOMBE.

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

From the Committee on Law and Judiciary:

Indianapolis, Indiana.

March 20, 1922.

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

Gentlemen—We, your Committee on Law and Judiciary, to whom was referred General Ordinance No. 22, 1922, entitled, "An ordinance amending a portion of Section 749 of General Ordinance No. 12 of the City of Indianapolis, reducing the License Fee of Junk Dealers," beg

leave to report that we have had said ordinance under consideration, and recommend that the same be not passed.

WALTER W. WISE,
BEN H. THOMPSON,
L. D. CLAYCOMBE,
OTTO RAY,
JOHN E. KING.

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

From the Committee on Law and Judiciary:

Indianapolis, Indiana.

March 20, 1922.

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

Gentlemen—We, your Committee on Law and Judiciary, to whom was referred General Ordinance No. 27, 1922, entitled, "An ordinance fixing and prescribing the license to be paid for keeping or harboring any animal of the dog kind for and within the City of Indianapolis; fixing the term for which said license shall be paid; fixing the amount of said license; fixing a time when the same shall be paid, and declaring a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WALTER W. WISE,
BEN H. THOMPSON,
OTTO RAY,
JOHN E. KING.

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

INTRODUCTION OF APPROPRIATION ORDINANCES.

By the City Controller:

APPROPRIATION ORDINANCE NO. 8, 1922

AN ORDINANCE transferring and reappropriating the sum of Four Hundred Dollars (\$400.00) from the "City Civil Engineer's Office Salary Account," in the Board of Public Works, to the "Street Sign Maintenance Account" of the Board of Public Works 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 Hundred Dollars (\$400.00) be and the same is hereby transferred from the City Civil Engineer's Office

Salary Account in the Board of Public Works of said city, and re-appropriated to the Street Sign Maintenance Account of the Board of Public Works of said city.

Section 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.

By the City Controller:

APPROPRIATION ORDINANCE No. 9, 1922

AN ORDINANCE making an appropriation of Fifty-two Dollars (\$52.00) to the Department of Finance for the purpose of refunding to Jacob Friedman, for overpayment on two licenses for the operation of two Motion Picture Houses, in the City of Indianapolis, Indiana.

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

Section 1. That there be and hereby is appropriated to the Department of Finance the sum of Fifty-two Dollars (\$52.00) to be known as "Refund of License Fund," for the purpose of refunding to Jacob Friedman for overpayment on Licenses Nos. 4 and 5, 1922, to two Moving Picture Houses, known as Prospect Theatre and Jewell Theatre owned by said Friedman. Said Friedman has since taken out and paid for other and higher priced licenses on both said theatres.

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

Which was read a first time.

Mr. Claycombe moved that the rules be suspended and Appropriation Ordinance No. 9, 1922, be placed upon its passage.

The roll was called and the rules were suspended by the following vote:

Ayes, 9, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Thompson, Wise and President Theodore J. Bernd.

Mr. Claycombe called for Appropriation Ordinance No.9, 1922, for second reading. It was read a second time.

Mr. Claycombe moved that Appropriation Ordinance No. 9, 1922, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 9, 1922, was read a third time and passed by the following vote:

Ayres, 9, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Thompson, Wise and President Theodore J. Bernd.

By the City Controller:

APPROPRIATION ORDINANCE NO. 10, 1922

AN ORDINANCE making an appropriation of Sixty-five (\$65.00) Dollars to the Department of Finance of the City of Indianapolis, for the purpose of refunding to the Klu Klux Klan, E. D. Smith, Agent, for rent for the use of Tomlinson Hall for Saturday evening, March 18th, 1922, which money was received by Clerk of the Board of Public Works of the City of Indianapolis on March 13, 1922, and was turned over to the City Controller of said city in accordance with order of said Board on said date granting the use of said hall and which order was rescinded March 15, 1922, and money ordered returned.

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

Section 1. That there be and hereby is appropriated to the Department of Finance of the City of Indianapolis, Indiana, the sum of Sixty-five (65.00) Dollars, to be known as "Refunding Rent Fund," for the purpose of refunding to the Klu Klux Klan, E. D. Smith, Agent, for money paid for rent of Tomlinson Hall, for Saturday evening, March 18, 1922, which money was received and receipted for by the Clerk of the Board of Public Works of said city on March 13, 1922, and turned over to the Controller of said city in accordance with an order of said Board on said date granting the use of said hall and which order was rescinded on March 15, 1922, by official action of said Board and the money ordered returned.

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

Which was read a first time.

Mr. Claycombe moved that the rules be suspended and Appropriation Ordinance No. 10, 1922, be placed upon its passage.

The roll was called and the rules were suspended by the following vote:

Ayes, 9, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Thompson, Wise and President Theodore J. Bernd.

Mr. Claycombe called for Appropriation Ordinance No. 10, 1922, for second reading. It was read a second time.

Mr. Claycombe moved that Appropriation Ordinance No. 10, 1922, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 10, 1922, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Thompson, Wise and President Theodore J. Bernd.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By the Mayor:

GENERAL ORDINANCE NO. 29, 1922.

AN ORDINANCE amending Section 4 of General Ordinance No. 64, 1921, repealing any and all ordinances in conflict therewith, 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 Section 4 of General Ordinance No. 64, 1921, be and the same is hereby amended by striking out in line two of said Section 4, the words "twelve months" and inserting in lieu thereof, following the word "after," "the 1st day of October, 1924," and that said Section 4 shall read as follows: Section 4. This ordinance shall be in full force and effect from and after the 1st day of October, 1924.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

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

By the Board of Public Works:

GENERAL ORDINANCE NO. 30, 1922.

AN ORDINANCE ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve the first alley north of Eleventh Street from Scioto Street to Pennsylvania Street under and by virtue of Improvement Resolution No. 10,150 of the Board of Public Works, 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 whereas, the Board of Public Works of the City of Indianapolis, Indiana, in the manner prescribed by law, adopted on the 20th day of February, 1922, advertised the same as required by law, and confirmed without modification on the 17th day of March, 1922, Improvement Resolution No. 10,150 of the Board of Public Works for the paving of the first alley north of Eleventh Street from Scioto Street to Pennsylvania Street in the City of Indianapolis, and

Whereas, within ten days after the confirmation of said resolution a majority of the resident freeholders abutting on said alley filed their remonstrance before said Board of Public Works, remonstrating against said improvement,

Now, Therefore, *Be it Ordained by the Common Council of the City of Indianapolis, Indiana,* that the Board of Public Works of the City of Indianapolis, Indiana, be, and the same is hereby ordered to improve said first alley north of Eleventh Street from Scioto Street to Pennsylvania Street, all in accordance with Improvement Resolution No. 10,150 of the Board of Public Works.

Section 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 Public Works.

By the Board of Public Works:

GENERAL ORDINANCE NO. 31, 1922.

AN ORDINANCE approving a certain contract granting the Lake Erie & Western Railroad Company the right to lay and maintain a sidetrack or switch from a connection with the Davidson Street sidetrack of said company and crossing St. Clair Street; also shifting present west track across Walnut Street and present track across St. Clair Street, according to blue print attached, in the City of Indianapolis, Indiana.

Whereas, heretofore, to-wit: on the day of , 1922, the Lake Erie & Western Railroad Company filed its petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION.

To Board of Public Works,
City of Indianapolis.

Gentlemen—For the purpose of providing sidetrack facilities for O. V. Rouse on his property west of Davidson Street, between St. Clair Street and Walnut Street, The Lake Erie & Western Railroad Company requests permission to construct, maintain and use an additional track across St. Clair Street, just west of Davidson Street, and to shift its present track across St. Clair Street and in the west side of Davidson Street, and to shift its west sidetrack across Walnut Street.

Now, Therefore, This agreement made and entered into this day of _____, 1922, by and between The Lake Erie & Western Railroad 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 connection with its Davidson Street track crossing St. Clair Street, also shifting its present track across St. Clair Street, in the west side of Davidson Street, and the west tract across Walnut Street, in the City of Indianapolis, which is more specifically described as follows:

Said new track to connect with the present Davidson Street track at the north side of St. Clair Street, thence extending southwardly crossing St. Clair Street, its center line to be from 1 to 12 feet west of the present center line of said Davidson Street track across said street.

The present Davidson Street track to be shifted east a maximum distance of about 4½ feet across St. Clair Street, and in Davidson Street for a distance of about 30 feet south of St. Clair Street, re-locating the curb along the east side of said track to correspond with said shift. Also to shift the present west side track across Walnut Street westwardly a maximum amount of not over 8 feet, 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 St. Clair Street and Walnut 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 March 6, 1905, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain an additional sidetrack or switch across St. Clair Street and Walnut Street, in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

In Witness Whereof, We have hereunto set our hands this day
of , 1922.

THE LAKE ERIE AND WESTERN RAILROAD CO.

By

General Manager.

Party of the First Part.

CITY OF INDIANAPOLIS,
CHARLES E. COFFIN, *President.*
W. H. FREEMAN,
M. J. SPENCER,

Board of Public Works.

Party of the Second Part.

Witness:

Approved:

(Signed) J. K. CONNER,
Chief Engineer, L. E. & W. R. R. Co.

Approved:

(Signed) JOHN B. COCKRUM,
General Sol'r, L. E. & W. R. R. Co.

O. K.: F. J. DE GRIEF.

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.*

Section 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 Public Safety.

By the Board of Park Commissioners:

GENERAL ORDINANCE NO. 32, 1922.

AN ORDINANCE authorizing the sale of certain property of the City of Indianapolis, by and through its Board of Park Commissioners, and declaring a time when the same shall take effect.

Whereas, on the 16th day of March, 1922, under and pursuant to Property Sale Resolution No. 1, 1922, of the Board of Park Commissioners of the City of Indianapolis, Indiana, said Board resolved that the following property belonging to the City of Indianapolis and under the care and custody of the Board of Park Commissioners, to-wit:

One (1) frame dwelling house consisting of about nine rooms, located at 21 Kansas Street.

One (1) combination store room and dwelling of about eight rooms, located at 1250 and 1252 South Meridian Street.

One (1) double frame dwelling of about six rooms, located at 18 and 20 Wisconsin Street.

One (1) double frame dwelling of about eight rooms, located at 14 and 16 Wisconsin Street.

One (1) frame dwelling of about five rooms, located at 10 Wisconsin Street.

One (1) frame dwelling of about five rooms, located at 12 Wisconsin Street.

One (1) frame dwelling of about five rooms, located at 8 Wisconsin Street.

One (1) frame dwelling of about eight rooms, located at 6 Wisconsin Street.

One (1) frame dwelling of about five rooms, located at 4 Wisconsin Street.

Two (2) frame dwellings of about four rooms each used as a bakery, located on lot 50 in Cincinnati and Chicago Railway Company's Addition to the City of Indianapolis and being in the rear of lot No. 4 of Wisconsin Street.

One (1) brick dwelling, located at 1244 South Meridian Street, is no longer needed or fit for the use and purpose of the Department of Public Parks, and that the same should be sold in order to enable said Board of Park Commissioners to utilize the ground upon which said buildings are situated for park purposes.

Now, Therefore,

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

Section 1. That the City of Indianapolis, by and through its Board of Park Commissioners, is hereby authorized, empowered and directed to sell the above described property for cash, at public or private sale, for not less than its full appraised value. Such sale shall be had upon notice, as said Board shall determine, and said property may be sold separately or in one lot.

Section 2. This ordinance shall be in full force from and after its passage and approval by the Mayor.

Which was read a first time.

Mr. King moved that the rules be suspended and General Ordinance No. 32, 1922, be placed upon its passage.

The roll was called and the rules were suspended by the following vote:

Ayes, 9, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Thompson, Wise and President Theodore J. Bernd.

Mr. King called for General Ordinance No. 32, 1922, for second reading. It was read a second time.

Mr. King moved that General Ordinance No. 32, 1922, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 32, 1922, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Thompson, Wise and President Theodore J. Bernd.

By the City Civil Engineer:

SPECIAL ORDINANCE NO. 3, 1922.

AN ORDINANCE annexing certain territory to the City of Indianapolis, Indiana, and defining a part of the boundary line of said City, 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 City of Indianapolis be and the same is hereby extended so as to include the following described continuous territory all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, in Marion County, Indiana.

Section 2. Beginning on the center line of State Avenue at its intersection with the center line of Raymond Street; thence south with the center line of State Avenue a distance of one hundred fifty (150) feet; thence east and parallel to the center line of Raymond Street a distance of seven hundred fifteen and thirty-six hundredths (715.36) feet; thence south to a point which is six hundred forty-eight and eight-tenths (648.8) feet south of the center line of Raymond Street and also four and two-tenths (4.2) feet north of the south line of Kelly Street; thence east and parallel to the center line of Raymond Street a distance of two hundred and eight-tenths (200.8) feet; thence north to a point twenty-five (25) feet south of the center line of Raymond Street; thence east and parallel to and twenty-five (25) feet distant from the center line of Raymond Street a distance of seven hundred thirty-seven and two-tenths (737.2) feet; thence south to a point which is ten hundred thirty-four and twenty-two hundredths (1,034.22) feet west of the center line of Keystone Avenue, which point is eleven hundred twenty and seven-tenths (1120.7) feet south of the center line of Raymond Street; thence east and parallel to the center line of Raymond Street to the center line of Keystone Avenue; thence north with the center line of Keystone Avenue to a point twenty-five (25) feet north of the center line of Raymond Street; thence west and parallel to and twenty-five (25) feet distant from the center line of Raymond Street to a point which is one hundred fifty (150) feet east of the center line of State Avenue; thence north forty-three and eight-tenths (43.8) feet north of the center line of Raymond Street; thence west to the center line of State Avenue; thence south to the point or place of beginning.

Section 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 Public Parks.

By the City Civil Engineer:

SPECIAL ORDINANCE NO. 4, 1922.

AN ORDINANCE annexing certain territory to the City of Indianapolis, Indiana, and defining a part of the boundary line of said City, 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 City of Indianapolis be and the same is hereby extended so as to include the following described continuous territory all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, in Marion County, Indiana.

Section 2. Beginning at a point in the center line of the Brookville Free Gravel Road at its intersection with the present corporation line; thence north and southeast with the present corporation line to the center line of Arlington Avenue; thence north with the present corporation line and the center line of Arlington Avenue to the northwest corner of the southeast quarter of Section 11, Township 15 North Range 4 East; thence east with the present corporation line and also the north line of the southwest quarter of the above named section, a distance of 315 feet; thence south and parallel to the west line of the above named section a distance of 1,197.2 feet to the center line of the Brookville Free Gravel Road; thence northwest with the center line of the Brookville Free Gravel Road to the point or place of beginning.

Section 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 Public Parks.

By the City Civil Engineer:

SPECIAL ORDINANCE NO. 5, 1922.

AN ORDINANCE annexing certain territory to the City of Indianapolis, Indiana, and defining a part of the boundary line of said City, 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 City of Indianapolis be and the same is hereby extended so as to include the following described continuous territory all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, in Marion County, Indiana:

Section 2. Beginning on the center line of St. Clair Street where it intersects with the present corporation line, said intersection being one hundred fifty (150) feet east of the center line of Ritter Avenue; thence following the present corporation line south, east, northeast, northwest and north to the center line of St. Clair Street; thence west with the center line of St. Clair Street to the point or place of beginning.

Section 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 Public Parks.

By the City Civil Engineer:

SPECIAL ORDINANCE NO. 6, 1922.

AN ORDINANCE changing the name of a certain street 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 name of the street wherein mentioned be and the same is hereby altered, changed and shall hereafter be known by the name given it in this ordinance.

Section 2. Water Street from the north property line of Thirty-fourth Street to the west property line of Barnes Avenue, shall be changed to and hereafter be known and designated as "West Thirty-seventh Street."

Section 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 Public Works.

By Messrs. Wise and Buchanan.

SPECIAL ORDINANCE NO. 7, 1922.

AN ORDINANCE designating and legalizing the dedication and naming of the square and adjoining property at the intersection of Washington Street, Illinois Street and Kentucky Avenue, as "Lincoln Square."

Whereas, the Sahara Grotto of the City of Indianapolis has sponsored the dedication of the square of property and that adjoining thereto at the intersection of Washington Street, Illinois Street and Kentucky Avenue, to be hereafter known as "Lincoln Square," and

Whereas, Abraham Lincoln spent the formative period of his life in the State of Indiana, and

Whereas, the City of Indianapolis was honored by his presence when he spoke to a large crowd of its citizens at that spot while passing through this city on his way to Washington, D. C., for his first inauguration as the President of these United States, and

Whereas, this fact makes this spot historic in the eyes of all the citizens of Indiana, and

Whereas, Indianapolis has never erected a monument nor designated any spot to the memory of Abraham Lincoln;

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

Section 1. That after the passage of this ordinance all that ground included in the intersection of Washington Street, Illinois Street and Kentucky Avenue be and the same hereby is to be known as "Lincoln Square."

Section 2. That the passage of this ordinance shall in no way repeal nor effect any of the existing ordinances pertaining to this ground, or any part thereof.

Section 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 Public Works.

ORDINANCES ON SECOND READING.

Mr. Thompson called for General Ordinance No. 25, 1922, for second reading. It was read a second time.

Mr. Buchanan moved that General Ordinance No. 25, 1922, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 25, 1922, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Thompson, Wise and President Theodore J. Bernd.

Mr. Thompson called for General Ordinance No. 26, 1922, for second reading. It was read a second time.

Mr. Thompson moved that General Ordinance No. 26, 1922, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 26, 1922, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Thompson, Wise and President Theodore J. Bernd.

Mr. Wise called for General Ordinance No. 27, 1922, for second reading. It was read a second time.

Mr. Wise moved that General Ordinance No. 27, 1922, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 27, 1922, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Bramblett, Buchanan, Clauer, King, Kay, Thompson, Wise and President Theodore J. Bernd.

Noes, 1, viz.: Mr. Claycombe.

Mr. Wise called for General Ordinance No. 22, 1922, for second reading. It was read a second time.

Mr. Wise moved that General Ordinance No. 22, 1922, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 22, 1922, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Thompson, Wise and President Theodore J. Bernd.

Mr. Thompson called for General Ordinance No. 28, 1922, for second reading. It was read a second time.

By Mr. Ray:

Mr. President:

I move that General Ordinance No. 28, 1922, be amended by inserting between Sections 5 and 7 thereof the following section:

Section 6. The provisions of this ordinance shall not be construed to apply to amateur events sanctioned by the Amateur Athletic Union of the United States.

OTTO RAY.

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

Ayes, 8, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Thompson and President Theodore J. Bernd.

Noes, 1, viz.: Mr. Wise.

Mr. Ray moved that General Ordinance No. 28, 1922, be ordered engrossed, read a third time and placed upon its passage.

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

Ayes, 7, viz.: Messrs. Bramblett, Buchanan, Clauer, King, Ray, Thompson and President Theodore J. Bernd.

Noes, 2, viz.: Messrs. Claycombe and Wise.

General Ordinance No. 28, 1922, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Thompson, Wise and President Theodore J. Bernd.

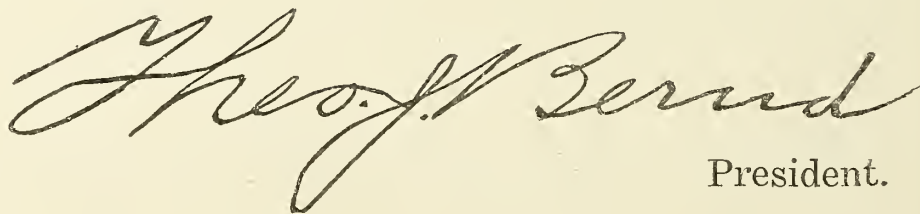
By Mr. Claycombe:

To the President and Members of the Common Council:

I hereby serve notice of my intention to ask a reconsideration of General Ordinance No. 28 at the next regular meeting of the Council.

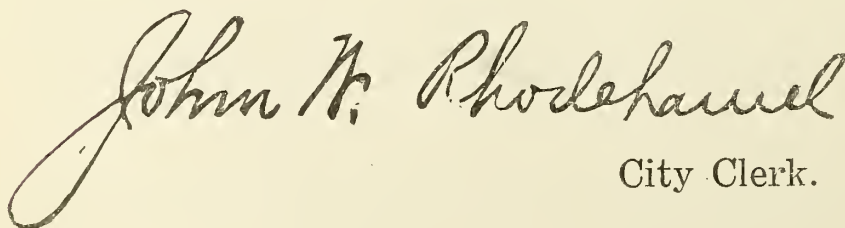
LLOYD D. CLAYCOMBE, *Third District.*

On motion of Mr. King the Common Council at 9:57 o'clock p. m. adjourned.



President.

Attest:



City Clerk.