

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, June 1, 1914.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, June 1, 1914, at 7:30 o'clock, in regular session, President John F. Connor in the chair.

Present: The Hon. John F. Connor, President of the Common Council, and eight members, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Lee, Graham and Shea.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., May 28, 1914.

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

GENTLEMEN—I have approved and signed Special Ordinance No. 3, 1914, the same being an ordinance entitled, "An ordinance changing the name of the street running from Twenty-first Street north to Fall Creek now known as Senate Avenue, to Boulevard Place."

I return the said ordinance herewith.

Yours very truly,
J. E. BELL,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., May 28, 1914.

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

GENTLEMEN—I have approved and signed Resolution No. 3, 1914, the same being an expression of approval by your honorable body concerning the public testimonial concert to be given Miss Helen Warrum.

I wish to thank you for your co-operation in this behalf.

Yours very truly,
J. E. BELL,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., May 28, 1914.

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

GENTLEMEN—I have approved and signed Appropriation Ordinance No. 13, 1914, the same being an ordinance entitled, "An ordinance appropriating \$225 to the Department of Finance for Memorial Day expenses."

I return the said ordinance herewith.

Yours very truly,
J. E. BELL,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., May 28, 1914.

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

GENTLEMEN—I have approved and signed Appropriation Ordinance No. 10, 1914, the same being an ordinance entitled, "An ordinance appropriating \$559 to the Board of Public Works for the improvement of Twenty-fifth Street."

I return the said ordinance herewith.

Yours very truly,
J. E. BELL,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., May 28, 1914.

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

GENTLEMEN—I return herewith without my approval General Ordinance No. 22, 1914, the same being an ordinance entitled, "An ordinance authorizing public markets and providing for their regulation and control."

At the beginning of this administration, we found the City Market in a demoralized condition and many suits against the City brought by standholders upon the market were pending in the courts, growing out of controversies which had arisen between the former administration and the standholders upon the City Market. The Legal Department of the City undertook the difficult task of settling the litigation, and from the investigation and observation made by the Corporation Counsel and his assistants, it was thought best that a new ordinance be prepared which would to some extent remove some of the difficulties from which this litigation had resulted.

It was also thought best to change the commencement of the market year from June 1, and to provide that it should begin with the commencement of the calendar year, so as to correspond with the city's fiscal year.

The Legal Department also sought to simplify what seemed to be some of the conflicting provisions of the various ordinances heretofore in existence concerning the City Market. The ordinance originally introduced has been so amended as to practically do away with all of those provisions which the Legal Department thought necessary to simplify matters concerning the management of the City Market; and the provision concerning the changing of the market year has been entirely eliminated. In the meantime, while this ordinance has been pending in the Common Council, much of the litigation above referred to has been settled and terminated.

In my judgment, the ordinance in the form in which it has been finally passed by your honorable body fails entirely to relieve the conditions which have heretofore contributed to the controversies upon the market.

The laws and ordinances now in existence have compelled the Board of Public Safety to make their appraisal and to complete their arrangements for the renewal of leases and the re-renting of stands for the coming year. These arrangements having been practically completed, this ordinance would only tend to complicate rather than simplify conditions upon the market at the present time.

Even though the said ordinance should be free from the objections above named, I would be compelled to withhold my approval thereof, owing to the provisions increasing the salaries of the Market Master and his assistants. The ordinance increases the salary of the Market Master from \$1,320 per annum to \$1,800 per annum, and increases the salary of his assistant from \$1,000 to \$1,200 per annum. This increase is such as to make the compensation of these officials entirely out of proportion to the compensation of employes in other departments of the city government.

No complaint from the Market Master nor any of his assistants has been made either to me or to any member of the Board of Public Safety concerning the inadequacy of the compensations now provided for them, and I know of no reason why they should be increased at this time. The approval of this ordinance with this unnecessary increase in salaries would only result in a demand for similar increases in other departments of the city government, and a general increase of salaries at this time is not only unnecessary but wholly unwise.

I, therefore, deem it my duty not to approve this ordinance, and now return the same to you.

Yours very truly,
J. E. BELL,
Mayor.

Mr. Porter moved that General Ordinance No. 22, 1914, be referred back to the Committee. Carried.

REPORTS FROM CITY OFFICERS.

From City Controller :

CITY OF INDIANAPOLIS,
FINANCE DEPARTMENT.

INDIANAPOLIS, IND., June 1, 1914.

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

GENTLEMEN—I submit herewith letter of the Corporation Counsel asking an appropriation of \$5,000 for judgments, compromises and costs. As the fund is exhausted, and the cheapest way to dispose of claims of this kind is to pay them, I recommend the appropriation and inclose an ordinance for that purpose.

Respectfully submitted,
J. P. DUNN,
City Controller.

DEPARTMENT OF LAW,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., June 1, 1914.

Hon. Jacob P. Dunn, City Controller, City:

DEAR SIR—At the beginning of the current year this department had an appropriation of \$5,000 to pay judgments, compromises and costs. This appropriation is exhausted, except an amount of \$66.32. It has been expended as follows:

Claim of Louise Bernhardt, damage to property.....	\$350.00
Elmer Tucker, personal injuries.....	125.00
Walter Boden, claim for labor performed for city.....	6.00
Judgment of Jacob Woessner for feeding prisoners.....	737.23
Catherine Hannafin, personal injuries.....	250.00
W. J. Probst, judgment before J. P.....	21.70
W. J. Kraas, personal injuries.....	300.00
Dr. Cottingham, medical services claim of Alice Hoppe.....	25.00
Alice Hoppe, personal injuries.....	100.00
Brownback, et al., claim for gravel taken from their land.....	80.00
Oscar Hogstrom, personal injuries.....	25.00
Sarah Ray, personal injuries and costs.....	2,075.00
T. J. Moll, services as Special Judge City Court.....	10.00
Costs in Woessner case in Appellate Court.....	24.45
Claim and costs of Canfield for personal injuries.....	804.30

The claim of Sarah Ray was for \$2,500 and was compromised for \$2,000.

The Canfield case was one of the Marshall grand stand injuries and a judgment was rendered a short time before the close of last year and the time for filing a motion for a new trial had expired when the present administration took office.

The Woessner case was a suit that had been tried and judgment rendered during the Shank administration.

This department has now pending the following items that are due:

Claim of Louisa Lakin v. City, for personal injuries, including costs	372.35
Chalmers McGaughey v. City, personal injuries.....	29.00
Judgment of Halsted, procured at Martinsville.....	764.60
Judgment of Ida Slider.....	2,000.00
Robert Richardson, personal injuries, compromised.....	50.00
Homer T. Steinhaur, personal injuries, compromised.....	50.00

Of these claims, the Lakin claim is a judgment for \$700, which was compromised at the figure above set out. It was on appeal to the Appellate Court when compromised. It and the Halsted judgment and the Slider judgment were all rendered during the Shank administration.

In my opinion there should be appropriated for the purpose of paying judgments, compromises and costs during the remainder of this year, at least \$5,000—\$3,500 will be enough to satisfy present needs, but other matters will undoubtedly arise later. This department has no appropriations which can be transferred to this fund.

The amount now in the change of venue fund is only \$300, and that in the law library fund is only \$152.35, which is barely enough to keep up subscriptions to United States Supreme Court Reports, Lawyers' Reports Annotated, Indiana Reports, Supreme and Appellate Court Reports and other current publications that are necessary.

Yours truly,
 WM. A. PICKENS,
Corporation Counsel.

CITY OF INDIANAPOLIS,
 FINANCE DEPARTMENT.
 INDIANAPOLIS, IND., June 1, 1914.

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

GENTLEMEN—I submit herewith letter of Judge Deery of the City Court requesting an appropriation of \$125 for the purchase of electric fans for his courtroom. I recommend the appropriation, and inclose ordinance for that purpose.

Respectfully submitted,
 J. P. DUNN,
City Controller.

CITY COURT OF THE
 CITY OF INDIANAPOLIS.
 INDIANAPOLIS, IND., June 1, 1914.

Mr. Jacob P. Dunn, City Controller, Indianapolis, Ind.:

DEAR MR. DUNN—Enclosed you will please find ordinance appropriating \$125 with which to purchase electric fans to be used in the City Court.

I understand the City Council meets this evening and for that reason I have drawn up the ordinance myself.

Trusting that this will meet with your approval, I beg to remain,

Very respectfully,

JAMES E. DEERY,
City Judge.

CITY OF INDIANAPOLIS,

FINANCE DEPARTMENT.

INDIANAPOLIS, IND., June 1, 1914.

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

GENTLEMEN—I submit herewith letter of the Board of Public Works requesting an appropriation of \$1,200 for the payment of claims against the City incurred by the preceding administration. As the City has received the goods and services set forth in the inclosed statement, they should, for the honor and credit of the City, be paid for. I recommend the appropriation, and inclose ordinance for that purpose.

Respectfully submitted,

J. P. DUNN,
City Controller.

DEPARTMENT OF PUBLIC WORKS,

OFFICE OF THE BOARD.

INDIANAPOLIS, IND., June 1, 1914.

Hon. Jacob P. Dunn, City Controller, City Hall:

DEAR SIR—We respectfully request that you recommend to the Common Council the passage of an ordinance appropriating the sum of \$1,200 to pay claims against the City of Indianapolis incurred by the previous administration, as per list attached.

Yours very truly,

J. A. RINK,
JAS. E. TROY,
GEORGE B. GASTON,

Board of Public Works.

DEPARTMENT OF PUBLIC WORKS,

OFFICE OF THE BOARD.

INDIANAPOLIS, IND., June 1, 1914.

Hon. Jacob P. Dunn, City Controller, City Hall:

DEAR SIR—We herewith submit to you a list of bills carried over from the last administration, which we expect to pay from the appropriations requested:

CITY CIVIL ENGINEER'S BILLS.

Name of Firm.	Amount.
Morton Place Auto Co.....	\$ 4.10
Pettis Dry Goods Co.....	2.97

Gibson Auto Co.....		1.50	
Auburn Auto Co.....		25.70	
Indiana Garage Co.....		72.55	
Goodyear Tire & Rubber Co.....		12.99	
Fairbanks, Morse & Co.....	\$207.20		
“ “ “	4.50	211.70	
Knight Tire & Rubber Co.....		6.95	\$338.46

ASPHALT PLANT BILLS.

Name of Firm.		Amount.	
Indianapolis Light & Heat Co.....		\$ 0.08	
C. S. McClure.....		14.00	
Carr's Auto Place.....	\$ 8.70		
“ “ “	1.35		
“ “ “	1.20	11.25	
Motor Accessories Co.....		1.02	
Indianapolis Belting & Supply Co.....		4.75	
Van Camp Hardware & Iron Co.....	\$ 6.63		
“ “ “ “ “ “	7.00		
“ “ “ “ “ “	1.88		
“ “ “ “ “ “	10.83		
“ “ “ “ “ “	19.83		
“ “ “ “ “ “	19.71		
“ “ “ “ “ “	19.22		
“ “ “ “ “ “	4.66	89.76	
Carman & Fryer.....		1.50	
Indiana Garage.....		1.60	
Hetherington & Berner.....		15.00	
The Sinker-Davis Co.....	\$127.70		
“ “ “ “ “ “	7.30	135.00	
Firestone Tire & Rubber Co.....		36.68	
Indian Refining Co.....		534.35	844.99
Total.....			\$1,183.45

Yours truly,
 J. A. RINK,
 JAS. E. TROY,
 GEORGE B. GASTON,
Board of Public Works.

CITY OF INDIANAPOLIS,
 FINANCE DEPARTMENT.
 INDIANAPOLIS, IND., June 1, 1914.

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

GENTLEMEN—I submit herewith letters of the German Investment & Securities Company and the Corporation Counsel concerning the payment of interest on deferred Brightwood sewer claims. The amount due by the City is \$916.81. There remains unexpended of the original appropriation of March 2 (Appropriation Ordinance No. 7, 1914) the sum of \$255.51.

and there is, therefore, required an additional appropriation of \$661.30 to satisfy these claims. I recommend an appropriation of that amount, and inclose ordinance herewith.

Respectfully submitted,
J. P. DUNN,
City Controller.

DEPARTMENT OF LAW,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., May 21, 1914.

Hon. Jacob P. Dunn, City Controller, City:

INTEREST ON REVISED ASSESSMENTS.

DEAR SIR—My opinion to you of February 26, of this year, in the above matter did not go far enough. I desire to supplement it as follows:

Where assessments of benefits are made for a public improvement and the party against whom the assessment is made appeals to court and secures a reduction, the city must pay the contractor the difference between the original assessment and the assessment as reduced. The city must also pay interest at the rate of 6 per cent. on that difference from the time of the approval of the final assessment roll to the date of payment. The appealing property owner must pay the interest on his corrected assessment from the date of the approval of the final assessment roll until he has made the payment or tenders the same in lawful money. Such payment or tender will stop the running of interest as against him. If the city refuses to accept his tender and appeals the case, or in any other way delays the payment, the city will be liable to the holder of the assessment roll or the securities for interest from the date of the tender.

The money is due and payable at the time the revised assessment is made by the appraisers in court and if the city by any act on its part prevents this payment, the city will be liable for interest.

This opinion is applicable to the conditions existing as to the Brightwood sewer assessments. Certain of the assessments were appealed and reduced by appraisers in court. The former City Attorney appealed from this action by the Superior Court and the appeal was dismissed, there being clearly no right of appeal. Certain of the property owners tendered to the city their assessments as revised, but the City refused to accept the tenders. After the appeal was dismissed, the revised assessments were certified by the Board of Works. It is my opinion that the city is obligated to pay the interest on these revised assessments from the time the revision was fixed by the court to the time they were certified over by the Board of Works.

Yours truly,
WM. A. PICKENS,
Corporation Counsel.

INDIANAPOLIS, IND., June 1, 1914.

Hon. Jacob P. Dunn, City Controller, City:

DEAR SIR—Our attention has been called to the fact that Corporation Counsel Pickens recently, at the request of our attorneys, Florea & Seidstickler, again went into the question of interest which we claimed was

due us in the Brightwood and Thirtieth Street sewer matter. In his original opinion to you, you will remember, he instructed you to deduct an item of \$1,092.28, which represented interest on the amount due from property owners as found by the appraisers appointed in the case of Hawkins against the City of Indianapolis, from the date of the approval of the final assessment roll up to the time the assessments were paid by the property owners.

We were informed that Mr. Pickens now holds that we were right in our original contention that the City, and not the property owners, should pay this amount. Since making our original claim of \$1,092.28, we have ascertained that Edward Hawkins paid interest in the sum of \$113.49, and that Sutherland and Losey, who had not made a proper tender, paid interest in the sum of \$61.98, making a total of \$175.47, which should be deducted from our original claim, leaving a balance due us of \$916.81.

We would ask if there are not sufficient funds on hand to pay the amount due us, that you have an ordinance prepared as soon as possible appropriating a sum to cover the same.

Very truly yours,
GERMAN INVESTMENT & SECURITIES CO.
By FRANK SEIDENSTICKER.

CITY OF INDIANAPOLIS,
FINANCE DEPARTMENT.
INDIANAPOLIS, IND., June 1, 1914.

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

GENTLEMEN—I submit herewith letter of the Boys' Club Association asking an appropriation of \$2,196.42 to cover certain payrolls assigned to them on advance of money for their payment. On investigation, I find that this action was taken in good faith and that the City received the full benefit of the money so advanced. Under these circumstances the City is equitably bound to settle this claim. I therefore recommend the appropriation, and inclose ordinance for that purpose. ..

Respectfully submitted,
J. P. DUNN,
City Controller.

INDIANAPOLIS, IND., June 1, 1914.

Hon. Jacob P. Dunn, City Controller, City:

DEAR SIR—In August, 1913, Mr. Harry Tutewiler, City Playground Commissioner, secured a loan from the Boys' Club Association of Indianapolis, for the purpose of meeting his payrolls from August 3 to August 16, inclusive, and from August 17 to August 30, inclusive, respectively. This was done in order to assist Mr. Tutewiler in the payment of the employes of his department in anticipation of his revenues from the November, 1913, tax collections. Before the money was advanced by the Boys' Club, the City Board of Health and Charities requested the advancement in writing. Thereupon, on August 18, checks were drawn by the treasurer of the Boys' Club to the respective employes in the recreation department for the amounts due them according to the payroll from August 3 to August 16, inclusive, in the sum of \$1,220.55. Also, in the same manner, checks were drawn on August 30 to said respective employes to cover their salaries and wages from August 17 to August 30.

inclusive, in the sum of \$975.87. Therefore the sum of \$2,196.42 was thus paid direct by the Boys' Club Association upon these two payrolls. Both payrolls are in our possession, properly approved by the Recreation Commissioner and the President of the Board of Health, and attested by the Secretary of the Board.

It was intended that warrants should be issued to each employe, and assigned to the Boys' Club Association in return for the respective advancements, but this, for some reason, was overlooked.

We have the cancelled checks in the sum above stated as evidence of the payments above mentioned.

It now appears that it will be necessary for an appropriation ordinance to be passed by the Council to reimburse the Boys' Club Association for these advancements. We would be grateful if you would request such appropriation from the Council.

Very truly yours,

BOYS' CLUB ASSOCIATION,
By GEORGE L. DENNY,
President.

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., June 1, 1914.

Common Council, City:

GENTLEMEN—I am directed by the Board to submit to you for your consideration and action thereon an ordinance ordering the improvement of Merrill Street from Senate Avenue to Kentucky Avenue by paving the roadway with wooden block, asphalt, bituminous concrete or brick.

This ordinance is submitted to you for the reason that a majority remonstrance has been filed against the improvement and the Board feels that the improvement of this street is a public necessity and recommends the passage of this ordinance.

Yours very truly,
F. J. NOLL, JR.,
Clerk, Board of Public Works.

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., June 1, 1914.

Common Council, City:

GENTLEMEN—We herewith submit to you for your consideration and action thereon a certain contract between Howard C. Venn and the City of Indianapolis, through its Board of Works, wherein said Howard C. Venn is granted permission to lay and maintain a sidetrack across Missouri and Court Streets.

Yours very truly,
F. J. NOLL, JR.,
Clerk, Board of Public Works.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

INDIANAPOLIS, IND., June 1, 1914.

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

GENTLEMEN—We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 12, 1914, entitled "An ordinance appropriating \$500 to the Department of Public Works for Automobile Maintenance," beg leave to report that we have had said ordinance under consideration and recommend that the same be passed.

EDWARD P. BARRY,
A. D. PORTER,
E. R. MILLER,
THOMAS C. LEE,
EDWARD MCGUFF.

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

INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller:

Appropriation Ordinance No. 17, 1914: An ordinance appropriating the sum of \$1,200 to the Board of Public Works, for the payment of old claims incurred by the preceding administration, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be and is hereby appropriated the sum of \$1,200 to the Department of Public Works, for the payment of old claims.

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 City Controller :

Appropriation Ordinance No. 18, 1914: An ordinance appropriating the sum of one hundred and twenty-five dollars (\$125) to and for the use of the Department of Finance for the fund "Electric Fans in the City Court" and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the sum of one hundred and twenty-five (125) dollars be, and the same is hereby appropriated to the Department of Finance of said City, for the fund "Electric Fans in the City Court."

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

Mr. Barry moved that the rules be suspended and Appropriation Ordinance No. 18, 1914, be placed upon its passage.

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

Ayes, 9, viz.: Messrs. Barry, Young, Miller, McGuff, Porter, Lee, Graham, Shea and President John F. Connor.

Mr. Barry called for Appropriation Ordinance No. 18, 1914, for second reading. It was read a second time.

Mr. Barry moved that Appropriation Ordinance No. 18, 1914, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 18, 1914, was read a third time and passed by the following vote :

Ayes, 9, viz.: Messrs. Barry, Young, Miller, McGuff, Porter, Lee, Graham, Shea and President John F. Connor.

By City Controller :

Appropriation Ordinance No. 16, 1914: An ordinance appropriating \$661.30 to the Department of Finance for additional payments of Brightwood sewer claims, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be, and hereby is appropriated the sum of \$661.30 to the Department of Finance for additional payments of Brightwood sewer claims.

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 City Controller :

Appropriation Ordinance No. 19, 1914: An ordinance appropriating \$5,000 to the Department of Law for Judgments, Compromises and Costs, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be and hereby is appropriated the sum of \$5,000 to the Department of Law for the payment of Judgments Compromises and Costs.

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 City Controller :

Appropriation Ordinance No. 15, 1914: An ordinance appropriating \$2,196.42 to the Department of Finance for the payment of claims of the Boys' Club Association, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be, and hereby is appropriated the sum of

\$2,196.42 to the Department of Finance, for the payment of the claim of the Boys' Club Association.

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.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Mr. Miller:

General Ordinance No. 30, 1914: An ordinance for the regulation of street traffic in the City of Indianapolis, Indiana.

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

SECTION 1. *Definitions.*

(a) The word "vehicle" includes equestrians, led horses and everything on wheels, except baby carriages.

(b) The word "horse" includes all domestic animals.

(c) The word "driver" includes the rider or driver of any "vehicle."

(d) The words "congested district" shall mean that district hereafter described and any extension thereof made by the Board of Public Safety pursuant hereto.

SECTION 2. *Congested District.*

All that part of the city bounded by New York Street, Capitol Avenue, Maryland Street and Alabama Street, together with such other portions of the city as may hereafter be defined by resolution of the Board of Public Safety, shall be known as the "congested district."

SECTION 3. *Obedience.*

All drivers and pedestrians must at all times comply with any direction, given by voice, hand or other means, of any member of the Police or Fire Force, as to stopping, starting, approaching or departing from any place, the manner of taking up or setting down passengers, loading or unloading goods in any place.

SECTION 4. *Pedestrians.*

All pedestrians crossing streets at street intersections in the congested district shall cross at right angles with the general traffic and shall

not cross such intersections diagonally. They shall wait for the signal of the traffic officer, where one is stationed, and move in the direction of the traffic only.

SECTION 5. *Drivers' Signals.*

(a) Before slowing up or stopping, drivers shall signal to those behind by raising the whip or hand.

(b) In turning, while in motion, or in starting to turn from a standstill, a signal shall be given by the whip or hand showing the direction in which the turn is to be made.

(c) Before backing or slowing up, ample warning shall be given and in backing, unceasing vigilance must be exercised not to injure any one behind.

(d) One blast of the police signal indicates that East and West traffic shall stop and North and South traffic move; two blasts of the police signal indicates that North and South traffic must stop and East and West traffic move. Three or more blasts indicate danger. Massachusetts, Indiana, Kentucky and Virginia Avenues shall be considered as North and South streets, as to this regulation.

SECTION 6. *Right of Way.*

(a) Police, Fire Department, Fire Patrol, Traffic Emergency Repair, Ambulances and United States Mail vehicles shall have the right of way in any street and through any procession.

(b) All traffic on North and South streets shall have the right of way over traffic on all East and West streets except Washington Street. All traffic on Massachusetts, Indiana, Kentucky and Virginia Avenues shall have the right of way over all traffic on other streets.

(c) The driver of any vehicle, on the approach of any fire apparatus shall immediately draw up said vehicle to the right hand curb as near to same as practicable, and bring it to a standstill until all such apparatus has

passed.

SECTION 7. *Street Cars.*

(a) The driver of a street car shall immediately stop his car and keep it stationary upon the approach of any fire apparatus.

(b) Street cars, when they stop at intersecting streets, shall stop on the near side of the streets, except where signs note exceptions.

(c) Street cars shall have the right of way over all other traffic between cross streets. The driver of any vehicle, proceeding upon the track in front of a street car, shall turn out upon signal of the driver of the street car.

(d) No vehicle shall so occupy any street as to interfere with or interrupt the passage of other vehicles.

(e) While running or while stopping, during blockades, a clear space of ten (10) feet shall be kept open between street cars.

(f) The driver of a vehicle overtaking a street car shall not pass such car at a street intersection, and in case such car has stopped for passen-

gers to board the same or alight therefrom, he shall wait until the car has started before proceeding.

(g) Vehicles must stop back of the cross-walk so as not to interfere with the passage of pedestrians.

SECTION 8. *Speed.*

(a) No vehicle shall proceed at any time at a greater speed than allowed under the Indiana Statute regulating the speed of vehicles.

(b) No vehicle shall cross any street or avenue or make any turn at a speed rate exceeding one-half of its lawful speed.

(c) No vehicle shall emerge from an alley, stable or garage at a pace faster than a walk.

(d) On all thoroughfares the heavy and slow-moving vehicles shall as far as conditions permit, keep to the right and as close to the curb as practicable, in order to allow the rapid moving and light traffic vehicles to proceed independently.

SECTION 9. *Keeping to the Right, Passing, Turning, Crossing and Stopping.*

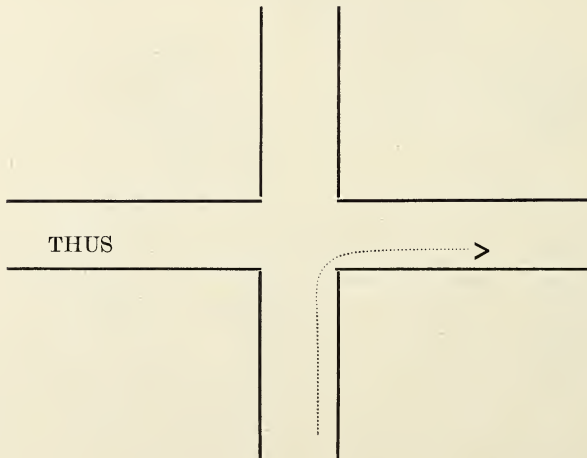
(a) A vehicle, except when passing a vehicle ahead, shall keep as near the right-hand curb as possible.

(b) A vehicle meeting another shall pass on the right.

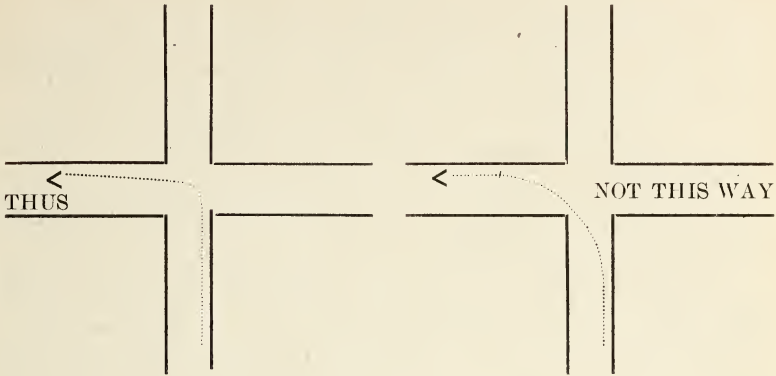
(c) A vehicle overtaking another shall pass on the left side of the overtaken vehicle and not pull over to the right until entirely clear of it.

(d) On a street or avenue divided longitudinally by a parkway, walk, sunken way or viaduct, vehicles shall keep to the right of such division.

(e) A vehicle turning into another street to the right shall turn the corner as near the right-hand curb as practicable, thus :



(f) A vehicle turning into another street to the left shall circle around the center of the street intersection :



(g) A vehicle crossing from one side of the street to the other shall in doing so keep to the right, making a complete turn in the street :



(h) No vehicle shall stop with its left side to the curb.

(i) No vehicle shall stand back up to the curb except when actually loading or unloading, and if said vehicle is horse drawn and has four wheels; the horse or horses must stand parallel to the curb and faced in the direction of traffic. Vehicles in the Circle shall be excepted under this rule.

(j) A vehicle waiting at the curb shall promptly give place to a vehicle to load or unload.

(k) No vehicle, unless in an emergency or to allow another vehicle or pedestrian to cross its path, shall stop in any street or highway, except near the right-hand curb thereof, and so as not to obstruct a crossing.

(l) No vehicle shall back to make a turn in any street, if by so doing it interferes with other vehicles, but shall go around the block or to a street sufficiently wide in which to turn without blocking traffic.

(m) Vehicles shall enter North and South and all "L" shaped or right-angled alleys from the North and leave by the South. Vehicles shall enter all East and West alleys from the East and leave from the West.

SECTION 10. *Vehicles.*

(a) No one shall drive a vehicle that is so closed in or constructed as to prevent the driver from having a sufficient view of the traffic at the sides of such vehicle.

(b) No one shall drive or conduct any vehicle in such condition or so constructed or so loaded as to be likely to cause delay in traffic or accident or injury to man, beast or property.

(c) No vehicle shall be so loaded that it may not be easily drawn over the most difficult portion of its intended route.

(d) No one shall load or drive a vehicle loaded with iron or any material likely to create loud noises by striking together without using every effort to deaden the load.

(e) All vehicles must be so loaded or constructed as to prevent the blowing, spilling or falling to the street of any of the material or contents of such load.

(f) No one under sixteen years of age shall be permitted to drive any motor vehicle, and no one under fourteen years of age shall be permitted to drive any horse drawn vehicle.

(g) No one shall ride upon, hold to or hang upon any vehicle, in such manner that his body or any part of it shall protrude beyond the limits of the vehicle.

(h) Between one hour after sunset and one hour before sunrise, all vehicles shall have on the left side a white light which will show 200 feet to the front and a red light on the rear that will show 200 feet to the rear. Bicycles and motorcycles shall have one white light that shall be visible 200 feet.

(i) No vehicle not in charge of a driver shall, between the hours of 6 A. M. and 7 P. M. stand in any alley within the district bounded by Capitol Avenue, Alabama Street, New York Street and Maryland Street, or upon any of the following streets as hereinafter set out, viz.: Washington Street from Illinois to Pennsylvania, Pennsylvania Street from Washington to Ohio, Ohio Street from Pennsylvania to Illinois, except the north side of Ohio Street between Pennsylvania and Meridian Streets; Illinois Street from Ohio to Washington Street, for a longer period than ninety minutes, and no vehicle shall stand within fifty feet of any street intersection within the district bounded by North, South, East and West Streets for a longer period than five minutes, unless loading or unloading, in which case the vehicle shall be permitted to stand until loaded or unloaded.

(j) No vehicle shall stand in Pearl Street between Pennsylvania and Illinois Streets, or Court Street between Pennsylvania and Delaware Streets, or Wabash Street between Pennsylvania and Alabama Streets between the hours of 6 A. M. and 7 P. M. except for such time as is necessary to load or unload the same.

(k) No vehicle must be left standing within fifteen feet of any fire hydrant.

(l) Drivers of motor vehicles shall approach the curb at an angle of 45 degrees if they intend to leave their motor vehicle longer than the time necessary to load or unload same.

(m) All motor driven vehicles and bicycles shall be equipped with some approved signal such as bell or horn which shall at all times be in working condition.

SECTION 11. *Control of Horses.*

(a) No horse shall be left unattended in any street unless securely fastened or unless the wheels of the vehicle to which it is harnessed are

securely fastened and the vehicle of sufficient weight to prevent its being dragged with the wheels so secured.

(b) No horse shall be unbridled in any street unless secured by a halter.

(c) No one shall remove a wheel, pole, shaft, whiffle-tree or other part of a vehicle or any part of a harness without first unhitching the horse or horses.

(d) No one shall let go of the reins while riding or driving or conducting a horse.

(e) No one shall knowingly permit an animal to be driven which is not in every respect fit for the service in which it is employed and free from soreness, lameness and disease, likely to cause pain to the animal or injury to person or property.

(f) No one shall ill-treat, over-load, over-drive, over-ride or cruelly or unnecessarily beat any horse.

(g) No one shall crack a whip in such manner or otherwise use one in such manner as to annoy or interfere with any person or excite any horse other than that which he is driving.

SECTION 12. *Penalties.*

Any person or persons, violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not less than ten (10) dollars nor more than one hundred (100) dollars for each violation.

SECTION 13. *Repeal.*

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 14. *Taking Effect.*

This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the Indianapolis Commercial, a newspaper of general circulation, printed and published in the City of Indianapolis.

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

By the Board of Public Works:

General Ordinance No. 32, 1914: An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Merrill Street from W. P. L. Senate Avenue to SE P. L. Kentucky Avenue, except crossing at West Street and R. R., with wooden block, asphalt, bituminous concrete or brick, under Improvement Resolution No. 7347, adopted April 24th, 1914.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 24th day of April, 1914, adopt Improvement Resolution

No. 7347, for the improvement of Merrill Street from W. P. L. Senate Avenue to SE. P. L. Kentucky Avenue, except crossing at West Street and R. R., with wooden block, asphalt, bituminous concrete or brick pavement; and

WHEREAS, The said Board of Public Works did at the same time fix the 15th day of May, 1914, at 10:00 o'clock A. M., as the time to hear all persons interested, or whose property is affected by said proposed improvement; and the notice of the passage of said resolution and of the said time for hearing was published on the 27th day of April, 1914, and the 4th day of May, 1914, in the Indianapolis Commercial, a daily newspaper of general circulation, printed and published in the City of Indianapolis, and notices by mail duly forwarded as provided by law; and

WHEREAS, On the 15th day of May, 1914, the Board having met in regular session postponed action on said resolution until May 22d, 1914; and

WHEREAS, On the 22d day of May, 1914, the Board having met in regular session, took final action on said Improvement Resolution, the same being confirmed without modification; and

WHEREAS, On the 22d day of May, 1914, a written remonstrance of a majority of the resident property owners was filed with the Board of Public Works against the said improvement; and

WHEREAS, The said Board of Public Works has submitted to the Common Council, for their consideration and action thereon, an ordinance ordering the Board of Public Works to proceed with the improvement of said street under said resolution; now, therefore:

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the Board of Public Works of the City of Indianapolis, be and are hereby ordered to improve Merrill Street from the W. P. L. of Senate Avenue to SE. P. L. Kentucky Avenue, with wooden block, asphalt, bituminous concrete or brick pavement, under Improvement Resolution No. 7347, adopted by the Board of Public Works on the 24th day of April, 1914.

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:

SWITCH CONTRACT

General Ordinance No. 31, 1914: An ordinance approving a certain contract granting Howard C. Venn the right to lay and maintain a side-track or switch across Missouri and Court Streets, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore to-wit: On the 20th day of April, 1914, Howard C.

Venn filed his petition before the Board of Public Works of the City of Indianapolis, as follows :

PETITION.

To the Board of Public Works, City of Indianapolis:

GENTLEMEN—I respectfully petition you for the right to lay a switch or sidetrack from the C., C., C. & St. L. R. R. across Missouri and Court Streets, as per blue print attached, and description given below.

Very respectfully,
HOWARD C. VENN.

NOW, THEREFORE, This agreement, made and entered into this 20th day of April, 1914, by and between Howard C. Venn, 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 across Missouri and Court Streets, in the City of Indianapolis, which is more specifically described as follows:

Beginning at a point sixty-five (65) feet north of the property line at the northeast corner of Washington and Missouri Streets, at a point in the C., C., C. & St. L. R. R. tracks and running in a northwestwardly direction across Missouri and Court Streets, and entering the property at the northwest corner of Missouri and Court Streets, at a point a few feet north of the southeast corner of the last-mentioned property. (Plan A enters ten (10) feet north of the corner and plan B enters two (2) feet north of the corner).

hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, he 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 Missouri and Court Streets 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

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 20th day of May, 1914.

HOWARD C. VENN,
Party of the First Part.

Witness:

CITY OF INDIANAPOLIS.

By J. A. RINK,
President.

GEO. B. GASTON,
Board of Public Works.
Party of the Second Part.

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 City's Welfare.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

By Mr. Barry:

To the Honorable, the Common Council of the City of Indianapolis, Indiana:

The undersigned owners of real estate and — or legal voters in the Town of Beech Grove, Indiana, and — or in the territory outside of Beech Grove within the line or boundary hereinafter set forth, respectfully petition the Common Council of the City of Indianapolis to pass an ordinance changing a part of the line bounding the limits of the City of Indianapolis as now defined and establishing the city limits upon the line as herein described, to wit:

Beginning at the present city limits in Walker Avenue at a point one hundred and fifty (150) feet west of the west line of Keystone Avenue, thence running south parallel to and one hundred and fifty (150) feet distant from the west line of Keystone Avenue extended to a point one hundred and fifty (150) feet south of the south line of Southern Avenue extended west, thence east one hundred and fifty (150) feet distant from and parallel to the south line of Southern Avenue to a point one hundred and fifty (150) feet west of the west line of Churchman Avenue or Churchman Road as now established, thence southeasterly parallel to and one hundred and fifty (150) feet distant from the south line of Churchman Avenue or Churchman Road to the corporate limits of the Town of Beech Grove as now established, thence south with the corporate limits of the said Town of Beech Grove, and following said corporate limits in its varying directions around the south, east, northeast and part of the north side of the town of Beech Grove to a point where said corporate limits intersect 17th Avenue or Sherman Drive extended on the west line of Section 16, thence north along the center line of Sherman Drive to the present city limits.

Respectfully submitted,

D. S. Adams,
C. H. Brown,
A. R. Herrmann
H. C. Adams,
Charles F. Baron,
M. J. Spalding,
C. L. Helsler
J. H. Lunsford,
Charles Adams,
J. Butler,

W. E. Roth,
J. B. Christensen,
N. P. Butler,
Paul Rempew
Chas. McGregor,
Stephen Eustace,
Albert Dukes.,
Herman H. Templin,
R. H. Irwin,
G. H. Mulholland,

F. A. Irwin,
E. A. Taylor,
Edw. Smith,
T. P. Baker,
G. Laughlin,
E. A. Conway,
W. H. Geshmiler,
D. Landacre,
J. W. Whitake,
Merlie O. Lemasters,
Jas. Bayer,
Frank Kenny,
David Adams,
R. H. Lavercombe,
C. H. Baueria,
R. C. Payne,
James Brown,
Herman Bittler,
R. E. Masters,
D. E. Nash,
R. Kirkwood,
A. C. Dukes,
M. McMahan,
T. M. Kail,
Herman Kail,
S. Shubrin,
H. Schmidt,
A. Wm. Vickrey,
Edward E. Humoton,
Fred Monath,
A. D. Walker,
U. U. Venman,
R. S. Neltar,
S. H. Vickrey,
E. A. McClain,
J. Brinson,
Herman Ruwe,
C. F. Meyer,
W. A. Bunyon,
Harry Magidson,
C. W. Woolfine,
Benj. Dennis,

M. Spaulding,
E. A. Truesdell,
O. C. DeMott,
C. O. Brinkman,
D. J. Dean,
William Truesdell,
W. S. Wilder,
C. Casan,
J. E. Flaherty,
H. L. Hurst,
Hugh D. Merrifield,
J. C. Hutchinson,
Elmer Rowe,
J. E. Mitchell,
Carl A. Bowman,
H. L. Neer,
L. A. Wilder,
R. E. Adams,
M. Magidson,
Harry Vulke,
Victor Hinslow,
R. A. Butler,
I. H. Garnett,
H. H. Money,
Bert Hamilton,
W. R. Wheat,
Thos. Bodenhauser,
John Truesdell,
Chas. Shirley,
Wm. Dukes,
I. E. LaRue,
Doc Banker,
Beech Grove Lumber Company,
Thomas Pierce,
W. S. Vencomer,
E. W. Barton,
Burt Neucomer,
A. G. Hale,
Louis J. Wessel,
John Vondersaar,
Father Killian.

By unanimous consent the Council referred back in the Order of Business.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Mr. Barry:

General Ordinance No. 33, 1914: An ordinance changing and defining a part of the boundary line of the corporate limits of the City of Indianapolis, Indiana, extending the same and annexing to the City of Indianapolis certain territory provided for the publication thereof, and fixing the time when the same shall take effect.

..SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, that a part of the east and part of the south boundary line of the corporate limits of the City of Indianapolis from a point in Walker Avenue to a point in Sherman Drive, be and the same is hereby extended so as to include the property between the corporate limits of the City of Indianapolis as now defined and a line as hereinafter located, to-wit: Beginning at a point in Walker Avenue on the line of the corporate limits as now defined and located one hundred and fifty feet west of Keystone Avenue, thence running south parallel and one hundred and fifty feet distant from Keystone Avenue or Keystone Avenue extended to a point one hundred and fifty feet south of Southern Avenue extended thence east parallel with and one hundred and fifty feet distant from Southern Avenue extended to a point one hundred and fifty feet west of the center of Churchman road or Churchman Avenue as now defined, thence south-east parallel with and one hundred and fifty feet distant from the center of said Churchman Road to the corporate limits of the Town of Beech Grove as now defined, thence south and following the said corporate limits of the Town of Beech Grove in its varying directions to a point where said line intersects the east line of Section Seventeen and now known as Seventeenth Avenue in the Town of Beech Grove, being Sherman Drive extended, thence north with the center of said Seventeenth Avenue or Sherman Drive extended to Minnesota Street to intersect the present limits of the City of Indianapolis in Sherman Drive, all of which territory is contiguous to the City of Indianapolis and all of said property whether platted or not shall hereafter form a part of the said City of Indianapolis, Marion County, Indiana, and to be within the jurisdiction of same said territory, is hereby consolidated with and made a part of the City of Indianapolis, Marion County, Indiana.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in The Indianapolis Commercial, a daily newspaper of general circulation printed and published in said City of Indianapolis, Marion County, Indiana.

EDWARD P. BARRY.

Which was read a first time and referred to the Committee on City's Welfare.

ORDINANCES ON SECOND READING.

Mr. Barry called for Appropriation Ordinance No. 12, 1914, for second reading. It was read a second time.

Mr. Barry moved that Appropriation Ordinance No. 12, 1914, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 12, 1914, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Barry, Young, Miller, McGuff, Porter, Lee, Graham, Shea and President John F. Connor.

Mr. Shea moved that the Council take up Special Ordinance No. 2, 1914.

President Connor declared the motion lost for want of a second.

Mr. Miller requested the members of the Common Council to inspect a device for shading headlights on automobiles and street cars.

On motion of Mr. Miller, the Common Council, at 8:45 o'clock P. M., adjourned.

John F. Connor
.....
President.

ATTEST:

Thomas A. Riley
.....
City Clerk.