

## REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.,

MONDAY, December 7, 1914.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, December 7, 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. Miller moved that the reading of the Journal be dispensed with. Carried.

## COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., November 21, 1914.

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

GENTLEMEN—I have approved and signed the following ordinances passed by the Common Council:

1. General Ordinance No. 63, 1914, the same being an ordinance entitled, "An ordinance transferring from the Sprinkling Fund of the Department of Public Works to the Sweeping and Cleaning Streets and Alleys, Salaries and Wages Fund, \$4,000; and to Sweeping and Cleaning Streets and Alleys, Accounts Fund, \$3,500, and fixing a time when the same shall take effect."

2. General Ordinance No. 58, 1914, the same being an ordinance entitled, "An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Kelly Street from Meridian Street to Bluff Avenue, with cement walks, under Improvement Resolution No. 7552, adopted September 16, 1914."

3. General Ordinance No. 59, 1914, the same being an ordinance entitled, "An ordinance approving a certain contract granting the Cleveland, Cincinnati, Chicago and St. Louis Railway Company the right to lay and maintain two tracks or switches across Holton Place, according to blue print attached, in the City of Indianapolis, Indiana."

4. General Ordinance No. 60, 1914, the same being an ordinance entitled, "An ordinance approving a certain contract granting E. C. Atkins and Company the right to lay and maintain a sidetrack or switch from on, over and along Henry Street, beginning at a point in the south property line of Henry Street, 178 feet west of the property line of Illinois Street to the west property line of Illinois Street where the same intersects and crosses Henry Street, all as more fully set out and described in the within petition and according to blue print attached, in the City of Indianapolis, Indiana."

5. General Ordinance No. 66, 1914, the same being an ordinance entitled, "An ordinance transferring and re-appropriating certain funds of the Department of Public Works."

6. Appropriation Ordinance No. 36, 1914, the same being an ordinance entitled, "An ordinance making deficiency appropriations to the Department of Public Works."

I return the said ordinances herewith.

Yours very truly,

J. E. BELL,  
Mayor.

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., February 19, 1914.

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

GENTLEMEN—I have approved and signed Appropriation Ordinance No. 2, 1914, the same being an ordinance entitled "An ordinance appropriating the sum of \$475 for the use of the Department of Public Works, and fixing the time for taking effect of same."

I return the said ordinance herewith.

Yours very truly,

J. E. BELL,  
Mayor.

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., February 19, 1914.

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

GENTLEMEN—I have approved and signed General Ordinance No. 5, 1914, the same being an ordinance entitled "An ordinance amending rules

for the procedure of the Common Council of Indianapolis.”

I return the said ordinance herewith.

Very truly yours,

J. E. BELL,  
Mayor.

EXECUTIVE DEPARTMENT,

CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., February 19, 1914.

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

GENTLEMEN—I have approved and signed Appropriation Ordinance No. 1, 1914, entitled “An ordinance appropriating the sum of \$200 for the use of the Department of Public Works during the current year, and fixing the time when the same shall take effect.”

I return the said ordinance herewith.

Very truly yours,

J. E. BELL,  
Mayor.

EXECUTIVE DEPARTMENT,

CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., November 20, 1914.

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

GENTLEMEN—I return herewith without my approval Resolution No. 9, 1914, which was presented at my office on November 12, 1914.

I have not signed this resolution for the reason that it is not within the province of the Common Council to pass resolutions requiring the showing of any particular kind of pictures or reels in moving picture shows. The ordinance, if signed, would be utterly void and of no legal effect whatever. The only effect of the resolution would be to show an expression of opinion by the Common Council. This opinion could be expressed as well by a motion which would accomplish the same purpose and would not be assuming to place upon record a resolution which, in the eye of the law, is of almost equal importance as that which is attached to an ordinance.

The purpose of a resolution or ordinance is to exercise some right vested in the Common Council by law, and when presented to me for my signature I must look to the question of the authority vested in the Common Council covering the passage of such resolution. If no such authority exists, then I am forced to withhold my signature.

I take it that the author of this resolution will not contend that there is any provision in the city charter which vests in the Common Council power to pass a resolution of the kind in question. That being true, I am, of course, compelled to withhold my signature from the same.

Yours very truly,

J. E. BELL,  
Mayor.

## REPORTS FROM CITY OFFICERS.

From City Controller:

FINANCE DEPARTMENT,  
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., December 7, 1914.

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

GENTLEMEN—I inclose herewith communication from the Board of Safety and letter from Superintendent of Police, asking a deficiency appropriation of \$3,500 for police force pay-roll. I recommend that the appropriation be made, and inclose ordinance for that purpose.

Respectfully submitted,

J. P. DUNN,  
*City Controller.*

DEPARTMENT OF PUBLIC SAFETY,  
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., December 5, 1914.

*Jacob P. Dunn, City Controller:*

DEAR SIR—At a meeting of this board, held this date, it was decided to ask you to request the Common Council to appropriate for the Police Force Pay-Roll Fund the sum of thirty-five hundred (\$3,500) dollars, to cover a deficit in the December salaries which exists.

Yours very truly,

ALBERT GALL,  
ANDREW H. WAHL,  
*Board of Safety.*

DEPARTMENT OF POLICE,  
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., December 7, 1914.

*Board of Public Safety, Indianapolis, Indiana:*

GENTLEMEN—Owing to the promotions that have been made in the Police Department of the city, due to the increase of the number of detectives necessary to do the work in the department, the increase of the number of men on the traffic squad and the additional patrolmen that have been necessary by reason of these promotions, there will be a deficiency in the appropriation for the salaries of the department amounting to \$3,500 if the full force of the department is continued to the end of the year.

The appropriation for the Police Department was made in the regular way September, 1913, as the department was then organized. Owing to the unsettled labor conditions and the great demands upon the department in the latter part of the year of 1913, the officers of the department were increased. When this administration took charge of the department a number of these were reduced, but it was found necessary to increase the number of detectives, traffic men, bicycle men and wagon men. This was done by promoting patrolmen to these places. On account of these promotions and the increase in the work of the department, it became necessary to use additional patrolmen.

The number of men who have been off duty during the year on account of sickness and personal injuries has made it necessary to put on extra men to patrol the districts.

The demand upon the Police Department during the busy season preceding Christmas and the holidays will be very heavy, and if the present force is to be maintained as now organized it will be necessary to have this additional appropriation to pay the police officers and men to the end of the year. If the appropriation is not made, then it will be necessary to lay off the men of the department for sufficient time to reduce the total pay-roll to the extent of the \$3,500 now asked for. The demands for the policing of the city will be such during the month of December that the full force should be continued.

The number of men upon the police force is far short of the number maintained in other cities having a population equal to that of Indianapolis. The police force of this city is from thirty to forty men short of that maintained in other cities of the size of Indianapolis.

Some of the districts of the city are more than a mile across, making it impossible for the officer in charge to properly patrol them.

The matter of the additional appropriation for the Police Department should be laid before the Council at the meeting Monday night so that the Council will be informed and take action at an early date.

It is necessary that an additional appropriation of \$500 should be asked for prisoners' meals. The balance in this fund is only \$1.25.

Respectfully submitted,

SAMUEL V. PERROTT,  
*Superintendent of Police.*

From City Controller:

FINANCE DEPARTMENT,  
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., December 7, 1914.

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

GENTLEMEN—I inclose letter from the Department of Public Works, requesting an additional appropriation of \$3,500 for Cleaning Streets and Alleys, Salaries and Wages. 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., November 30, 1914.

*Hon. J. P. Dunn, City Controller, Indianapolis, Ind.:*

DEAR SIR—We will be in need of an additional appropriation of \$3,500 for salaries and wages for the Street Cleaning Department so as to be able to take care of the work of cleaning streets for the balance of the year; and request that you recommend to the Common Council the passage of an ordinance appropriating that amount to the Sweeping and Cleaning Streets and Alleys, Salaries and Wages Fund.

Yours very truly,

J. A. RINK,  
GEO. B. GASTON,  
*Board of Public Works.*

From City Controller:

FINANCE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., December 4, 1914.

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

GENTLEMEN—The \$80,000 of Safety Board Bonds, 1914, authorized by General Ordinance No. 48, 1914, were duly advertised for sale on November 20, 1914, in compliance with the terms of the ordinance; but no bids for them were received. The failure was, of course, due to the condition of the money market, which had precluded a sale of four per cent. bonds anywhere in the country for several weeks prior to that date. The money market is steadily growing easier under the operation of the new currency law; but it is the opinion of all the financial authorities that I have been able to consult that it would be a waste of time and money to re-advertise the bonds until after the holidays.

In this emergency, as the money is needed as soon as possible, I would suggest the advisability of selling all or part of the bonds at private sale, if opportunity offers, at not less than par and accrued interest. Bond issues are usually taken by bond dealers who re-sell them at a small profit. Bonds of this character, bearing 4 per cent., are usually re-sold on a 3.85 per cent. basis, which means a premium of about \$1 on each \$100. There may be investors who would like to save this profit by purchasing direct from the city, and there can be no harm in offering them the opportunity, at least until it is advisable to re-advertise under the terms of the ordinance. Philadelphia, Detroit and some other cities have recently successfully placed quite large bond issues in this way.

I, therefore, inclose an ordinance for this purpose, and, if it meets your approval, would suggest that immediate action be taken on it.

Respectfully submitted,

J. P. DUNN,  
*City Controller.*

From City Controller:

FINANCE DEPARTMENT,  
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., December 7, 1914.

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

GENTLEMEN—I inclose herewith letters from the Board of Safety requesting transfers in their funds as follows:

Dog Pound Maintenance, to Incidentals, Board of Safety Office..	\$300.00
Weights and Measures, Incidentals, to Bldg. Department, Transportation .....	200.00
From Station House Salaries, to Prisoners' Meals.....	500.00
From Electrical Department, to Auto Maintenance and Repairs..	\$1,100.00
From Station House Salaries, to Repairs to Bldgs.....	100.00
From Electrical Department, to Repairs to Bldgs.....	100.00
From Cow Pound Fund, to Repairs to Bldgs.....	100.00

I recommend these transfers and inclose ordinance providing for them.

Respectfully submitted,

J. P. DUNN,  
*City Controller.*

DEPARTMENT OF PUBLIC SAFETY,  
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., December 5, 1914.

*Jacob P. Dunn, City Controller, Indianapolis, Indiana:*

DEAR SIR—This board desires that you request the Common Council to make the following transfers of funds in this department: \$300 from Dog Pound Maintenance Fund to the Incidentals Fund of the Board of Safety office; \$200 from the Weights and Measures, Incidentals Fund to the Transportation Fund of the Building Department.

Yours very truly,

ALBERT GALL.

ANDREW H. WAHL.

*Board of Safety.*

DEPARTMENT OF PUBLIC SAFETY,  
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., December 7, 1914.

*Jacob P. Dunn, City Controller:*

DEAR SIR—This board desires you to request the Common Council to make the following transfers of funds in the Police Department: \$500 from Station House Salaries to Prisoners' Meals; \$1,100 from Electrical Department to Auto, Maintenance and Repairs; \$100 from Station House

Salaries to Repairs to Buildings; \$100 from Electrical Department to Repairs to Buildings; \$100 from Cow Pound Fund to Repairs to Buildings.

Yours very truly,

ALBERT GALL,  
*Chairman Board of Public Safety.*

From City Controller:

FINANCE DEPARTMENT,  
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., December 7, 1914.

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

GENTLEMEN—I inclose letters from the Board of Public Works requesting additional appropriations as follows:

Street Repair, Asphalt Accounts.....	\$1,030.13
Electric, Gas and Vapor Lights.....	16,500.00

Also the transfer of \$165.60 from Assessments Reduced by Court to Public Building and Repair Fund; and the transfer of \$1,100 from City Civil Engineer Laboratory Accounts to Automobile Maintenance and Repair.

I recommend the transfers and appropriations and inclose ordinance providing for them.

Respectfully submitted,

J. P. DUNN,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., December 7, 1914.

*Hon. J. P. Dunn, City Controller, Indianapolis, Ind.:*

DEAR SIR—We respectfully request that you recommend to the Common Council the passage of an ordinance appropriating the sum of \$1,030.13 to the Street Repair Asphalt Account, which is the amount of money paid for repairing cuts into the street pavements for contractors, public service corporations and plumbers.

Yours very truly,

J. A. RINK,  
GEO. B. GASTON,  
*Board of Public Works.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., December 7, 1914.

*Hon. J. P. Dunn, City Controller, Indianapolis, Ind.:*

DEAR SIR—You are respectfully requested to recommend to the Common Council the passage of an ordinance appropriating the sum of \$16,500 to the Electric, Gas and Vapor Light Fund, which sum will be

necessary to pay the light bills for the balance of the year. This appropriation is made necessary on account of light bills amounting to \$15,042.09, which were unpaid by the last administration and which were paid from this year's fund. Also \$3,757.20, which was paid for the lighting equipment of the Pressure Lighting Company when their contract was forfeited and the gas lighting for streets was taken over by the city.

Very truly yours,

J. A. RINK,  
GEO. B. GASTON,  
*Board of Public Works.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., December 5, 1914.

*Hon. Jacob P. Dunn, City Controller, Indianapolis, Indiana:*

DEAR SIR—It will be necessary for the board to have an appropriation of \$165.60 to renew insurance policies on market house buildings.

The insurance has been paid for heretofore from the Public Building and Repair Fund, which fund has been exhausted.

We would request that you recommend to the Common Council the passage of an ordinance transferring the sum of \$165.60 from the fund for Assessments Reduced by Court, to the Public Building and Repair Fund.

Yours very truly,

J. A. RINK,  
GEO. B. GASTON,  
*Board of Public Works.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., December 7, 1914.

*Hon. J. P. Dunn, City Controller, Indianapolis, Ind.:*

DEAR SIR—You are hereby requested to recommend to the Common Council the transfer of \$1,100 from the City Civil Engineer Laboratory Accounts Fund to the Automobile Maintenance and Repair Fund.

Yours very truly,

J. A. RINK,  
GEO. B. GASTON,  
*Board of Public Works.*

From City Controller:

FINANCE DEPARTMENT,  
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., December 7, 1914.

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

GENTLEMEN—I inclose letter from the Board of Public Works requesting amendment of the White River bond ordinance (General Ordinance

No. 65, 1914) increasing the issue to \$63,000, to cover the cost of removing the excavated dirt to the proposed flood levee. I recommend that this amendment be made before the passage of the ordinance.

Respectfully submitted,

J. P. DUNN,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., December 7, 1914.

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

DEAR SIR—You are respectfully requested to recommend to the Common Council an amendment to the ordinance providing for a \$60,000 bond issue for river work, so as to provide for a bond issue of \$63,000. The additional sum of \$3,000 is to be used for moving the dirt which is taken from the river bank on the east side to the west side of the river, and to be used in connection with the permanent work on the Drover Street levee.

Yours very truly,

J. A. RINK,  
GEO. B. GASTON,  
*Board of Public Works.*

#### REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

INDIANAPOLIS, IND., December 7, 1914.

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

GENTLEMEN—We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 37, 1914, entitled, "An ordinance making additional appropriations to the Department of Law," beg leave to report that we have had said ordinance under consideration and recommend that same be passed.

Respectfully submitted,

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

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

From the Committee on Finance:

INDIANAPOLIS, IND., December 7, 1914.

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

GENTLEMEN—We, your Committee on Finance, to whom was referred General Ordinance No. 65, 1914, entitled "An ordinance authorizing the sale of sixty (60) bonds of one thousand dollars (\$1,000) each, of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the Sinking Fund of said city, or as may be required by law, for the purpose of procuring money to be used for acquiring land for a bridge over White River at Washington Street, and for removing obstructions from said river; providing for the time and manner of advertising sale of said bonds, and receipt of bids for same, together with the mode and terms of sale, and fixing a time when same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be amended by inserting after the word non-payment, in line 11, Section 5, the words "shall be taken and deemed a breach of contract for the purchase;" and also as recommended in the appended letter of the city controller that the word and figures sixty be stricken out of line 1, of the title of the ordinance, and the words "sixty-three" inserted instead; also the word and figures sixty be stricken out of line 4 of the second "wherein," and "sixty-three" inserted instead; also the same change be made in lines 4 and 5 of Section 1; line 8 of Section 1; line 54 of Section 1; line 55 of Section 1; in each case substituting the words and figures "sixty-three" for the word and figures sixty.

Respectfully submitted,

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

FINANCE DEPARTMENT,  
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., December 7, 1914.

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

GENTLEMEN—I inclose letter from the Board of Public Works requesting amendment of the White River bond ordinance (General Ordinance No. 65, 1914) increasing the issue to \$63,000, to cover the cost of re-

moving the excavated dirt to the proposed flood levee. I recommend that this amendment be made before the passage of the ordinance.

Respectfully submitted,

J. P. DUNN,  
*City Controller.*

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

From the Committee on Public Works:

INDIANAPOLIS, IND., December 7, 1914.

*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. 64, 1914, entitled, "An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Kelly Street from Meridian Street to Bluff Avenue with wooden block, asphalt, bituminous concrete or brick roadway, under Improvement Resolution No. 7555, adopted September 18, 1914," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

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

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

From the Committee on Public Safety:

INDIANAPOLIS, IND., December 7, 1914.

*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. 68, 1914, entitled, "An ordinance regulating dealers in second-hand automobiles and second-hand accessories for the same, providing a penalty for the violation thereof, repealing conflicting

ordinances and fixing the time same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

THOMAS C. LEE,  
EDWARD R. MILLER,  
MICHAEL J. SHEA,  
EDWARD MCGUFF,  
W. T. YOUNG.

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

From the Committee on Public Safety:

INDIANAPOLIS, IND., December 7, 1914.

*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 Resolution No. 10, 1914, entitled, "Resolved, That the Mayor be respectfully requested to call in the heads of the various departments of the city government and urge them to give the City Controller plenty of notice when they desire additional appropriations, so that the City Controller may in turn give the Common Council plenty of time to carefully investigate each request," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

THOMAS C. LEE,  
E. R. MILLER,  
EDWARD MCGUFF,  
W. T. YOUNG.

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

#### REPORTS FROM SPECIAL COMMITTEES.

From the Committee on Track Elevation:

Mr. Lee reported progress.

## INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller :

Appropriation Ordinance No. 40, 1914: An ordinance appropriating \$3,500 to the Department of Public Works for Sweeping and Cleaning Streets and Alleys, Salaries and Wages, 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 Department of Public Works, for Sweeping and Cleaning Streets and Alleys, the sum of \$3,500.

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. 40, 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. 40, 1914, for second reading. It was read a second time.

Mr. Barry moved that Appropriation Ordinance No. 40, 1914, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 40, 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. 39, 1914: An ordinance appropriating

\$3,500 to the Department of Public Safety for deficiency in Police Force Pay-Roll, 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 there be and is hereby appropriated the sum of \$3,500 to the Department of Public Safety, for Police Force Pay-Roll.

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

Mr. Barry moved that the rules be suspended and Appropriation Ordinance No. 39, 1914, be placed upon its passage.

The roll was called and the motion to suspend the rules was lost for want of a unanimous vote, as follows :

Ayes, 8, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Lee, Graham and Shea.

Noes, 1, viz.: President Connor.

Appropriation Ordinance No. 39, 1914, was thereupon referred to the Committee on Finance.

By City Controller :

Appropriation Ordinance No. 38, 1914: An ordinance making additional appropriations and transfers in the funds of the Department of Public Works, 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 following named sums to the Department of Public Works:

For Street Repair, Asphalt, Accounts..... \$1,030.13  
For Electric, Gas and Vapor Lights..... 16,500.00

SECTION 2. There is hereby transferred and re-appropriated to the Department of Public Works the following named sums:

From Assessments Reduced by Courts to Public Building and Repairs ..... \$165.60  
From City Civil Engineer Laboratory Accounts to Automobile Maintenance and Repairs ..... 1,100.00

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 Finance.

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Mr. Miller :

General Ordinance No. 70, 1914: An ordinance providing for the classification, licensing and regulation of all theatrical and other amusements and exhibitions.

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

## TERMS.

SECTION 1. For the purpose of this ordinance all theatrical and other exhibitions, shows and amusements, are hereinafter designated by the general term "Entertainments," and the theater, opera house, auditorium, hall, park, ground, garden, street, sidewalk, tent or other enclosures where any entertainment is produced, offered or presented, are referred to by the general term "Places."

## CLASSIFICATIONS.

SECTION 2. All entertainments exhibited for gain or for advertising purposes are hereby, for the purpose of this ordinance, divided into the following twenty-one classes :

*First Class—*

All entertainments of a theatrical, dramatic, operatic, vaudeville, variety or spectacular character.

*Second Class—*

All lectures, readings or recitations, stereopticon views, living pictures, panoramas, museums, panopticons and electrical and mechanical shows.

*Third Class—*

All musical entertainments consisting solely of vocal or instrumental music, or both vocal and instrumental music, and not of the nature of an opera, but being what is commonly known and described as a "concert."

*Fourth Class—*

All exhibitions consisting solely of moving pictures, known as mutoscope, kinoscope, cinemetograph, kaleidoscope, penny arcades and places in which amusement is furnished through or by one or more automatic picture devices, or other similar devices.

*Fifth Class—*

Dances, amateur, theatrical entertainments, bazaars and other entertainments of like character carried on or engaged in, in any hall, structure or building.

*Sixth Class—*

Musical entertainments, whether instrumental or vocal, given in what are commonly known and described as "summer gardens."

*Seventh Class—*

Shows or amusements of different classes offered or presented by one or more concessionaires in grounds, gardens or other enclosures commonly known and described as "amusement parks."

*Eighth Class—*

Public picnics and like entertainments given in grounds, gardens or other enclosures.

*Ninth Class—*

Roller skating or ice skating amusements given in rinks or enclosures.

*Tenth Class—*

All baseball, football, track and field games or other athletic exhibitions of like character.

*Eleventh Class—*

All wrestling matches.

*Twelfth Class—*

Poultry shows, horse shows, stock shows, flower shows, dog shows, cat shows, automobile shows, business and business appliance shows, industrial and trade shows, billiard, pool or bowling matches, exhibits, or contests of balloons or aeronautic devices, or any similar entertainments intended to represent any sport, trade, art or science or the progress and development of the same.

*Thirteenth Class—*

All circuses, menageries or combined circuses and menageries, wild west shows, dog and pony shows, monkey shows and caravans.

*Fourteenth Class—*

All side shows, concerts, vaudeville, variety, music or minstrel entertainments and all entertainments known as "air domes," given under covering or canvas or within any structure or enclosure intended for temporary use and capable of easy transfer or removal.

*Fifteenth Class—*

All swimming and diving shows.

*Sixteenth Class—*

All entertainments known as "platform" or "walk around" shows, being shows for which no seats are provided for spectators, and all entertainments known by the term "village" of different nationalities.

*Seventeenth Class—*

All entertainments consisting of games of skill and strength-testing devices, including lifting, blowing, striking or pulling matches and all small swings operated by human power.

*Eighteenth Class—*All entertainments operated by motive power other than animal power, including devices, apparatus, attractions and amusements for the transfer of persons.

*Nineteenth Class—*

All entertainments consisting of pony or animal rides or attractions operated by animal power for the transportation of persons.

*Twentieth Class—*

All exhibitions and displays of fireworks.

*Twenty-first Class—*

All entertainments, exhibitions, performances, amusements not included in any of the foregoing classes, including all show window exhibitions, whether fee is charged or not.

## LICENSE—PENALTY.

SECTION 3. No person or corporation, either as owner, lessee, manager, officer or agent, or in any other capacity, shall give, conduct, produce, present or offer for gain or profit or for advertising purposes, any of the entertainments mentioned in any of the first eleven of the foregoing classes anywhere within the city, excepting in a duly licensed place, nor shall any such person or corporation give, conduct, produce, present, operate or offer for gain or profit, any of the entertainments mentioned in the last ten of the foregoing classes without a license issued for that purpose, which said license shall be issued and procured in the manner hereinafter set forth.

Any person or corporation violating any of the provisions of this section shall be fined not less than ten dollars nor more than two hundred dollars for each offense, and each and every day upon which any such person or corporation shall give, conduct, produce, present, offer or operate any such entertainment contrary to or in violation of any of the provisions of this section, shall constitute a separate and distinct offense.

## LICENSE FOR PLACES OF ENTERTAINMENTS OF THE FIRST ELEVEN CLASSES.

SECTION 4. Any person or corporation, the owner or lessee of any place at or in which it is intended to produce, offer, present or carry on any of the entertainments of the first eleven classes desiring to secure a license for such place, shall be granted such license under the following conditions:

The applicant shall make application in writing to the Mayor, setting out his full name and address, if an individual, and if a corporation, the full name of the corporation and the address of its principal office, also a description of the place for which a license is desired and a statement of the class of entertainment which it is intended to produce, offer or present at such places; also the highest price to be charged for admission to any entertainment offered or presented at such place, and also the seating capacity of such place if seats are to be sold.

Whereupon, the Mayor shall make, or cause to be made, an examination of the place for which such license is desired, and if all of the provisions of this ordinance and all of the ordinances of the City of Indianapolis and the laws of Indiana relating to the giving of entertainments and of the location, construction and maintenance of the places within which such entertainments are given are complied with, and if the Commissioner of Buildings, the City Electrician and the Fire Chief shall so certify, the Mayor shall issue, or cause to be issued, a license to such applicant, attested by the City Controller, which shall entitle the licensee named therein to present, offer, produce or conduct at the place designated in such license and for the period of time specified in such license, entertainments of the class mentioned in said application, upon payment of the license fee hereinafter specified.

## LICENSES FOR ENTERTAINMENTS OF THE TWELFTH TO TWENTY-FIRST CLASSES, INCLUSIVE.

SECTION 5. Any person or corporation desiring to produce, present, conduct, operate or offer for gain or profit any of the entertainments mentioned in classes twelve to twenty-one, inclusive, at any place within the city, shall make application to the Mayor in writing, setting out the full name and address of the applicant, if an individual, and if a corporation, the full name of the corporation and the address of its principal

office; also a description of the place where it is proposed to produce, present, conduct, operate, or offer such entertainment, a description of the kind and class of entertainment, the highest price to be charged for admission thereto and the seating capacity of such place, if seats are to be sold.

Whereupon, the Mayor shall make, or cause to be made, an examination of such place, and if all the provisions of this ordinance and all of the ordinances of the City of Indianapolis and the laws of Indiana relating to the giving of entertainments and of the location, construction and maintenance of the places within which such entertainments are given are complied with, the Mayor shall issue, or cause to be issued, a license to such applicant, attested by the City Controller, which shall entitle the licensee to conduct, produce, present, operate or offer the class of entertainments specified in such application at the place therein designated and for the period of time specified in such license, upon the payment of the license fee hereinafter specified.

#### MAYOR MAY REFUSE A LICENSE WHEN—

SECTION 6. If the place at which it is desired to offer any of the foregoing entertainments be not a fit or proper place and not constructed, maintained, operated or conducted in accordance with the provisions of the ordinances of the city and the laws of Indiana governing and controlling said places, or if the entertainments desired to be produced or offered be of an immoral or dangerous character, or if the person making application for a license be not of a good moral character, the Mayor may refuse to approve such application and no license shall be issued to the applicant.

#### LICENSE FEES.

SECTION 7. The fee to be charged for each place where, or in which, each of the first eleven classes of entertainments, as defined in this section are given, conducted, produced, or offered, shall be as follows:

##### *First Class—*

If it is intended to produce, offer or present in any place entertainments of the first class, and the highest price of admission charged thereto is one dollar (\$1.00) or more, the annual license fee shall be three hundred dollars (\$300); if the highest price of admission exceeds fifty cents (50c), but is less than one dollar (\$1.00), the annual license fee shall be two hundred dollars (\$200); if the highest price of admission exceeds thirty cents (30c), but does not exceed fifty cents (50c), one hundred fifty dollars (\$150) per annum; if the highest price of admission does not exceed thirty cents (30c), one hundred twenty-five dollars (\$125) per annum.

##### *Second Class—*

If it is intended to produce, offer or present in any place entertainments of the second class, the license fee therefor shall be five dollars (\$5.00) per day.

##### *Third Class—*

If it is intended to produce, offer or present in any place entertainments of the third class, the license fee therefor shall be five dollars (\$5.00) per day.

##### *Fourth Class—*

If it is intended to produce, offer or present in any place entertainments of the fourth class, operating between the hours of 7 p. m. to 12 midnight,

where the charge for admission does not exceed five cents (5c), the license fee therefor shall be twenty-six dollars (\$26.00) per annum, and in cases where the admission charge exceeds five cents (5c) the license fee shall be seventy-five dollars (\$75.00) per annum.

If any such places are operated from any period prior to 7 p. m. to any period prior to 12 o'clock midnight, and the charge of admission does not exceed five cents (5c), the license fee shall be one hundred dollars (\$100) per annum. Where any such places are operated from any period prior to 7 o'clock p. m. to any period prior to 12 o'clock midnight, and the charge for admission is more than five cents (5c), the license fee shall be one hundred fifty dollars (\$150) per annum.

The highest price of admission charged during any one year to govern in this 4th class.

*Fifth Class—*

If it is intended to produce, conduct, offer or present in any place entertainments only of the fifth class, and the seating capacity of such place is sufficient to accommodate not exceeding 300 persons, or if such place has a floor space not exceeding 2,400 square feet, the annual license fee shall be twenty-six dollars (\$26.00); if such place has a seating capacity sufficient to accommodate more than 300 persons, but not more than 500 persons, or a floor space exceeding 2,400 square feet, but not exceeding 4,000 square feet, thirty-seven dollars and fifty cents (\$37.50) per annum; if such place has a seating capacity sufficient to accommodate more than 500 persons, but not more than 800 persons, or a floor space exceeding 4,000 square feet, but not exceeding 6,400 square feet, fifty dollars (\$50.00) per annum; if such place has a seating capacity sufficient to accommodate more than 800 persons or a floor space exceeding 6,400 square feet, the annual license fee shall be seventy dollars (\$70.00) per annum. In computing floor space, aisle space, space between walls and the partitions of such place and balcony space, shall be computed.

*Sixth Class—*

If it is intended to produce, offer or present in any place entertainments of the sixth class, the license fee for such place shall be twenty dollars (\$20.00) per week.

*Seventh Class—*

If it is intended to produce, offer or present in any place entertainments of the seventh class, the license fee for such place shall be twenty-five dollars (\$25.00) per week.

*Eighth Class—*

If it is intended to produce, offer or present in any place of entertainment of the eighth class, the license fee for such place shall be ten dollars (\$10.00) per annum.

*Ninth Class—*

If it is intended to produce, offer or present in any place entertainments of the ninth class, the license fee for such place shall be one hundred dollars (\$100) per annum.

*Tenth Class—*

If it is intended to produce, offer or present in any place entertainments of the tenth class, where such place has a seating capacity sufficient to accommodate 15,000 persons or more, the annual license fee shall be five hundred dollars (\$500); if the seating capacity of such place is sufficient to accommodate less than 15,000 persons, and not less than

10,000 persons, three hundred fifty dollars (\$350) per annum; less than 10,000 persons and more than 4,000 persons, one hundred fifty dollars (\$150) per annum; if such place has a seating capacity sufficient to accommodate not exceeding 4,000 persons, seventy five dollars (\$75.00) per annum.

*Eleventh Class—*

If it is intended to produce, offer or present in any place entertainments of the eleventh class, where such place has a seating capacity sufficient to accommodate 500 persons or less, the license fee shall be two dollars and fifty cents (\$2.50) per day; more than 500 persons, but not more than 1,000 persons, the license fee shall be ten dollars (\$10.00) a day; more than 1,000 persons, but not more than 2,000 persons, twelve dollars and fifty cents (\$12.50) per day; more than 2,000 persons, but not more than 3,000 persons, fifteen dollars (\$15.00) per day; more than 3,000 persons, but not more than 4,000 persons, twenty dollars (\$20.00) per day; more than 4,000 persons, but less than 5,000 persons, twenty-five dollars (\$25.00) per day; 5,000 persons or more, thirty dollars (\$30.00) per day.

The fee to be charged for each of the following ten classes of entertainments so given, conducted, produced or offered, shall be as follows:

*Twelfth Class—*

For entertainments of the twelfth class, when the highest price of admission charged thereto shall exceed seventy-five cents (75c), the license fee shall be twelve dollars and fifty cents (\$12.50) per day; if the highest price of admission exceeds fifty cents (50c), but does not exceed seventy-five cents (75c), seven dollars and fifty cents (\$7.50) per day; if the highest price of admission exceeds ten cents (10c), but does not exceed fifty cents (50c), five dollars (\$5.00) per day; and if the highest price of admission does not exceed ten cents (10c), fifty cents (50c) per day. If no admission is charged, the license fee shall be one dollar (\$1.00) per week.

*Thirteenth Class—*

For entertainments of the thirteenth class, when the place in which such entertainment is to be given has a seating capacity sufficient to accommodate more than 6,000 persons, the license fee shall be one hundred and fifty dollars (\$150) per day; more than 3,000 persons, but not more than 6,000 persons, seventy-five dollars (\$75.00) per day; more than 1,500 persons, but not more than 3,000 persons, twenty-five dollars (\$25.00) per day; more than 750 persons, but not more than 1,500 persons, fifteen dollars (\$15.00) per day; more than 400 persons, but not more than 750 persons, ten dollars (\$10.00) per day; not more than 400 persons, twenty-five dollars (\$25.00) per month.

*Fourteenth Class—*

For entertainments of the fourteenth class the license fee shall be five dollars (\$5.00) per day, provided, however, that if it is intended to conduct or operate entertainments of the fourteenth class at a permanent location during any part of the "summer season," as defined in this ordinance, a license for such entertainment may be issued for the fee, fixed for amusements of the first class, subject to the restrictions set forth in Section 11 hereof.

*Fifteenth Class—*

For entertainments of the fifteenth class the license fee shall be two dollars (\$2.00) per week.

*Sixteenth Class—*

For entertainments of the sixteenth class the license fee for such place shall be two dollars (\$2.00) per week.

*Seventeenth Class—*

For entertainments of the seventeenth class the license fee for such place shall be fifty cents (50c) per week.

*Eighteenth Class—*

For entertainments of the eighteenth class the license fee shall be two dollars (\$2.00) per week for each of such entertainments where the fee fixed or fare charged for a ride thereon does not exceed five cents (5c); five dollars (\$5.00) a week for each of such entertainments where the fee fixed or fare charged for a ride thereon exceeds five cents (5c), but does not exceed ten cents (10c); ten dollars (\$10.00) a week where the fee fixed or fare charged for a ride thereon exceeds ten cents (10c).

*Nineteenth Class—*

For entertainments of the nineteenth class the license fee shall be fifty cents (50c) per week.

*Twentieth Class—*

For entertainments of the twentieth class the license fee shall be twenty-five dollars (\$25.00) per day.

*Twenty-first Class—*

For entertainments of the twenty-first class the license fee shall be two dollars (\$2.00) per day.

## WHERE CLASSES ARE MIXED.

SECTION 8. Where any entertainment embraces two or more of the classes above specified, such entertainment shall be classified and charged for as wholly belonging to that class for which the highest license fee is fixed.

## LICENSE TO BE POSTED.

SECTION 9. Every license issued under the provisions of this ordinance shall at all times during the life thereof be posted in a conspicuous place at or near the principal entrance of the place described in the license, or in a conspicuous place therein so that the same may be easily read and seen by any person passing in or out of such place.

## ENTERTAINMENTS GIVEN DURING ALTERATIONS.

SECTION 10. Any person, firm or corporation licensed hereunder to produce, offer, present or conduct any of the foregoing classes of entertainment may, while the building, structure or enclosure within which such entertainment is given is being altered or remodeled to such an extent as to require the closing thereof, give or produce such entertainment in or on any other part of the property owned or controlled by such license which immediately adjoins or is connected with the building, structure or enclosure in course of repair; provided, however, that the Commissioner of Buildings, the City Electrician and the Fire Chief shall first certify in writing to the Mayor that such temporary place complies with all of the requirements of the ordinances of such City of Indianapolis, and the laws of Indiana, provided further that such temporary place may be used for a period not exceeding any ten consecutive weeks for the foregoing purposes.

## LICENSE SUBJECT TO ORDINANCE.

SECTION 11. Every license granted under the provisions of this ordinance shall at all times be subject to the ordinances of the city not in conflict herewith, existing when such license shall be issued or which shall thereafter be passed, so far as the same shall apply.

## LICENSES—HOW PRORATED.

SECTION 12. Where any license is issued under the provisions of this ordinance and an annual license fee is fixed therefor, if less than six months of the annual license period shall have expired at the time of the issuing of such license the full license fee shall be charged therefor. If six months or more than six months of the annual license period shall have expired and if it appears that the applicant has not conducted, produced, offered or presented any of the foregoing classes of entertainments prior to the application of a license therefor, one-half of the full license fee shall be charged. Excepting as hereinafter provided, no license shall be issued for any part of a license year for a sum less than one-half of the full annual license fee.

If any person, firm or corporation shall desire or intend to conduct, produce, offer, operate or present any of the foregoing entertainments only during the "summer season," which is hereby defined as that period of the year between April 1 and October 15, and shall make a statement in writing in his or its application of his or its desire or intention, a license may be issued to such person, firm or corporation for any number of weeks, but not less than ten, during the aforesaid season, for such entertainment upon the payment to the City Controller of the license fees herein specified, when such license is fixed on a weekly basis, or if such license fee is fixed upon an annual basis upon payment to the City Controller of a sum of money which shall bear the same ratio to the annual license fee as the number of weeks for which such license shall continue in force bears to the whole number of weeks in the year.

## PROHIBITIONS IN LICENSES—REVOCATIONS.

SECTION 13. All licenses for entertainments of any of the foregoing classes shall contain a proviso that no gaming, raffle, lottery or chance gift, distribution by lot or chance of money or article of value shall be connected therewith or allowed by the person obtaining such license, or in any wise permitted to be held out as an inducement to visitors; such license shall also state the highest price of admission to be charged to any entertainment given under such license; also the number of persons such licensed place has seating accommodations for, if seats are sold, and no more than the highest price of admission fixed in said license shall be charged for admission to any such entertainment, and no more than that number of persons for which such place has seating accommodations for shall be allowed to enter or occupy any such place at any one time.

When any licensed person or corporation shall be charged with having violated the provisions of his or its license as aforesaid, the Mayor is directed to give the parties accused reasonable notice thereof and to inquire into the truth of said charge, and if the accusation be sustained to his satisfaction he may revoke the license of any such person or corporation subject to appeal to the Circuit Court of Marion County by the licensee. Every such person or corporation so offending shall be subject to a penalty of not more than \$100.00, to be recovered as other ordinance penalties are now recovered by law.

## FRONTAGE CONSENTS AND OTHER PROHIBITIONS.

SECTION 14. It shall hereafter be unlawful for any person, firm or corporation to produce, offer, present or carry on any of the entertainments of any of the foregoing classes, excepting class seven and class ten and entertainments given within the grounds occupied by said class seven and class ten on any street in any block in which two-thirds of the buildings on both sides of the street are used exclusively for residence purposes, without the written consent of a majority of the property owners according to frontage on both sides of such street in such block: *Provided, however,* That nothing in this section contained shall operate to prevent the continuance of any entertainment or place in operation at the time of the passage of this ordinance.

It shall hereafter be unlawful for any person, firm or corporation to produce, offer, present or carry on entertainments of the seventh class or tenth class, as herein defined, in any block or square in which two-thirds of the buildings on both sides of the street or streets around such block or square are used exclusively for residence purposes, without the written consent of the owners of a majority of the frontage on both sides of the street or streets on each side of the block or square in which it is desired to produce, offer, present or carry on the aforesaid class of entertainments, together with the written consent to the production, offer or carrying on of such entertainment of a majority of the bona fide householders living within one thousand feet from the nearest point in any boundary of the place within which it is proposed to produce, offer, present or carry on such entertainments: *Provided, however,* That nothing in this section contained shall operate to prevent the continuance of any entertainment or place in operation at the time of the passage of this ordinance.

Such frontage and householders' consents shall be obtained and filed with the Department of Buildings before a license shall be issued for such entertainments: *Provided, however,* That:

(a) None of the foregoing twenty-one classes of entertainments shall be produced, offered, presented or carried on within two hundred feet of any hospital, church or building used exclusively for educational purposes, said distance to be measured between the nearest point in any boundary line of the place within which it is proposed to produce, offer, present or carry on such entertainment, and the boundary line of the lot on which such hospital, church or building used exclusively for educational purposes is located.

(b) In addition to the foregoing restrictions no licenses shall be issued for the production of any entertainment of the thirteenth class in any building, enclosure or place any part of which is situated within fifteen hundred feet of the boundary line of any public park, wholly or in part in the city.

SECTION 15. All ordinances and parts of ordinances in conflict herewith or covering or purporting to cover matters covered in this ordinance are hereby repealed.

SECTION 16. This ordinance to 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 Finance.

By City Controller :

General Ordinance No. 71, 1914: An ordinance authorizing the City Controller to sell city bonds at private sale, under certain conditions, and fixing a time when same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that when the issue of any bonds of the city, heretofore or hereafter authorized by ordinance, shall have been duly offered for sale, and no bids therefor shall have been received, the City Controller is authorized to sell part or all of such bonds at private sale at not less than par value, with accrued interest, or with the interest coupons reduced to cover interest from the time of such sale, conforming in other respects to the terms of the ordinance authorizing such bond issue, after making such advertisement of such proposed private sale as he may deem proper.

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

Which was read.

Mr. Barry moved that the rules be suspended and General Ordinance No. 71, 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 General Ordinance No. 71, 1914, for second reading.

By Mr. Young :

INDIANAPOLIS, IND., December 7, 1914.

I make a motion that we take a recess for ten minutes.

W. T. YOUNG.

Mr. Barry raised the point of order that his motion to place General Ordinance No. 71, 1914, on its passage was before the Council.

President Connor decided that Mr. Young's motion to recess was in order. The motion was carried, and President Connor declared a recess for 10 minutes.

At 9:00 o'clock P. M. President Connor called the Council to order.

Mr. Young moved that the Council defer action on General Ordinance No. 71, 1914, to the next meeting.

Mr. Shea demanded a roll call. The motion was carried by the following vote:

Ayes, 5, viz.: Messrs, Young, McGuff, Lee, Graham and President John F. Connor.

Noes, 4, viz.: Messrs. Barry, Miller, Porter and Shea.

General Ordinance No. 71, 1914, was thereupon referred to the Committee on Finance.

By City Controller:

General Ordinance No. 72, 1914: An ordinance transferring certain funds of the Department of Public Safety 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 the following named amounts are hereby transferred and re-appropriated in the funds of the Department of Public Safety:

From Dog Pound Maintenance to Incidentals, Board of Safety Office .....	\$300.00
From Weights and Measures, Incidentals, to Bldg. Department Transportation .....	200.00
From Station House Salaries to Prisoners' Meals.....	500.00
From Electrical Department to Auto Maintenance and Repairs..	1,100.00
From Station House Salaries to Repairs to Bldgs.....	100.00
From Electrical Department to Repairs to Bldgs.....	100.00
From Cow Pound Fund to Repairs to Bldgs.....	100.00

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 Mr. Barry:

General Ordinance No. 69, 1914: An ordinance amending Clause B of Section 7 of an ordinance entitled "An ordinance regulating Street Traffic in the City of Indianapolis," and repealing all ordinances in conflict therewith, being General Ordinance No. 30, 1914, approved Monday, July 14, 1914.

*Amendment—*

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that Clause B of Section 7 of an ordinance entitled "An ordinance regulating Street Traffic in the City of Indianapolis, Indiana," and repealing all ordinances in conflict therewith, being General Ordinance No. 30, 1914, approved July 14, 1914, be, and the same is hereby amended to read as follows:

STREET CARS.

CLAUSE B. Street cars, when stopping at the intersection of streets, shall stop on the near side of the street, except where signs note exceptions and except at the intersection of Pennsylvania and Washington Streets and Virginia Avenue, Washington and Illinois Streets, Illinois and Maryland Streets, and Pennsylvania and Ohio Streets and Massachusetts Avenue, at which points street cars shall be compelled to stop to let on and off passengers at both the near and the far sides of the street.

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

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

By Mr. Porter:

Special Ordinance No. 9, 1914: An ordinance concerning the changing of the names of certain streets of the City of Indianapolis, and fixing the time when the same shall take effect, repealing all ordinances in conflict herewith.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis that the name of the street running from Conser Avenue east to Senate Avenue, now known as Forty-second Street, be changed to Forty-first Street; the name of the street running from Northwestern Avenue east to Senate Avenue, now known as Forty-third Street, be changed to Forty-second Street; the name of the street running from Central Avenue east to Allisonville Road, now known as Forty-third Street, be changed to Forty-second Street; the name of the street running

from the alley east of Fairview Terrace west to the alley west of Fairview Terrace, now known as Forty-fourth Street, be changed to Forty-third Street; the name of the street running from the alley west of Rockwood Avenue east to the alley east of Cornelius Avenue, now known as Forty-fourth Street, be changed to Forty-third Street; the name of the Street running from Illinois Street east to Central Avenue, now known as Forty-fourth Street, be changed to Forty-third Street; the name of the street running from a point west of Crown Avenue east to Sunset Avenue, now known as Forty-fifth Street, be changed to Forty-fourth Street.

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

SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

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

#### MISCELLANEOUS BUSINESS

From the Indianapolis Chamber of Commerce:

INDIANAPOLIS CHAMBER OF COMMERCE,  
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., November 18, 1914.

DEAR SIR—I beg to inform you that the Board of Directors of the Indianapolis Chamber of Commerce has given its approval to General Ordinance No. 65, authorizing the sale of sixty bonds of \$1,000 each, of the City of Indianapolis. This unquestionably is a step in the direction of both temporary and permanent flood protection.

It is our understanding that from the funds derived from the sale of the bonds that \$12,000 will be used to clean the channel and remove obstructions from White River from a point immediately north of the Oliver Avenue bridge to the mouth of the Kentucky Avenue sewer south of Kentucky Avenue on the east side of the river. It seems to us that this is an excellent remedial and precautionary step, because of the danger of a recurrence of high waters next spring.

Please communicate the views of the board to the City Council at its next meeting.

Thanking you in advance, we are,

Very truly yours,

INDIANAPOLIS CHAMBER OF COMMERCE,

L. H. LEWIS,  
*General Secretary.*

MR. THOMAS A. RILEY, *City Clerk.*

Alabama and Pearl Sts., City.

INDIANAPOLIS CHAMBER OF COMMERCE,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., November 18, 1914.

DEAR SIR—I beg to inform you that the Indianapolis Chamber of Commerce is opposed to the passage of General Ordinance No. 57, providing for a department of inspection of electrical work, etc., because of the fact that the present system of inspection of this kind of work is performed satisfactorily and that there is no need for dual inspection.

It is our understanding that the Indianapolis Inspection Bureau would, under no circumstances, give up this right of inspection.

The establishment of such a bureau also would mean that the present building code ordinance would have to be amended.

We trust that our views are in accord with those of the City Council, and we would kindly ask you to present them to the Council at the next meeting of that body.

Thanking you for your courtesy, we are,

Very truly yours,

INDIANAPOLIS CHAMBER OF COMMERCE,

L. H. LEWIS,

*General Secretary.*

MR. THOMAS A. RILEY, *City Clerk.*

Alabama and Pearl Sts., City.

By Mr. Graham:

RESOLUTION NO. 11, 1914.

WHEREAS, As it will more fully appear by reference to the transcript of proceedings before the Board of Commissioners of the County of Marion, in the State of Indiana, duly certified by William T. Patten, Auditor of said county, on the 24th day of November, 1914, hereunto annexed, said Board of Commissioners, pursuant to the Acts of the General Assembly of the State of Indiana, for such cases made and provided, is considering the improvement by grading, draining and paving with concrete, or other road paving material, inclusive of curbs and gutters on each side, the highway, already established, wholly in Center Township of this county, described as follows, to-wit:

Bethel Avenue (otherwise and formerly known as the Pleasant View Free Gravel Road), beginning at the east side of Churchman Avenue in the City of Indianapolis, thence extending in a direction south of east in sections eighteen (18) and seventeen (17), of township fifteen (15) north, range four (4) east, to a point being the line dividing sections seventeen (17) and twenty (20), of said township and range, thence east on the line dividing sections seventeen (17) and sixteen (16) on the north from sections twenty (20) and twenty-one (21) on the south, all in said township and range, known also, thence, as Ingalls Street in the town of Beech Grove, to the center of a public highway on the line dividing Center and Warren Townships of said county; said Bethel Avenue being thirty (30) feet in width, more or less, and being in the City of Indianapolis from the east side of said Churchman Avenue to the center of a public street or highway, known as Minnesota Street, and said Ingalls Street, so far as the same is in the town of Beech Grove, being of the

width of fifty (50) feet, more or less, and from the eastern corporate limits of said town of Beech Grove, being of the width of thirty (30) feet, more or less, to said line dividing Center and Warren Townships, the total length of said improvement being less than three (3) miles; and

WHEREAS, All that part of said highway from the east line of Churchman Avenue to the center of Minnesota Street is within the corporate limits of the City of Indianapolis; now, therefore, be it

RESOLVED, That, in the event said Board of Commissioners shall finally order the construction of such improvement, the City of Indianapolis does hereby consent to such improvement; and

RESOLVED, That the City Engineer of this city be and is hereby directed to confer with the Civil Engineer and viewers, by said Board of Commissioners appointed, with a view to the fixing of the grade and quality of such improvement and to the making of a record thereof in the office of said City Engineer; and, be it further

RESOLVED, That the Clerk of this city be and is hereby directed to certify to the said Auditor a copy of these resolutions, including the preambles thereto.

Before the Board of Commissioners of the County of Marion, in the State of Indiana, in the matter of the improvement of Bethel Avenue, etc., in Center Township, on the petition of George W. Huggins, et al.;

BE IT REMEMBERED, That, heretofore, to-wit, on the 17th day of November, 1914, in the matter above entitled, the following proceedings were had before said Board of Commissioners, to-wit:

In the matter of the improvement of Bethel Avenue, etc., in Center Township, on the petition of George W. Huggins, et al.:

Come now the petitions herein by their attorney, Austin F. Denny, and this Board of Commissioners now finds by inspection of the petition hereinbefore filed that said petition had been signed by more than fifty freeholders and voters of Center Township, in this county, which petition was filed with the Auditor of this county on October 26, 1914, and is in the words and figures following, to-wit:

*To the Honorable, the Board of Commissioners of the County of Marion,  
in the State of Indiana:*

We, the undersigned petitioners, severally freeholders and voters of Center Township, in the County of Marion, in the State of Indiana, respectfully pray your Honorable Board to improve by grading, draining and paving with concrete, inclusive of cement curbs and gutters on each side, to the width of twenty-four (24) feet, the following described highway, already established, wholly in Center Township, of said county, to-wit:

Bethel Avenue (otherwise and formerly known as the Pleasant View Gravel Road), beginning at the east side of Churchman Avenue in the City of Indianapolis, thence extending in a direction south of east in sections eighteen (18) and seventeen (17), of township fifteen (15) north, range four (4) east, to a point being the line dividing sections seventeen (17) and twenty (20), of said township and range, thence east on the line dividing sections seventeen (17) and sixteen (16) on the north from sections twenty (20) and twenty-one (21) on the south, all in said township and range, known also, thence, as Ingalls Street, in the town of Beech Grove, to the center of a public highway on the line dividing Center and Warren Townships of said county; said Bethel Avenue being thirty (30) feet in width, more or less, and being in the City of Indianapolis

from the east line of said Churchman Avenue to the center line of a public street or highway, known as Minnesota Street, and said Ingalls Street, so far as the same is in the town of Beech Grove, being of the width of fifty (50) feet, more or less, and from the eastern corporate limits of said town of Beech Grove being of the width of thirty (30) feet, more or less, to said line dividing Center and Warren Townships, the total length of said improvement being less than three (3) miles.

And the undersigned petitioners have designated and appointed, and do hereby designate and appoint Austin F. Denny, attorney-at-law, as our attorney of record herein, for the preparation and presentation of this petition, for the establishment of the work and for all other services as attorney in such work and in proceedings to follow this petition, hereby authorizing and empowering said Austin F. Denny and his substitute, if any, designated by him, to do and to perform whatever we, or any of us, might collectively or severally do in the premises, if we or any of us were present and should do the same. Wherefore, we respectfully pray the improvement as aforesaid, and for all other proper relief.

W. J. Merrill,  
Karl H. Schaefer,  
Bristo Wagner,  
H. G. Alexander,  
Robt. G. Dearmin,  
John F. Sanders,  
Geo. Hagleskamp,  
Wm. Haverskamp,  
Ben Hagelskamp,  
Eugene Mueller,  
Harry O. Bowser,  
John W. Schoeneman,  
Harry Doran,  
J. A. Ratzke,  
Chas. Mock,  
John Postma, Sr.,  
Frank A. Kiefer,  
Chas. H. Tacoma,  
E. E. Heller,  
Thos. C. Sjirk,  
A. C. Franke,  
Charles F. Iske,  
Harry W. Denny,  
I. N. Harlan,  
Charles R. Yoke,  
Wm. T. Rasmussen,  
Robert R. Sloan,  
John Wocher,  
August M. Kuhn,  
Wm. F. Wocher.

George W. Huggins,  
Granville M. Mathews,  
Edward S. Hobart,  
Alonzo Sargent,  
C. J. Shirk,  
L. P. Ayres,  
M. C. Alexander,  
F. G. Luedemann,  
J. Stahly,  
W. F. Gansberg,  
Erba Rubush,  
T. L. Mathews,  
Geo. W. Rubush,  
Theo. Tansy,  
John Tacoma, Jr.,  
Ivan A. Nunamaker,  
Jacob Tacoma,  
Fred Auhgill,  
Robert C. Huggins,  
Frank Mankedick,  
Chas. Gass,  
Adam C. Claffey,  
Jesse Koldyke,  
E. L. Wilson,  
Godfried Schumacher,  
Jacob Sieg,  
John Brown,  
Louis Eilering,  
Geo. W. Coverdill,  
Louis H. Seele,

And now said petitioners file herein proofs of publication and posting of notice of said petition, issued and signed by said Auditor, as follows:

1. By publication for two consecutive weeks, namely, on October 30, 1914, and November 6, 1914, in the "Marion County Mail," a weekly newspaper of general circulation printed and published in this county, as follows, to-wit: (Here insert.)

2. By posting in three public places of Center Township, in this county, on the 29th day of October, 1914, as follows, to-wit: (Insert.)

3. By posting at the door of the court house of this county, on the 26th day of October, 1914, as follows, to-wit: (Here insert.)

And this board now finds that said Auditor, prior to the issuance of said notices, designated by endorsement on said petition the 17th day of November, 1914, at 10:00 o'clock in the forenoon, being not more than thirty days after the filing of said petition, as the day and time when said petition should be presented to, heard by and adjudged upon by this board, and no person or corporation whose lands or property would be affected by the work prayed for in said petition having filed any objection to the form or sufficiency of said petition, this board now adjudges that said petition and notices are sufficient in form and substance and this board now finds and adjudges that it has jurisdiction of the matter now prayed for in said petition.

Wherefore, by the Board of Commissioners of the County of Marion, in the State of Indiana, it is adjudged and ordered that said petition aforesaid be spread of record and that the matter therein prayed for be and is hereby referred to the persons, all and severally freeholders and voters of this county, and not residents of, nor owners of taxable property in Center Township, of this county, named as follows:

Paul Julian, of ..... Township, as a competent civil engineer; Eli Reynolds, of Decatur Township, and George D. Hardin, of Wayne Township, as viewers.

And said board does hereby designate Tuesday, the 24th day of November, 1914, at 10:00 o'clock in the forenoon, and the office of said board in the court house of said county, as the time and place at which the civil engineer and viewers aforesaid shall meet and shall each take and subscribe an oath faithfully and impartially to discharge his duties as such; and when and where said civil engineer shall execute and file with the Auditor of this county his bond in the penal sum of five thousand (\$5,000) dollars, conditioned for the faithful discharge of his duties as such engineer, with good and sufficient sureties to the approval of said Auditor. And this board does hereby designate Tuesday, the 22nd day of December, 1914, as the time when said engineer and viewers shall file in the office of the Auditor of this county their report, in writing, signed by each of them, setting forth their determination in the matter mentioned in said petition, according to the provisions of Section 68 of an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Highways," approved March 8, 1905; and, be it further

REMEMBERED, That, afterwards, to-wit, on the 24th day of November, 1914, in the matter entitled above, the following proceedings were had before said Board of Commissioners, to-wit:

In the matter of the improvement of Bethel Avenue, etc., in Center Township, on the petition of George W. Huggins, et al.;

Come now Paul Julian, as civil engineer, and Eli Reynolds and George D. Hardin, as viewers, recently appointed as such herein, and severally make and subscribe an oath to faithfully and impartially to discharge his duties as such; which oath is in the words and figure following, to-wit:

Before the Board of Commissioners, of the County of Marion, in the State of Indiana, in the matter of the improvement of Bethel Avenue, etc., in Center Township, on the petition of George W. Huggins, et al.;

We, Paul Julian, as civil engineer, and Eli Reynolds and George D. Hardin, as viewers, recently appointed as such by the Board of Commis-

sioners, aforesaid, in the matter above entitled, severally swear that we will faithfully and impartially discharge our duties.

PAUL JULIAN,  
ELI REYNOLDS,  
GEORGE D. HARDIN.

Sworn to and subscribed by Paul Julian, Eli Reynolds and George D. Hardin, before me, this 24th day of November, 1914.

W. T. PATTEN,  
*Auditor of the County of Marion, in the State of Indiana.*

And now comes Paul Julian, aforesaid, and files with the Auditor of this county his bond, duly executed, with Charles E. Haugh and George D. Hardin, as sureties, approved by said Auditor, payable to the State of Indiana, in the penal sum of five thousand (\$5,000) dollars, conditioned for the faithful discharge of his duties as such engineer, which bond is in the words and figures following, to-wit:

KNOW ALL MEN BY THESE PRESENTS, That we, Paul Julian, as principal, and Charles E. Haugh and George D. Hardin, as sureties, are held and firmly bound to the State of Indiana, in the penal sum of five thousand (\$5,000) dollars, for the payment of which, without any relief from valuation or appraisal laws, we jointly and severally bind ourselves, our heirs, administrators, executors and personal representatives.

The conditions of the above and foregoing obligations are as follows, to-wit:

WHEREAS, Paul Julian has been appointed by the Board of Commissioners of the County of Marion, in the State of Indiana, as civil engineer, to act as such with two viewers by said board likewise appointed in the matter of the improvement of Bethel Avenue and another highway in Center Township of said county, on the petition of George W. Huggins, et al.:

Now, if the said Paul Julian shall faithfully discharge his duties as such civil engineer, the above and foregoing obligation shall be void and of no effect; otherwise, to be and to remain in full force and effect.

IN WITNESS WHEREOF, We, Paul Julian, as principal, and Charles E. Haugh and George D. Hardin, as sureties, have hereunder set our hands and seals this, the 24th day of November, A. D., 1914.

PAUL JULIAN,  
CHARLES E. HAUGH,  
GEORGE D. HARDIN.

Approved by me, this 24th day of November, 1914.

W. T. PATTEN,  
*Auditor of the County of Marion, in the State of Indiana.*

And it is further ordered by this board that the engineer and viewers, aforesaid, shall proceed without delay to view and make all needful surveys of the roads mentioned in the said petition, and discharge and perform the duties, all and singular, specified or implied in Section 68 of an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Highways," approved March 8, 1905 (Acts, 1905, page 552, also Burns' Annotated Indiana Statutes, Revision of 1914, Section 7717); and specified or implied in all other statutes, sections or laws of the State of Indiana, now in force, or hereafter, during such performance as shall be in force, so far as the same shall appertain to said performance.

And the Auditor of this county is hereby ordered to issue duly certified transcripts of the proceedings herein as follows:

1. One to the civil engineer and viewers, aforesaid.
2. One to the City of Indianapolis; and
3. One to the town of Beech Grove.

And, of their doings herein, the said engineer and viewers shall file their report in writing, signed by each of them, in the office of the Auditor of this county, on the 22nd day of December, 1914.

(Signed) JOHN KITLEY,  
JAMES KERVAN,  
CHARLES MAGUIRE,

*Board of Commissioners of the County of Marion.*

I, William T. Patten, Auditor of the County of Marion, in the State of Indiana, do hereby certify that the above and foregoing is a full, true and complete transcript of the proceedings in the above entitled matter, as shown by the records and files now in my legal custody.

IN WITNESS WHEREOF, I have hereunto set my official signature and affixed the seal of said county, this the 24th day of November, 1914.

W. T. PATTEN,

*Auditor of the County of Marion, in the State of Indiana.*

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. 37, 1914, for second reading. It was read a second time.

Mr. Barry moved that Appropriation Ordinance No. 37, 1914, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 37, 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. Barry called for General Ordinance No. 65, 1914, for second reading. It was read a second time.

Mr. Barry moved that General Ordinance No. 65, 1914, be amended as recommended by the Committee. Carried.

Mr. Barry moved that General Ordinance No. 65, 1914, be ordered engrossed, as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 65, 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. Lee called for General Ordinance No. 68, 1914, for second reading. It was read a second time.

Mr. Lee moved that General Ordinance No. 68, 1914, be ordered engrossed, read a third time, and placed upon its passage. Carried.

General Ordinance No. 68, 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. Lee moved that Resolution No. 10, 1914, be adopted.

Resolution No. 10, 1914, was adopted by the following vote:

Ayes, 8, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Lee, Graham and President John F. Connor.

Noes, 1, viz.: Mr. Shea.

Mr. Porter called for General Ordinance No. 64, 1914, for second reading. It was read a second time.

Mr. Porter moved that General Ordinance No. 64, 1914, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 64, 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.

On motion of Mr. Porter, the Common Council, at 9:30 o'clock P. M., adjourned.

*John F. Connor*  
President.

ATTEST:

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

