

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, July 7, 1919.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, July 7, 1919, at 7:30 o'clock in regular session, President Wm. B. Peake in the chair.

Present: The Hon. Wm. B. Peake, President of the Common Council, and eight (8) members, viz.: Messrs. Kirsch, Willson, Miller, Schmidt, Furniss, Pettijohn, Brown and Carnefix.

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

COMMUNICATIONS FROM THE MAYOR.

June 19, 1919.

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

Gentlemen: I have this day signed and delivered to Mr. George O. Hutsell, City Clerk, General Ordinance No. 32 and General Ordinance No. 39.

Yours very truly,

CHARLES W. JEWETT.

REPORTS FROM CITY OFFICERS.

From City Controller:

July 7, 1919.

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

Gentlemen: I hand you herewith, a request from the Board of Public Safety, asking for the appropriation of Eighty (\$80.15) Dollars and Fifteen Cents, for the purpose of defraying the expenses of Edward McGuff, as a delegate to the Twelfth Annual Conference of National Weights and Measures Inspectors, May 21, 22, 23 and 24, 1919, at Washington, D. C.

I submit you also, an ordinance calling for above appropriation and recommend its passage.

Yours very truly,

ROBT. H. BRYSON,  
City Controller:

July 7, 1919.

Robert H. Bryson, City Controller, City.

Dear Sir: You are hereby requested to recommend to the Common Council, the passage of an ordinance appropriating the sum of \$80.15 for the purpose of defraying the expense of Edward McGuff, he having been delegated by the Board of Public Safety to attend the Twelfth Annual Conference of National Weights and Measures Inspectors; May 21, 22, 23 and 24, 1919, at Washington, D. C.

Yours very truly,

A. L. TAGGART,  
President Board of Public Safety.

July 7, 1919.

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

Gentlemen: I hand you herewith a request from the Board of Public Safety, asking for the appropriation of One Hundred Five Dollars and Fourteen Cents (\$105.14) for the purpose of defraying the expenses of Clara Burnside, as a delegate to the National Conference of Social Work and the International Association of Policewomen.

I submit you also, an ordinance calling for above appropriation and recommend its passage.

Yours very truly,

ROBT. H. BRYSON,  
City Controller.

July 3, 1919.

Robert H. Bryson, City Controller, City.

Dear Sir: You are hereby requested to recommend to the Common Council, the passage of an ordinance appropriating the sum of One Hundred Five Dollars and Fourteen Cents (\$105.14) for the purpose of defraying the expenses of Clara Burnside, she having been delegated by the Board of Public Safety to attend the National Conference of Social Work and the International Association of Policewomen, held at Atlantic City, New Jersey, May 31st to June 8th, inclusive, 1919.

Yours very truly,

A. L. TAGGART,  
President Board of Public Safety.

July 7, 1919.

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

Gentlemen: I hand you herewith a request from the Board of Public Safety, asking for the appropriation of One Hundred Ten Dollars and Forty Cents (\$110.40), for the purpose of defraying the expenses of John C. Loucks, Chief of Fire Force, as a delegate to the International Association of Fire Engineers.

I submit you also an ordinance calling for above appropriation and recommend its passage.

Yours very truly,

ROBT. H. BRYSON,

City Controller.

July 3, 1919.

Robert H. Bryson, City Controller, City.

Dear Sir: You are hereby requested to recommend to the Common Council, the passage of an ordinance appropriating the sum of One Hundred Ten Dollars and Forty Cents (\$110.40) for the purpose of defraying the expenses of John C. Loucks, Chief of Fire Force, he having been delegated by the Board of Public Safety, to attend the convention of the International Association of Fire Engineers, held in Kansas City, Missouri, during the week of June 23rd, 1919.

Yours very truly,

A. L. TAGGART,

President Board of Public Safety.

July 7, 1919.

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

Gentlemen. I hand you herewith, a communication from the Board of Public Works, asking for the passage of an ordinance, calling for the appropriation of Thirty-five Hundred (\$3500.00) Dollars, to a fund to be known as Bridge Repair fund.

I submit you also herewith, an ordinance, calling for above amount, and recommend its passage.

Yours very truly,

ROBT. H. BRYSON,

City Controller.

July 3, 1919.

Robert H. Bryson, City Controller, City.

Dear Sir: I am transmitting herewith, for submission to the Common Council, an ordinance appropriating the sum of \$3500.00 to the Bridge

Repair Fund, for the purpose of paying for the painting of the bridges along the White River Boulevard.

Yours truly,

W. F. CLEARY,  
Clerk, Board of Public Works.

July 7, 1919.

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

Gentlemen: I hand you herewith, a communication from the Board of Public Works, asking for the appropriation of Sixty-four Hundred and Twenty-five Dollars (\$6425.00) for the purpose of purchasing maps, plats and tracings from Miss Linnie Cecil.

I submit you also an ordinance, calling for above, and recommend its passage.

Yours very truly,

ROBT. H. BRYSON,  
City Controller.

July 7, 1919.

Robert H. Bryson, City Controller, City.

Dear Sir: I am submitting herewith for your approval and transmission to the Common Council an ordinance authorizing the purchase from one Linnie Cecil certain books of tracings, maps, plats and negatives of the City of Indianapolis and Marion County, and appropriating the sum of \$6425.00 for payment of the same.

Yours truly,

W. F. CLEARY,  
Clerk, Board of Public Works.

July 7, 1919.

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

Gentlemen: I hand you herewith a communication from the Board of Public Safety, requesting the transfer of Eight Hundred Dollars (\$800.00) from the Building Department Salary fund to the Building Department Printing, Stationery and Misc. fund.

I submit you also an ordinance calling for the above transfer, and recommend its passage.

Yours very truly,

ROBT. H. BRYSON,  
City Controller.



July 3, 1919.

Robert H. Bryson, City Controller, City.

Dear Sir: You are hereby requested to recommend to the Common Council, the passage of an ordinance transferring the sum of Eight Hundred Dollars (\$800.00) from the Building Department Salary Fund to the Building Department Printing, Stationery and Miscellaneous Fund, of the Department of Public Safety.

Yours very truly,

A. L. TAGGART,  
President Board of Public Safety.

July 7, 1919.

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

Gentlemen: I submit you herewith a communication, from the Department of Public Purchase, asking for the appropriation of One Hundred Seventy-five (\$175.00) Dollars, to the Salary Fund of said Department.

I submit also, an ordinance calling for above amount and recommend its passage.

Yours very truly,

ROBT. H. BRYSON,  
City Controller.

June 17, 1919.

Robert H. Bryson, City Controller, City.

Dear Sir: I am submitting herewith for transmission to the Common Council an ordinance providing the employment of emergency help as may be necessary this summer in this office with authority for paying the salary out of the fund already appropriated to the salary fund of this department.

Yours very truly,

D. S. RITTER,  
Department of Public Purchase. City Purchasing Agent.

From Board of Public Works:

July 7, 1919.

Mr. George O. Hutsell, City Clerk, City.

Dear Sir: I am submitting herewith, for transmission to the Common Council, the following ordinances:

Ordering the Board of Public Works to improve North Street from the east property line of Noble Street to the west property line of Pine Street, Improvement Resolution No. 9189.

Ordering the Board of Public Works to improve Shelby Street from the south property line of the first alley south of Prospect Street, running west, to Pleasant Run Bridge, Improvement Resolution No. 9186.

Ordering the Board of Public Works to improve College Avenue from the south curb line of 25th Street to the south property line of 28th Street, Improvement Resolution No. 9241.

Ordering the Board of Public Works to improve Washington Street from thirty-three feet west of the west property line of Cruse Street to the east property line of Highland Avenue, Improvement Resolution No. 9246.

Ordering the Board of Public Works to improve North Street from the east property line of Pennsylvania Street to the west property line of Massachusetts Avenue, Improvement Resolution No. 9217.

Ordering the Board of Public Works to improve Meridian Street from the first alley north of Merrill Street to McCarty Street, Improvement Resolution No. 9221.

Yours truly,

W. F. CLEARY,  
Clerk, Board of Public Works.

#### REPORTS OF SPECIAL COMMITTEES.

The Committee on Market Matters submitted the following opinion from Mr. Ashby, Corporation Counsel:

July 2, 1919.

To the Members of the Common Council of the City of Indianapolis.

Gentlemen: Pursuant to your request for an opinion as to the rights and duties of the Common Council concerning the regulation and management of public markets and market places, will say that I have considered all the provisions of the City Charter relating to public market houses and their regulation and management under the law by the legislative and executive or administrative departments of the city.

There are specific provisions in the Charter relating to the duties and powers of the Common Council. There are also provisions conferring certain powers on the Board of Public Works and provisions concerning the rights and powers of the Board of Public Safety. All these provisions must be read and construed together in order to get the full intent and meaning of any one provision, and it is well to bear in mind that the Charter, as written, was written for the government and control of cities of the first, second, third, fourth and fifth classes, that the City of Indianapolis is a City of the first class, and that under the general charter the Common Council of cities of the fifth class, for

instance, is given the right to perform certain executive and administrative functions, while the same right is not given to the Common Council in cities of the first class. The provisions of Section 8655, Burns' R. S. 1914, Clauses 20 and 51, are as follows:

20. "To direct the location and regulate the management of all public markets and market places, whether established by the city or by private individuals. To prevent the offenses of regrating and forestalling."

51. "To establish, maintain and regulate pounds, market-houses, market-places, houses of refuge, pest houses, hospitals, dispensaries, engine houses and all other public city institutions."

These sections, so far as they relate to the Common Council of the City of Indianapolis, refer purely to legislative powers and do not confer any executive or administrative powers upon the Council. In other words, the Common Council has the right to pass any reasonable ordinance for the regulation and management of public markets, and when such ordinance was passed, it would be the duty of the Board of Public Safety, under the provisions of Section 8779, Burns' R. S. 1914, to enforce the provisions of the ordinance passed by the Council.

It might appear, without a close study of the provisions of the Charter, that the provisions granting powers to the Board of Public Works and the provisions relating to the duties and powers of the Board of Public Safety, were in conflict. However, we are of the opinion that this is not the case. On this question the Board of Public Safety and the Board of Public Works requested an opinion from the Legal Department, which was given on the 28th day of March, 1919, and was as follows:

"In answer to your request for an opinion on the law relating to the letting of contracts for additions, repairs and improvements on the city market house, will say that we are of the opinion that this duty rests with the Board of Public Works.

Under Section 8896, which specifically gives the Board of Works the power:

'(3d) To design, order, contract for and execute the improvements or repairs of any property, real or personal, belonging to or used by such city, and the erection of all buildings for public purposes,' etc.

While it is true that 8779 might be construed to vest in the Board of Public Safety the right to make all needed repairs in its department, we are of the opinion that the two sections should be

construed together, and that inasmuch as the City Charter, as a whole, has been consistently construed by all the departments of the City to vest this power in the Board of Public Works, and appropriations by the Common Council have always been made accordingly, we are of the opinion that this construction should be adhered to and followed in the matter of letting contracts for the improvement and repairs of the market house.

We are of the opinion that the Board of Public Safety and the Board of Public Works should cooperate in this matter, and inasmuch as the operation of the market house is under the supervision and control of the Board of Safety, and they are familiar with the needs of the same, they should prepare and submit to the Board of Works details, plans, and suggestions covering the needed improvements and repairs to the market house, but that the actual letting of the contract for the work, and the supervision and control of the contract when let, is the duty of the Board of Public Works."

We are therefore of the opinion that:

First. The powers and duties of the Common Council of the City of Indianapolis relating to public markets, under Clauses 20 and 51 of Section 8655, are purely legislative and that under these sections they have no executive or administrative functions.

Second. That under Clauses 1, 2 and 3 of Section 8696, Burns' R. S. 1914, the Board of Public Works has the power and it is their duty to design, order and contract for and execute the improvements or repairs on the public market house.

Third. That the Board of Safety, under Section 8779, after the market house is constructed or repaired under the direction and contract of the Board of Public Works, has the exclusive care, management, supervision and control thereof, and it would be its duty to enforce any reasonable ordinance passed by the Council for the regulation of the same.

Fourth. Of course the Board of Public Works has no power or right to make any contract for the construction of a market house or the repair of the same unless the money has been appropriated by the Common Council for that purpose. Such appropriation could be made by a general appropriation ordinance for the year, or, if recommended by the Mayor and Controller, by a specific appropriation ordinance for that purpose.

Respectfully submitted.

SAMUEL ASHBY,  
Corporation Counsel.



## INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller :

Appropriation Ordinance No. 21, 1919.

An Ordinance, appropriating the sum of Eighty Dollars and Fifteen Cents (\$80.15) to the Department of Public Safety for the purpose of reimbursing Edward McGuff for his expenses as a Delegate to a certain Convention and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Ind. :*

Section 1. That there be and is hereby appropriated to the Department of Public Safety the sum of Eighty Dollars and Fifteen Cents (\$80.15) for the purpose of reimbursing Edward McGuff, Inspector of Weights and Measures of the City of Indianapolis, wherein he spent said sum as a delegate for the City of Indianapolis in attending the twelfth annual conference of the National Weights and Measures Inspectors, May 21st, 22nd, 23rd and 24th, 1919, in Washington, D. C.

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

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

By City Controller :

Appropriation Ordinance No. 22, 1919.

An Ordinance, appropriating the sum of One Hundred Five Dollars and Fourteen Cents (\$105.14) to the Department of Finance, for the purpose of defraying the expenses of a Delegate to a certain Convention and providing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Ind. :*

Section 1. That there be and is hereby appropriated the sum of One Hundred Five Dollars and Fourteen Cents (\$105.14) to the Department of Finance, for the purpose of paying the expenses of Clara Burnside, a delegate sent for and in behalf of the City of Indianapolis to the Convention of the National Conference of Social Work and the International Association of Policewomen, held in Atlantic City, New Jersey, May 31st to June 8th, inclusive, 1919.

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

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

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By City Controller :

Appropriation Ordinance No. 23, 1919.

An Ordinance, appropriating the sum of One Hundred Ten Dollars and Forty Cents (\$110.40) to the Department of Public Safety for the purpose of paying the expenses of John C. Loucks, Chief of the Fire Department, as a Delegate of the City of Indianapolis to a certain Convention, and declaring a time when the same shall take effect.

Section 1. *Be it Ordained by the Common Council of the City of Indianapolis, Indiana,* That there be and is hereby appropriated the sum of One Hundred Ten Dollars and Forty Cents (\$110.40) to the Department of Public Safety for the purpose of reimbursing John C. Loucks, Chief of the Fire Department of said City, for his expenses incurred as a Delegate of said City, in attending the Convention of the International Association of Fire Engineers held in Kansas City, Mo., during the week of June 23, 1919.

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

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

By City Controller :

Appropriation Ordinance No. 24, 1919.

An Ordinance, appropriating the sum of Thirty-five Hundred Dollars (\$3500.00) to the Bridge Repair Fund of the Board of Public Works, and declaring a time when the same shall take effect.

Section 1. *Be it Ordained by the Common Council of the City of Indianapolis, Indiana,* That there be and is hereby appropriated the sum of Thirty-five Hundred Dollars (\$3500.00) to the Bridge Repair fund of the Board of Public Works for the purpose of paying for the painting of the bridges along the White River Boulevard.

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

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

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By City Controller :

General Ordinance No. 44, 1919.

An Ordinance, ratifying, confirming and approving a certain contract and agreement made and entered into on the-----day of April, 1919, between the City of Indianapolis, by and through its Board of Public Works and Linnie Cecil, whereby said City is authorized to purchase from said Linnie Cecil certain books of tracings, maps, plats, and negatives of the City of Indianapolis and Marion County, Indiana, and appropriating Six Thousand, Four Hundred and Twenty-five Dollars (\$6,425.00) for 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 Whereas, heretofore on the-----day of April, 1919, the City of Indianapolis, by and through its Board of Public Works entered into a certain contract with Linnie Cecil, which contract is in words, and figures following, to-wit:

#### CONTRACT

This contract, made and entered into this-----day of April, 1919, by and between the City of Indianapolis, by and through its Board of Public Works, party of the first part, and Linnie Cecil, party of the second part, Witnesseth:

That the party of the second part hereby agrees to sell, transfer and deliver to the party of the first part the following: twenty-five (25) books of tracings of City of Indianapolis and Marion County, over One Thousand (1,000) pages to May 15, 1918, with negatives of same in VanDyke brown for making plat-books used in City offices; twenty-five (25) pasteboard, cloth-bound cases for holding tracings and negatives; one (1) tracing and negative of Map of City of Indianapolis, Scale four inches (4") mile up to December 1, 1917, and tin case for holding it; one (1) tracing and negative of Map of City of Indianapolis, scale Six Hundred Feet (600') to inch up to May 1, 1917, and tin case for holding it; one (1) tracing and negative of map of Marion County (four parts); Three Hundred and Seventy-five (375) Maps (tinned) of Original City of Indianapolis; one (1) etching of Original City of Indianapolis, for and in consideration of which the party of the first part hereby agrees to pay the party of the second part the sum of Six Thousand, Four Hundred and Twenty-five Dollars (\$6,425.00) on or before the-----day of-----, 1919.

This contract on the part of the City is made subject to the approval thereof by the Common Council of said City, and appropriation of necessary funds to pay the same.

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In Witness Whereof, the parties have hereunto set their hands this the\_\_\_\_\_day of April, 1919.

CITY OF INDIANAPOLIS.

By\_\_\_\_\_

Board of Public Works, Party of the First Part.

-----  
Party of the Second Part.

Sec. 2. That the foregoing contract and agreement made and entered into on the\_\_\_\_\_day of April, 1919, between the City of Indianapolis, by and through its Board of Public Works and Linnie Cecil, is hereby in all things ratified, confirmed and approved in accordance with the terms, provisions and conditions thereof.

Sec. 3. That the sum of Six Thousand, Four Hundred Twenty-five Dollars (\$6,425.00) is hereby appropriated to the Department of Public Works to be used by said Department to pay the contract price to sand Linnie Cecil, as provided in the above mentioned contract.

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

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

By City Controller:

General Ordinance No. 45, 1919.

An Ordinance, transferring the sum of Eight Hundred Dollars (\$800.00) from the Building Department Salary Fund to the Building Department Printing, Stationery, Misc., fund of the Department of Public Safety, and declaring 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 transferred the sum of Eight Hundred Dollars (\$800.00) from the Building Department Fund of the Department of Public Safety, and that said sum be transferred to and reappropriated to the Building Department Printing, Stationery and Misc., fund of the Department of Public Safety.

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

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



By City Controller :

General Ordinance No. 46, 1919.

An Ordinance, Authorizing the employment of an Extra Clerk in the Department of Public Purchase, and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Ind. :*

Section 1. That the Department of Public Purchase of the City of Indianapolis, at intervals during the months of June, July, August and September, 1919, is hereby authorized to employ an extra clerk at a salary not to exceed Eighteen Dollars (\$18.00) a week; provided, however, that such employment or employments shall not exceed a total expenditure of One Hundred Seventy-five Dollars (\$175.00); and provided, further, that such salary shall be paid out of the salary fund of the Department of Public Purchase.

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

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

By Board of Public Works :

General Ordinance No. 47, 1919.

On Ordinance, ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve North Street from the east property line of Noble Street to the west property line of Pine Street, except crossing at Fulton and Davidson Streets, by resurfacing the roadway and wings of intersecting streets and alleys with wooden block, asphalt, bituminous concrete or brick, as provided for under Improvement Resolution No. 9189, adopted May 5th, 1919.

Section 1. *Be it Ordained by the Common Council of the City of Indianapolis, Indiana,* That, whereas, the Board of Public Works of the City of Indianapolis did, on the 5th day of May, 1919, adopt Resolution No. 9189 for the improvement of North Street from the east property line of Noble Street to the west property line of Pine Street by resurfacing the roadway and wings of intersecting streets and alleys with wooden block, asphalt, bituminous concrete or brick; and whereas, the said Board of Public Works did at the same time fix May 23rd, 1919, at 10 o'clock A. M. as the time to hear all persons interested or whose property is liable to be affected by said improvement, and notice of the passage of said resolution and of the said time for hearing was given by publica-

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tion and notices by mail as provided by law; and whereas, said Board of Public Works met for said hearing on the said day as provided in said notice, when said Board of Public Works, in regular session, took final action on said resolution, the same being confirmed without modification; and whereas, within ten (10) days after the day named for hearing upon said resolution, a written remonstrance signed by more than a majority in number of the resident freeholders on said street was filed with the Board of Public Works against said improvement; and whereas, the Board of Public Works has submitted to the Common Council of the City of Indianapolis, for its consideration and action thereon, this ordinance ordering the Board of Public Works to proceed with the improvement of said street under the resolution.

Now, therefore, be it further ordained by the Common Council of the City of Indianapolis that the Board of Public Works of the City of Indianapolis be and the same is hereby ordered to improve North Street from the east property line of Noble Street to the west property line of Pine Street, except crossing at Fulton and Davidson Streets, by resurfacing the roadway and wings of intersecting streets and alleys with wooden block, asphalt, bituminous concrete or brick, under and according to said Improvement Resolution No. 9189, adopted May 5th, 1919.

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

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

By Board of Public Works:

General Ordinance No. 48, 1919.

An Ordinance, ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Shelby Street from the south property line of the first alley south of Prospect Street, running west, to Pleasant Run Bridge, except space of 18.08 feet occupied by car tracks, by resurfacing the roadway and wings of intersecting streets and alleys with wooden block, asphalt, bituminous concrete or brick, as provided for under Improvement Resolution No. 9786, adopted April 30th, 1919.

Section 1. *Be it Ordained by the Common Council of the City of Indianapolis, Indiana.* That, whereas, the Board of Public Works of the City of Indianapolis did, on the 30th day of April, 1919, adopt Resolution No. 9186 for the improvement of Shelby Street from the south property line of first alley south of Prospect Street, running west, to Pleasant Run Bridge, by resurfacing the roadway and wings of intersecting streets and alleys with wooden block, asphalt, bituminous concrete or brick; and whereas, the said Board of Public Works did at the same

time fix May 19th, 1919, at 10 o'clock A. M. as the time to hear all persons interested or whose property is liable to be affected by said improvement, and notice of the passage of said resolution and of the said time for hearing was given by publication and notices by mail as provided by law; and whereas, said Board of Public Works met for said hearing on the said day, as provided in said notice, when said Board of Public Works, in regular session, took final action on said resolution, the same being confirmed without modification; and whereas within ten (10) days after the day named for hearing upon said resolution, a written remonstrance signed by more than a majority in number of the resident freeholders on said street was filed with the Board of Public Works against said improvement; and whereas, the Board of Public Works has submitted to the Common Council of the City of Indianapolis, for its consideration and action thereon, this ordinance ordering the Board of Public Works to proceed with the improvement of said street under said resolution.

Now, therefore, be it further ordained by the Common Council of the City of Indianapolis that the Board of Public Works of the City of Indianapolis be and the same is hereby ordered to improve Shelby Street from the south property line of the first alley south of Prospect Street, running west, to Pleasant Run Bridge, except space of 18.08 feet occupied by car tracks, by resurfacing the roadway and wings of intersecting streets and alleys with wooden block, asphalt, bituminous concrete or brick, under and according to said Improvement Resolution No. 9186, adopted April 30th, 1919.

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

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

By Board of Public Works:

General Ordinance No. 49, 1919.

An Ordinance, ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve College Avenue from the south curb line of 25th Street to the south property line of 28th Street, except space of 18.08 feet occupied by street car tracks, by resurfacing the roadway and wings of intersecting streets and alleys with wooden block, asphalt, bituminous concrete or brick, as provided for under Improvement Resolution No. 9241, adopted June 6th, 1919.

Section 1. *Be it Ordained by the Common Council of the City of Indianapolis, Indiana,* That, whereas, the Board of Public Works of the City of Indianapolis did, on the 6th day of June, 1919, adopt Resolution

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No. 9241, for the improvement of College Avenue from the south curb line of 25th Street to the south property line of 28th Street by resurfacing the roadway and wings of intersecting streets and alleys with wooden block asphalt, bituminous concrete or brick; and whereas, the said Board of Public Works did at the same time fix June 25th, 1919, at 10 o'clock A. M. as the time to hear all persons interested or whose property is affected by said improvement, and notice of the passage of said resolution and of the said time for hearing was given by publication and notices by mail as provided by law; and whereas, said Board of Public Works met for said hearing on the said day, as provided in said notice, when said Board of Public Works, in regular session, took final action on said resolution, the same being confirmed without modification; and whereas within ten (10) days after the day named for hearing upon said resolution, a written remonstrance signed by more than a majority in number of the resident freeholders on said streets was filed with the Board of Public Works against said improvement; and whereas the Board of Public Works has submitted to the Common Council of the City of Indianapolis, for its consideration and action thereon, this ordinance ordering the Board of Public Works to proceed with the improvement of said street under said resolution.

Now, therefore, be it further ordained by the Common Council of the City of Indianapolis that the Board of Public Works of the City of Indianapolis be and the same is hereby ordered to improve College Avenue from the south curb line of 25th Street to the south property line of 28th Street, except space of 18.08 feet occupied by car tracks, by resurfacing the roadway and wings of intersecting streets and alleys with wooden block, asphalt, bituminous concrete or brick, under and according to said Improvement Resolution No. 9241, adopted June 6th, 1919.

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

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

By Board of Public Works:

#### GENERAL ORDINANCE NO. 50, 1919.

An Ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Washington Street from thirty-three (33) feet west of the west property line of Cruse Street to the east property line of Highland Avenue, except space of 18.08 feet occupied by street car tracks, by resurfacing the roadway, wings of intersect-



ing streets and alleys, with wooden block, asphalt, bituminous concrete or brick, as provided for under Improvement Resolution No. 9246, adopted June 6th, 1919.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That, whereas, the Board of Public Works of the City of Indianapolis did, on the 6th day of June, 1919, adopt Resolution No. 9246 for the improvement of Washington Street from thirty-three (33) feet west of the west property line of Cruse Street to the east property line of Highland Avenue by resurfacing the roadway, wings of street intersecting streets and alleys, with wooden block, asphalt, bituminous concrete or brick; and whereas, the said Board of Public Works did at the same time fix June 25th, 1919, at 10 o'clock a. m. as the time to hear all persons interested or whose property is liable to be affected by said improvement, and notice of the passage of said resolution and notices by mail as provided by law; and whereas, said Board of Public Works met for said hearing on the said day as provided in said notice, when said Board of Public Works, in regular session, took final action on said resolution, the same being confirmed without modification; and whereas, within ten (10) days after the day named for hearing upon said resolution, a written remonstrance signed by more than a majority in number of the resident freeholders on said street was filed with the Board of Public Works against said improvement, and whereas the Board of Public Works has submitted to the Common Council of the City of Indianapolis for its consideration and action thereon, this ordinance ordering the Board of Public Works to proceed with the improvement of said street under said resolution.

Now, therefore, be it further ordained by the Common Council of the City of Indianapolis that the Board of Public Works of the City of Indianapolis be and the same is hereby ordered to improve Washington Street from thirty-three (33) feet west of the west property line of Cruse Street to the east property line of Highland Avenue by resurfacing the roadway, wings of intersecting streets and alleys, with wooden block, asphalt, bituminous concrete or brick, under and according to said Improvement Resolution No. 9246, adopted June 6th, 1919.

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

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

By Board of Public Works:

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## GENERAL ORDINANCE NO. 51, 1919.

An Ordinance, ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve North Street from the east property line of Pennsylvania Street to the west property line of Massachusetts Avenue, by resurfacing the roadway, wings of intersecting streets and alleys, with wooden block, asphalt, bituminous concrete or brick, as provided for under Improvement Resolution No. 9217, adopted May 23d, 1919.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana: That, whereas, the Board of Public Works of the City of Indianapolis did, on the 23d day of May, 1919, adopt Resolution No. 9217 for the improvement of North Street from the east property line of Pennsylvania Street to the west property line of Massachusetts Avenue by resurfacing the roadway, wings of intersecting streets and alleys, with wooden block, asphalt, bituminous concrete or brick; and whereas, the said Board of Public Works did at the same time fix June 13th, 1919, at 10 o'clock a. m. as the time to hear all persons interested or whose property is liable to be affected by said improvement, and notice of the passage of said resolution and of the said time for hearing was given by publication and notices by mail as provided by law; and whereas, said Board of Public Works met for said hearing on said June 13th, 1919, as provided in said notice, and postponed said hearing until the 18th day of June, 1919, when said Board of Public Works, in regular session, took final action on said resolution, the same being confirmed without modification; and whereas, within ten (10) days after the day named for hearing upon said resolution, a written remonstrance signed by more than a majority in number of the resident freeholders on said street was filed with the Board of Public Works against said improvement; and whereas, the Board of Public Works has submitted to the Common Council of the City of Indianapolis, for its consideration and action thereon, this ordinance ordering the Board of Public Works to proceed with the improvement of said street under said resolution.

Now, therefore, be it further ordained by the Common Council of the City of Indianapolis that the Board of Public Works of the City of Indianapolis be and the same is hereby ordered to improve North Street from the east property line of Pennsylvania Street to the west property line of Massachusetts Avenue by resurfacing the roadway, wings of intersecting streets and alleys, with wooden block, asphalt, bituminous concrete or brick, under and according to said Improvement Resolution No. 9217, adopted May 23d, 1919.

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

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

By Board of Public Works:

GENERAL ORDINANCE NO. 52, 1919.

An Ordinance, ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Meridian Street from the first alley north of Merrill Street to McCarty Street by resurfacing the roadway with wooden block, asphalt, bituminous concrete or brick; paving the wings of intersecting streets and alleys in a similar manner and to widths shown on plan, as provided for under Improvement Resolution No. 9221, adopted May 26th, 1919.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana: That, whereas, the Board of Public Works of the City of Indianapolis did, on the 26th day of May, 1919 adopt Improvement Resolution No. 9221, for the improvement of Meridian Street from the first alley north of Merrill Street to McCarty Street by resurfacing the roadway, wings of intersecting streets and alleys, with wooden block, asphalt, bituminous concrete or brick; and whereas, the said Board of Public Works did at the time fix June 16th, 1919, at 10 o'clock a. m. as the time to hear all persons interested or whose property is liable to be affected by said improvement, and notice of the passage of said resolution and of the said time for hearing was given by publication and notices by mail, as provided by law; and whereas, said Board of Public Works met for said hearing on the said day as provided in said notice, when said Board of Public Works, in regular session, took final action on said resolution, the same being confirmed without modification; and whereas, within ten (10) days after the day named for hearing upon said resolution, a written remonstrance signed by more than a majority in number of the resident freeholders on said street was filed with the Board of Public Works against said improvement; and whereas, the Board of Public Works has submitted to the Common Council of the City of Indianapolis for its consideration and action thereon, this ordinance ordering the Board of Public Works to proceed with the improvement of said street under said resolution.

Now, therefore, be it further ordained by the Common Council of the City of Indianapolis that the Board of Public Works of the City of Indianapolis be and the same is hereby ordered to improve Meridian Street from the first alley north of Merrill Street to McCarty Street by resurfacing the roadway, wings of intersecting streets and alleys, with wooden block, asphalt, bituminous concrete or brick, under and

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according to said Improvement Resolution No. 9221, adopted May 26th, 1919.

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

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

By Mr. Peake (by request):

GENERAL ORDINANCE NO. 53, 1919.

An Ordinance, amending Section 748 of General Ordinance No. 12, 1917.

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

Section 1. That Section 748 of General Ordinance No. 12, 1917, be amended to read as follows:

Sec. 1. That Section 748 of General Ordinance No. 12, 1917, of the City of Indianapolis, Indiana, be and the same is hereby amended by adding thereto the following clause or provision: Requiring a license for using the outside of any vehicle for advertising purposes. Each vehicle requiring a license of \$10 per year or \$6 for six months; provided that the clause shall not apply to vehicles having the trademark or business or name and address of its owner, or the name and address or trademark of its manufacturer or agent.

Sec. 2. This amendment shall take effect and be in force from and after its passage.

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

By Mr. Peake (by request):

GENERAL ORDINANCE NO. 54, 1917.

An Ordinance amending Section 842 of General Ordinance No. 12, 1917.

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

Sec. 1. That Section 824 of General Ordinance No. 12, 1917, be and the same is hereby amended to read: No person, firm or corporation shall hang, suspend, or in any way sustain any sign or other advertising device over or on any street, alley, sidewalk or public



place, or paint or in any other way mark any sign or device of any kind upon any street pavement or sidewalk or on the outside of any vehicle running on the streets of Indianapolis, for the purpose of advertising.

Provided, that this section shall not apply to any one having a license or permit for same, or to signs permitted by the provisions of this ordinance, or to vehicles with the name and address and business of its owner, or the name or trademark of its owner or manufacturer or agent, or to public vehicles with their route and destination. Any person, firm or corporation violating any of the provisions of this section on conviction shall be fined in any sum not exceeding \_\_\_\_\_ dollars.

Sec. 2. This amendment shall take effect and be in force from and after its passage.

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

By Mr. Schmidt:

GENERAL ORDINANCE NO. 55, 1919.

An Ordinance, prohibiting the operation of street and interurban cars within a certain territory in the City of Indianapolis, prescribing a penalty for the violation thereof and declaring a time when the same shall take effect.

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

Section 1. No street or interurban car shall be operated in or upon any portion of any street or alley within the territory in the City of Indianapolis bounded on the north by the south line of New York Street, on the west by the east line of Capitol Avenue, on the south by the north line of Georgia Street, and on the east by the west line of Delaware Street. Provided, however, that such cars may be operated within such territory on Pennsylvania Street from Georgia to Maryland Streets, on Maryland Street from Pennsylvania to Delaware Streets, and on Ohio and Market Streets from Capitol Avenue east to the Indianapolis Traction and Terminal Building.

Sec. 2. Any person, firm or corporation violating any provision of this ordinance shall be fined in any sum not to exceed \$100.00, one hundred dollars, per day to which may be added imprisonment not exceeding thirty days.

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Sec. 3. This ordinance shall be in full force and effect 180, one hundred eighty days after its passage and approval by the Mayor and publication as required by law.

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

By Mr. Willson:

SPECIAL ORDINANCE NO. 3, 1919.

An Ordinance changing the name of Coyner Street to East Seventeenth Street.

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

Section 1. That the name of Coyner Street be and is hereby changed to East Seventeenth Street.

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

Sec. 3. All ordinances, or parts thereof, in conflict herewith are hereby repealed.

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


On motion of Mr. Carrefix the Common Council at 8:40 o'clock p. m. adjourned.



*J. W. Peake*

President.

Attest:



*J. W. Peake*

City Clerk.