

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.,

MONDAY, November 1, 1915.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 1, 1915, at 7:30 o'clock in regular session, President Thomas C. Lee in the chair.

President Lee called the Council to order and instructed the Sergeant-at-Arms to bring Councilman McGuff to the rostrum.

The members of the Council, through Councilman Shea, then presented Councilman McGuff with a beautiful set of silverware as an expression of their good will and esteem on the occasion of his marriage to Mrs. Mary E. Asher.

The Clerk called the roll.

Present: The Hon. Thomas C. Lee, President of the Common Council, and 8 members, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Connor, 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., October 21, 1915.

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

GENTLEMEN—I have approved and signed Appropriation Ordinance No. 24, 1915, the same being an ordinance entitled, "An ordinance appropriating \$10,000 to the Department of Public Works for a bridge over Pleasant Run at Villa Avenue, and fixing a time when the same shall take effect."

I return the said ordinance herewith.

Yours very truly,

J. E. BELL,  
Mayor.

## REPORTS FROM CITY OFFICERS.

From City Controller:

FINANCE DEPARTMENT,

CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., November 1, 1915.

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

GENTLEMEN—I submit herewith letter from the Board of Public Works, requesting transfers of the following amounts from the Electric, Gas and Vapor Light fund, (1) to City Civil Engineer Corps and Office Salaries, \$3,700; (2) to City Civil Engineer Inspectors' Salaries, \$3,000; (3) to Water, \$8,000. I recommend these transfers and inclose ordinance providing for them.

Respectfully submitted,

J. P. DUNN,  
City Controller.

DEPARTMENT OF PUBLIC WORKS,

OFFICE OF THE BOARD.

INDIANAPOLIS, IND., November 1, 1915.

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

DEAR SIR—You are hereby requested to recommend to the Common Council the passage of an ordinance recommending the transfer of the

following items to funds as noted below, from the Electric, Gas and Vapor Light fund:

\$3,700.00 to the City Civil Engineer Corps and Office Salaries;  
3,000.00 to the City Civil Engineer Inspectors' Salaries;  
8,000.00 to the Water fund.

Yours very truly,  
HUBERT S. RILEY,  
GEO. B. GASTON,  
*Board of Public Works.*

From City Controller:

FINANCE DEPARTMENT,  
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., November 1, 1915.

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

GENTLEMEN—I hand you herewith letter from the Board of Public Works requesting an appropriation of \$1,435.86 to pay a judgment against the city in favor of Lottie B. Hervey. I recommend the appropriation and inclose ordinance providing for same.

Respectfully submitted,

J. P. DUNN,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., November 1, 1915.

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

DEAR SIR—I am directed by the Board of Public Works to request that you recommend to the Common Council the passage of an ordinance appropriating the sum of one thousand four hundred thirty-five dollars ninety-eight cents (\$1,435.98) to pay judgment and costs in the suit of Lottie B. Hervey against the City of Indianapolis on account of the opening and extension of Hervey street, under Declaratory Resolution No. 7306.

This decree against the city was entered in the Marion Circuit Court in Cause No. 23989, and the board is in receipt of a letter from the corporation counsel requesting that settlement be made without delay.

Very truly yours,  
JOSEPH P. TURK,  
*Clerk, Board of Public Works.*

From City Controller :

FINANCE DEPARTMENT,  
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., November 1, 1915.

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

GENTLEMEN—I hand you herewith letter from the Board of Public Works requesting an issue of \$50,000 of bonds for the extension of Washington Street Bridge over White River. I recommend the issue and appropriation of the proceeds of the bonds for this purpose, and inclose ordinance providing for same.

Respectfully submitted,

J. P. DUNN,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., November 1, 1915.

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

DEAR SIR—You are hereby requested to recommend to the Common Council the passage of an ordinance authorizing a bond issue of \$50,000.00 to pay for the extension of the West Washington Street Bridge which is being constructed under a resolution for flood prevention. The contract price of this extension is \$110,000.00; 45 per cent of this amount is \$49,500.00.

Yours very truly,

JOSEPH P. TURK,  
*Clerk, Board of Public Works.*

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

INDIANAPOLIS, IND., October 25, 1915.

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

GENTLEMEN—We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 26, 1915, entitled "An ordinance appropriating \$3,500 to the Department of Law for Judgments, Compromises and Costs, and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

Respectfully submitted,

JOHN F. CONNOR,  
FRANK GRAHAM,  
MICHAEL J. SHEA,

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

From the Committee on Finance :

INDIANAPOLIS, IND., October 25, 1915.

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

GENTLEMEN—We, your Committee on Finance, to whom was referred General Ordinance No. 52, 1915, entitled "An ordinance transferring funds and making appropriations for the Department of Public Safety, and fixing the time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

Respectfully submitted,

JOHN F. CONNOR,  
FRANK GRAHAM,  
MICHAEL J. SHEA,

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

From the Committee on Finance :

INDIANAPOLIS, IND., October 25, 1915.

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

GENTLEMEN—We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 25, 1915, entitled "An ordinance making additional appropriations to the Department of Public Works, and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

Respectfully submitted,

JOHN F. CONNOR,  
FRANK GRAHAM,  
MICHAEL J. SHEA,

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

## INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller :

Appropriation Ordinance No. 27, 1915: An ordinance appropriating \$1,435.98 to the Department of Public Works to pay a judgment of Lottie B. Hervey against the city, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis that there be and is hereby appropriated to the Department of Public Works the sum of \$1,435.98 to pay a judgment against the city in favor of Lottie B. Hervey.

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 City Controller :

General Ordinance No. 55, 1915: An ordinance transferring funds of the Department of Public Works, and reappropriating the same, and fixing a time when this ordinance shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be and hereby is transferred from the Electric, Gas and Vapor Light fund of the Department of Public Works the sum of \$14,700, and the same is hereby reappropriated to the following named funds of said department, to wit: To City Civil Engineer Corps and Office Salaries, \$3,700; to City Civil Engineer Inspectors' Salaries, \$3,000; to Water, \$8,000.

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 :

General Ordinance No. 54, 1915: An ordinance authorizing the sale of fifty (50) bonds of one thousand dollars (\$1,000) each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, from the sinking fund of said city, or as may be required by law, for the purpose of procuring money to be used in an extension of the bridge over White River at Washington Street, and work thereunto appertaining, and providing for the time and manner of advertising, sale of bonds and the receipt of bids for the same, together with the mode and terms of sale, and fixing a time when the same shall take effect.

WHEREAS, It is necessary to the safety and convenience of the public that an extension of the bridge over White River at Washington Street be constructed; and

WHEREAS, There is not now, and will not be, sufficient funds in the treasury of the City of Indianapolis with which to meet the aforesaid expenditures for such public welfare, and it being necessary for the City of Indianapolis to borrow the sum of fifty thousand dollars (\$50,000) in order to procure such a fund to be devoted to such purposes, and to issue and sell its bonds in such an amount, payable from the general revenues and funds of said city or from the sinking fund, or as may be required by law; therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the City Controller of said city be and is hereby authorized, for the purpose of procuring money to be used for the purpose of extending the bridge over White River at Washington Street to prepare and sell fifty (50) new bonds of the City of Indianapolis, Marion County, Indiana, of the sum of one thousand dollars (\$1,000) each, which bonds shall bear date of November 15, 1915, and shall be numbered from one (1) to fifty (50) both inclusive; shall be designated as "Extension Bonds of 1915" shall mature on July 1, 1925, and shall bear interest at four per cent. per annum, payable semi-annually, and said installments of interest shall be evidenced by interest coupons attached to said bonds, and the first coupon attached to each bond shall be for the interest on said bond from date of issue until the first day of January, 1916. Said bonds and interest coupons shall be negotiable and payable at the Indiana Trust Company, Indianapolis, Indiana. Said bonds shall be signed by the Mayor and City Controller of said City of Indianapolis, and attested by the City Clerk, who shall affix the seal of said city to each of said bonds, and the interest coupons attached to said bonds shall be authenticated by a lithographic fac simile of the signatures of the Mayor and City Controller of said city engraven thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof. Said bonds shall be prepared by the City Controller in due form, irrevocably pledging the faith and credit of the City of Indianapolis to the payment of the principal and interest stipulated therein respectively.

It shall be the duty of the City Controller at the time of the issue and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with number one (1), giving also the date of their issuance, their amount, date of maturity, rate of interest and the time and place where said interest shall

be payable; said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before the issuance thereof:

No. ----- \$1,000.00

UNITED STATES OF AMERICA, CITY OF INDIANAPOLIS,  
MARION COUNTY, STATE OF IINDIANA,  
BRIDGE EXTENSION BONDS OF 1915.

For value received, the City of Indianapolis in Marion County, in the State of Indiana, hereby promises to pay to the bearer, without any relief from valuation and appraisal laws, on July 1, 1925, at the Indiana Trust Company, Indianapolis, Indiana, one thousand dollars (\$1,000) in lawful money of the United States of America, together with interest thereon at the rate of four per cent. (4%) per annum from date until paid, the first interest payable on the first day of January, 1916, and the interest thereafter payable semi-annually on the first day of January and July, respectively, upon the presentation and surrender of the proper interest coupons hereunto attached, and which are made a part of this bond.

This bond is one of an issue of fifty (50) bonds, of one thousand dollars (\$1,000) each, numbered from one (1) to fifty (50) both inclusive, of date November 15, 1915, issued by said City of Indianapolis, pursuant to an ordinance passed by the Common Council of the city on -----, and an act of the General Assembly of the State of Indiana, entitled, "An Act concerning municipal corporations," approved March 6, 1905, and all acts supplemental thereto and amendatory thereof.

It is hereby certified that all conditions, acts and things essential to the validity of this bond exist, have happened and have been done, and that every requirement of law affecting the issuance hereof has been duly complied with, and that this bond is within every debt and other limit prescribed by the Constitution and the laws of the State of Indiana, and that the faith and credit of the City of Indianapolis, Indiana, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, The Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and the City Controller, and attested by the City Clerk, and the corporate seal of the said city to be hereunto affixed this, as of the 15th day of November, 1915.

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*Mayor.*

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*City Controller.*

Attest:

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*City Clerk.*

SECTION 2. The City Controller shall, as soon as practicable after the passage of this ordinance, advertise for bids or proposals for said bonds by at least one insertion each in two daily newspapers of general circulation, printed and published in the City of Indianapolis, and may otherwise advertise for such bids, or proposals, as he may deem advisable. Said



advertisement shall describe said bonds with such minuteness and particularity as the City Controller may see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they shall bear, that the bidder may bid for all or any part of said bonds, the date of opening bids or proposals therefor, the right of the City Controller to reject any or all bids, the amount of deposit each bidder will be required to make, and when and where the bonds shall be delivered and paid for.

SECTION 3. Each and every bid and proposal shall be presented to the City Controller sealed, and shall be accompanied by a duly certified check upon some responsible bank of the City of Indianapolis, Indiana, payable to the order of the City Treasurer, for the sum of money which shall equal two and one-half ( $2\frac{1}{2}$ ) per centum of the face or par value of the bonds bid for, or proposed to be purchased. The City Controller shall continue to receive bids or proposals therefor at the office of the City Controller until 12 o'clock noon on the day fixed by the City Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between the said hour and 2 p. m. of said day he shall open said bids or proposals. The City Controller shall award said bonds, or, if he shall see fit, a part or any number thereof, to the highest and best bidder therefor, but said City Controller shall have full right to reject any and all such bids or proposals, or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole, or a less number of bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also in his judgment and discretion, award a part of said bonds to one bidder and a part to another. The provisions shall apply to the case of reoffering and readvertising of said bonds as hereinafter provided.

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

SECTION 5. In case any bid or proposal shall not be accepted and there shall be no award of bonds thereon by the City Controller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the City Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same, and shall hold the proceeds collected thereon until the completion of the purchase and the payment of the bonds so awarded. If for any reason said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of the contract for the purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to readvertise said bonds for sale at once, and shall, in such event, retain said check, and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the city. In case any successful bidder shall fail to complete the purchase of the bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the City Controller, as herein provided, the proceeds of such certified check deposited by such bidder shall be taken, considered and deemed as

agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder, or, at the option of the City Controller, at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

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

SECTION 7. The bonds taken and paid for to the satisfaction of the City Controller shall be binding obligations upon the said City of Indianapolis, according to their tenor and effect.

SECTION 8. The proceeds of the sale of said bonds is hereby appropriated to the Department of Public Works for the extension of said bridge.

SECTION 9. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

#### ORDINANCES ON SECOND READING.

Mr. Connor called for Appropriation Ordinance No. 25, 1915, for second reading. It was read a second time.

Mr. Connor moved that Appropriation Ordinance No. 25, 1915, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 25, 1915, was read a third time and passed by the following vote:

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

Mr. Connor called for Appropriation Ordinance No. 26, 1915, for second reading. It was read a second time.

Mr. Connor moved that Appropriation Ordinance No. 26, 1915, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 26, 1915, was read a third time and passed by the following vote:

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

Mr. Connor called for General Ordinance No. 52, 1915, for second reading. It was read a second time.

Mr. Connor moved that General Ordinance No. 52, 1915, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 52, 1915, was read a third time and passed by the following vote:

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

On motion of Mr. Porter, the Common Council, at 8:15 o'clock  
P. M., adjourned.

*Thomas C. Lee*

*President.*

ATTEST:

*Thomas A. Riley*

*City Clerk.*

