

## REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, July 21, 1919.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, July 21, 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.

July 12, 1919.

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

Gentlemen: I have this day signed and delivered to George O. Hutsell, City Clerk, General Ordinance No. 56.

Yours very truly,

CHARLES W. JEWETT,  
*Mayor.*

## REPORTS FROM CITY OFFICERS.

From City Controller:

July 21, 1919.

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

Gentlemen: I hand you herewith a letter from the Board of Public Works, asking for the passage of an ordinance appropriating the sum of Fourteen Thousand Five Hundred and Thirty Dollars (\$14,530.00) to the "Sprinkling Fund" of the Street Commissioner's Department.

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

Very truly yours,

ROBT. H. BRYSON,  
*City Controller.*

July 21, 1919.

*Mr. Robert H. Bryson, City Controller, City.*

Dear Sir: I am submitting herewith, for your approval and transmission to the Common Council, an ordinance appropriating the sum of \$14,530.00 to the "Sprinkling Fund" of the Street Commissioner's Department.

Yours truly,  
 W. F. CLEARY,  
*Clerk, Board of Public Works.*

From the Board of Public Works:

July 21, 1919.

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

Dear Sir: I am submitting herewith, for transmission to the Common Council, an ordinance approving contract between the City of Indianapolis and the Indianapolis Telephone Company and the Central Union Telephone Company.

Yours truly,  
 W. F. CLEARY,  
*Clerk, Board of Public Works.*

July 21, 1919.

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

Dear Sir: I am submitting herewith, for transmission to the Common Council, ordinances ordering the Board of Public Works to proceed with the work of resurfacing the following streets:

New York Street from the east property line of East Street to the west property line of Noble Street.—Improvement Resolution No. 9255.

Prospect Street from the east property line of Shelby Street to the west property line of Keystone Avenue.—Improvement Resolution No. 9236.

College Avenue from the south property line of 21st Street to the south curb line of 25th Street.—Improvement Resolution No. 9242.

College Avenue from the north curb line of 11th Street to the north curb line of 16th Street.—Improvement Resolution No. 9237.

College Avenue from Massachusetts Avenue to 11th Street.—Improvement Resolution No. 9243.

Tenth Street from the west property line of Illinois Street to the east property line of West Street.—Improvement Resolution No. 9232.

Yours truly,  
 W. F. CLEARY,  
*Clerk, Board of Public Works.*

## REPORTS FROM STANDING COMMITTEES.

From the Committee on Citys' Welfare :

July 21, 1919.

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

Gentlemen: We, your Committee on City's Welfare, to whom was referred General Ordinance No. 33, 1919, entitled: An ordinance ordering the Board of Public Works of the City of Indianapolis to improve East Washington Street from the west property line of Rural Street to the east property line of Tuxedo Street by paving and resurfacing the roadway with wooden block, asphalt, bituminous concrete or brick, as provided for under Improvement Resolution No. 9160, adopted April 11, 1919, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

LOUIS W. CARNEFIX,  
RUSSELL WILLSON,  
G. E. SCHMIDT,  
O. B. PETTIJOHN.

Mr. Kirsch moved that the report of the committee be concurred in. Carried.

From the Committee on Citys Welfare :

July 21, 1919.

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

Gentlemen: We, your Committee on City's Welfare, to whom was referred General Ordinance No. 34, 1919, entitled: An ordinance ordering the Board of Public Works of the City of Indianapolis to improve Sixteenth Street from the west property line of Alabama Street to the east property line of Senate Avenue, except intersection from the east property line of Illinois Street, running north, to the west property line of Illinois Street, running south, and square between east property line of Talbott Street and east property line of Pennsylvania Street, by paving and resurfacing the roadway with wooden block, asphalt, bituminous concrete or brick, as provided for under Improvement Resolu-

tion No. 9175, adopted April 18, 1919, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

LOUIS W. CARNEFIX,  
LEE J. KIRSCH,  
RUSSELL WILLSON,  
G. E. SCHMIDT,  
O. B. PETTIJOHN.

Mr. Kirsch moved that the report of the committee be concurred in. Carried.

From the Committee on Citys' Welware:

MINORITY REPORT.

July 21, 1919.

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

Gentlemen: We, a member of your Committee on City's Welfare, to whom was referred General Ordinance No. 35, 1919, entitled: An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve East Washington Street from the east property line of State Avenue to the west property line of Rural Street, by paving and resurfacing the roadway with wooden block, asphalt, bituminous concrete or brick, as provided under Improvement Resolution No. 9162, adopted April 11, 1919, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

RUSSELL WILLSON,

Mr. Willson moved that the minority report of the committee be concurred in.

Mr. Willson called for the ayes and noes on this motion.

The Clerk called the roll and the Common Council failed to concur in the minority report of the committee by the following vote:

Ayes: 4, viz.: Messrs. Brown, Furniss, Miller and Willson.

Noes: 5, viz.: Messrs. Carnefix, Kirsch, Pettijohn, Schmidt and President Wm. B. Peake.

From the Committee on Citys Welfare:

MAJORITY REPORT.

July 21, 1919.

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

Gentlemen: We, your Committee on City's Welfare, to whom was referred General Ordinance No. 35, 1919, entitled: An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve East Washington Street from the east property line of State Avenue to the west property line of Rural Street, by paving and resurfacing the roadway with wooden block, asphalt, bituminous concrete or brick, as provided under Improvement Resolution No. 9162, adopted April 11, 1919, beg leave to report that we have had said ordinance under consideration, and recommend that the same do not pass.

LEE J. KIRSCH,  
LOUIS W. CARNEFIX,  
G. E. SCHMIDT,  
O. B. PETTIJOHN.

Mr. Kirsch moved that the majority report of the committee be concurred in.

Mr. Kirsch called for the ayes and noes on this motion.

The Clerk called the roll and the motion to concur in the majority report of the committee carried by the following vote:

Ayes: 5, viz.: Messrs. Carnefix, Kirsch, Pettijohn, Schmidt and President Wm. B. Peake.

Noes: 4, viz.: Messrs. Brown, Furniss, Miller and Willson.

From the Committee on Citys Welfare:

July 21, 1919.

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

Gentlemen: We, your Committee on City's Welfare, to whom was



referred General Ordinance No. 36, 1919, entitled: An ordinance ordering the Board of Public Works of the City of Indianapolis to improve North West Street from the north property line of New York Street to the south property line of Indiana Avenue, by paving and resurfacing the roadway with wooden block, asphalt, bituminous concrete or brick, as provided for under Resolution No. 9177, adopted April 21, 1919, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

LEE J. KIRSCH,  
 RUSSELL WILLSON,  
 LOUIS W. CARNEFIX,  
 G. E. SCHMIDT,  
 O. B. PETTIJOHN.

Mr. Kirsch moved that the report of the committee be concurred in. Carried.

#### INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller:

Appropriation Ordinance No. 25, 1919.

An ordinance, appropriating the sum of Fourteen Thousand, Five Hundred Thirty Dollars (\$14,530.00) to the Sprinkling Fund, of the Street Commissioner's Department, under the Department of Public Works and declaring the time the same shall take effect.

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

SECTION 1. That there be and is hereby appropriated the sum of Fourteen Thousand, Five Hundred, Thirty Dollars (\$14,530.00) to the Sprinkling Fund of the Street Commissioner's Department under the Department of Public Works.

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 the Board of Public Works:

## General Ordinance No. 57, 1919.

An ordinance, ratifying, confirming and approving a certain contract and agreement made and entered into on the 21st day of July, 1919, by and between the City of Indianapolis by and through its Board of Public Works and Mayor, and the Indianapolis Telephone Company and the Central Union Telephone Company, whereby said City consents to the sale by said Indianapolis Telephone Company of its physical telephone property to said Central Union Telephone Company, and by which said Indianapolis Telephone Company surrenders the franchise which it now holds from the City of Indianapolis which was granted on the 6th day of July, 1908, to the New Telephone Company and the Indianapolis Telephone Company; and by which said City accepts said surrender all as provided in said contract, and in which contract it is agreed that said physical telephone property so purchased from said Indianapolis Telephone Company shall be added to and become a part of its present telephone system which it now maintains under its franchise with the City of Indianapolis, and providing that the Central Union Telephone Company shall pay to the City of Indianapolis the sum of Six Thousand Dollars (\$6,000.00) a year, from January 1, 1920, to July 1, 1938, in consideration of the execution of said contract, all subject to the conditions contained in said contract; and providing for the taking effect of the same.

Whereas, heretofore, to-wit on the 21st day of July, 1919, the City of Indianapolis, by and through its Board of Public Works and Mayor, entered into the following contract and agreement with the Indianapolis Telephone Company and the Central Union Telephone Company, namely:

This Agreement made and entered into this 21st day of July, 1919, by and between the City of Indianapolis, Marion County, in the State of Indiana, herein called the City, by and through its Board of Public Works, party of the first part, and the Indianapolis Telephone Company, a corporation organized under the laws of the State of Indiana, hereinafter called the party of the second part, and the Central Union Telephone Company, a corporation organized under the laws of the State of Illinois and duly authorized and admitted to transact business in the State of Indiana, hereinafter called the party of the third part, witnesseth:

That Whereas, the New Telephone Company and the Indianapolis Telephone Company entered into a certain written franchise contract with said City of Indianapolis on the 6th day of July, 1908, in which said companies were given a franchise for the period of thirty (30) years from the first day of July, 1908, to erect, construct and maintain a telephone system in the streets and alleys of said City, which franchise contract was approved by the Common Council of the City of

Indianapolis by an ordinance duly passed and approved March 2nd, 1909, which ordinance and franchise contract is contained as sections 3287 to 3319, both inclusive, in the Municipal Code of the City of Indianapolis published in 1917, and

Whereas, said New Telephone Company and said Indianapolis Telephone Company were heretofore, and after the execution of said franchise contract, duly and lawfully consolidated and merged into one consolidated company under the laws of the State of Indiana, under the name of the Indianapolis Telephone Company, party of the second part herein, and

Whereas, said Central Union Telephone Company, party of the third part herein, entered into a certain written franchise contract with said City of Indianapolis on the 20th day of July, 1896, for the erection, construction and maintenance of a telephone system in the streets and alleys of said City of Indianapolis, which franchise contract was duly approved by the Common Council of said City, by an ordinance duly passed, which was approved August 24th, 1896, which ordinance and franchise contract is contained as section 3129 to 3138, both inclusive, in the Municipal Code of the City of Indianapolis, published in 1917, which franchise contract is still in full force and effect, and

Whereas, said Indianapolis Telephone Company, party of the second part, has heretofore agreed to sell its physical telephone property in the City of Indianapolis and other property and stocks owned by it to the Central Union Telephone Company, party of the third part, on certain terms and conditions agreed upon by and between said companies, which sale and purchase of said telephone property has been submitted to the Public Service Commission of the State of Indiana for its approval, and has been approved by the order of said Public Service Commission of the State of Indiana, duly made, subject to certain terms and conditions contained in said order, and

Whereas, said Indianapolis Telephone Company, party of the second part herein, desires to cease its operations in the City of Indianapolis under its said franchise contract herein referred to, and

Whereas, said Central Union Telephone Company, party of the third part, desires to add to its present telephone property and system now owned and maintained by it under its said franchise contract with the City of Indianapolis, all of the physical telephone property so purchased from said Indianapolis Telephone Company, party of the second part, in the City of Indianapolis, and maintain and operate its present system and the property purchased as one single system under its present franchise contract with said City, the same as if originally constructed by said Central Union Telephone Company, party of the third part, under its said franchise contract with said City, and



Whereas, the principal consideration for the granting of said franchise contract to said New Telephone Company, and to said Indianapolis Telephone Company, which franchise contract is now held by the Indianapolis Telephone Company, party of the second part herein, as stated in said franchise contract, was to secure the continuance of competitive telephone rates to the citizens of said City, and

Whereas, at the time of the execution of said franchise contract in 1908, there was no regulatory body in the State of Indiana with power under the law to fix and regulate rates for service by public utilities, and

Whereas, the Legislature of the State of Indiana by an act entitled "An Act, concerning public utilities, creating a public service commission, abolishing the railroad commission of Indiana, conferring the powers of the railroad commission on the public service commission," approved March 4th, 1913, conferred upon said Public Service Commission full power and authority to determine and regulate rates of public utilities as provided in said act, including rates for telephone service rendered by the Central Union Telephone Company under its said franchise contract with the City of Indianapolis, and for that reason the necessity for the competitive telephone rates which existed when said franchise contract of the Indianapolis Telephone Company was executed on the 6th day of July, 1908, no longer exists.

Now, therefore, it is hereby agreed by and between the parties hereto as follows:

First: That the Indianapolis Telephone Company, party of the second part herein, hereby surrenders to the City of Indianapolis all of its rights under its said franchise contract, subject only to said sale of its physical telephone property, erected and constructed under said franchise contract to said Central Union Telephone Company, party of the third part herein, and the right of said Central Union Telephone Company as herein provided, to maintain and operate said purchased property as a part of its system, which surrender of said franchise contract is hereby accepted by the City of Indianapolis, and in consideration of the agreement herein made by the Central Union Telephone Company to make to said City the cash payments herein provided for, said city hereby releases said Indianapolis Telephone Company, party of the second part herein, from all payments under its said franchise contract due on and after January 1st, 1920, and from all other obligations under said franchise contract, except such as have already accrued, if any, before the taking effect of this contract.

Second: The Central Union Telephone Company, party of the third part, in consideration of the execution of this contract by said City and of its consent to the purchase by said Central Union Telephone

Company of the physical telephone property in said City from said Indianapolis Telephone Company, party of the second part, and to the right of said Central Union Telephone Company to add said telephone property to its present telephone system, owned by it under its said franchise contract, said Central Union Telephone Company, party of the third part, hereby agrees to pay to the said City of Indianapolis the sum of Six Thousand Dollars (\$6,000.00) per annum, one-half of which, to-wit, \$3,000.00, shall be paid on the first day of January and July of each year, the first of said payments to be made on the first day of January, 1920, which is to be an advance payment for the following six months, and there shall be paid the sum of \$3,000.00 semi-annually, as aforesaid thereafter until July the first, 1938, said payments to cease on and with the payment on the first day of January, 1938, all such payments to be payable without any relief from valuation or appraisement laws, and to be a first lien on all the properties, monies, demands and choses in action of said Central Union Telephone Company, which lien may be enforced by said City in any court of competent jurisdiction. In case the Central Union Telephone Company shall fail to pay any sum of money within thirty days after same becomes due as above provided it is agreed that a penalty of fifty per centum on the whole amount then due shall be added to such amount as liquidated damages for a breach of this contract, which additional amount shall also be payable without relief from valuation or appraisement laws. If, in default of such payment as aforesaid, the said City shall bring suit to recover any such sum and enforce its said lien, it shall be entitled to recover, in addition to said principal sum and fifty per centum penalty thereon as liquidated damages, reasonable attorney's fees for the institution and prosecution of such suit, all of which said party of the third part agrees to pay. It being distinctly understood and agreed that all payments agreed to be made by said Central Union Telephone Company under this agreement are in addition to the annual payment of \$6,000.00, which it is bound to make under its said franchise with the City of Indianapolis.

Third: It is agreed that said Central Union Telephone Company, party of the third part, shall have the right to add to its present telephone system which it now owns and maintains in the City of Indianapolis under its said franchise contract, all of said physical telephone property in the City of Indianapolis, which it has agreed to purchase from said Indianapolis Telephone Company, party of the second part, and that said party of the third part shall have the right to maintain and operate said telephone property so purchased as a part of its present telephone system, and it is agreed that said purchased property, when added to the present system of the party of the third part in the

City of Indianapolis, shall in all things be governed and controlled by its said franchise contract and that the City of Indianapolis shall have the same rights as if said purchased property had been originally constructed by said Central Union Telephone Company under its said franchise contract.

Fourth: It is further agreed that the Public Service Commission of Indiana, subject to all rights which any utility corporation doing business in the State of Indiana may have under the law, now has jurisdiction of, and full power and authority under law, to fix, determine and regulate the rate or rates for all telephone service which may be rendered by said Central Union Telephone Company, party of the third part herein, under its said franchise contract with the City of Indianapolis, including any service that it may render in whole or in part with said telephone properties so purchased by it from said Indianapolis Telephone Company.

Fifth: Said Central Union Telephone Company, party of the third part, hereby expressly agrees and binds itself to give to said City of Indianapolis the right to the exclusive use of the top cross arms on all poles within the City of Indianapolis, which it purchases from said Indianapolis Telephone Company for Police and Fire Alarm purposes, and that said Central Union Telephone Company shall provide one duct in each and all of the conduits laid under ground, which it may purchase from the Indianapolis Telephone Company, for the sole use of said City of Indianapolis for its fire alarms and police patrol system, it being agreed that the rights of said City to said top cross arms and said ducts, as to said telephone property so purchased by the Central Union Telephone Company, shall be the same as if such ducts and top cross arms had been originally constructed by said Central Union Telephone Company under its said franchise contract with said City.

Sixth: It is agreed that this contract shall not be binding on either of the parties hereto unless the same shall be duly ratified and approved by the Common Council of the City of Indianapolis within thirty days from the date hereof, and it is also agreed that this contract is subject to securing all such other approvals as may be necessary.

In Witness Whereof, we have hereunto set our hands and seals in triplicate, this 21st day of July, 1919.

CITY OF INDIANAPOLIS,

By GEO. LEMAUX,  
MARK H. MILLER,  
THOMAS A. RILEY,

*Board of Public Works of said City.*

and

By CHARLES W. JEWETT,

*Mayor.*

## INDIANAPOLIS TELEPHONE COMPANY,

By WILLIAM FORTUNE,

*President.*Attest: FOSTER V. SMITH,  
(SEAL) *Secretary.*

## CENTRAL UNION TELEPHONE COMPANY,

By EDGAR H. BLOOM,

*President.*Attest: C. L. McNAUGHTON,  
(SEAL) *Secretary.*

And *Whereas*, said contract and agreement has been submitted by the Board of Public Works and Mayor of the City of Indianapolis to the Common Council of said City for its action thereon, therefore:

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis:* That the foregoing contract made and entered into on the 21st day of July, 1919, by the City of Indianapolis, by and through its Board of Public Works and Mayor, and the Indianapolis Telephone Company and the Central Union Telephone Company, be and the same is hereby in all things ratified, confirmed and approved, all in accordance with the terms, provisions and conditions thereof.

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. 58, 1919.

An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve New York Street from the east property line of East Street to the west property line of Noble Street 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. 9255, adopted June 18th, 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 18th day of June, 1919, adopt Resolution No. 9255 for the improvement of New York Street from the east property line of East Street to the west property line of Noble 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 July 7th, 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 July 7th, 1919, and 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 New York Street from the east property line of East Street to the west property line of Noble Street 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. 9255, adopted June 18th, 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. 59, 1919.

An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Prospect Street from the east property line of Shelby Street to the west property line of Keystone Avenue, excepting space of 18.08 feet in the center of the street occupied by street car tracks, by resurfacing same 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 plans, as provided for under Improvement Resolution No. 9236, 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, Indiana, in the manner prescribed by law,

adopted on June 6th, 1919, advertised same and notified abutting property owners by mail, and confirmed without modification on June 25th, 1919, Improvement Resolution No. 9236 for the improvement of said Prospect Street; and *whereas*, within ten days of the date of hearing fifty-four (54) of the sixty-nine (69) resident property owners interested filed a remonstrance against said improvement; therefore, be it ordained by the Common Council of the City of Indianapolis, Indiana, that the Board of Public Works be and the same is hereby ordered to improve Prospect Street, in accordance with Improvement Resolution No. 9236.

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. 60, 1919.

An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve College Avenue from the south property line of 21st Street to the south curb line of 25th Street, except space of 18.08 feet in center of street occupied by street car tracks, by resurfacing same 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 plans, as provided for under Improvement Resolution No. 9242, 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, Indiana, in the manner prescribed by law, adopted on June 6th, 1919, advertised same and notified abutting property owners by mail, and confirmed without modification on June 25th, 1919, Improvement Resolution No. 9242 for the improvement of said College Avenue; and, *whereas*, within ten (10) days of the date of hearing, thirty-nine (39) of forty-seven (47) resident property owners interested filed a remonstrance against said improvement; therefore, be it ordained by the Common Council of the City of Indianapolis, Indiana, that the Board of Public Works be and the same is hereby ordered to improve College Avenue, in accordance with Improvement Resolution No. 9242.

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. 61, 1919.

An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve College Avenue from the north curb line of 11th Street, east to the north curb line of 16th Street, except space of 18.08 feet in center of street occupied by street car tracks, by resurfacing the same 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 plans, as provided for under Improvement Resolution No. 9237, 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, Indiana, in the manner prescribed by law, adopted on June 6th, 1919 advertised same and notified abutting property owners by mail, and confirmed without modification on June 25th, 1919, Improvement Resolution No. 9237 for the improvement of said College Avenue; and, *whereas*, within ten (10) days of the date of hearing, twenty (20) of the thirty-five (35) resident property owners interested filed a remonstrance against said improvement; therefore, be it ordained by the Common Council of the City of Indianapolis, Indiana, that the Board of Public Works be and the same is hereby ordered to improve College Avenue, in accordance with Improvement Resolution No. 9237.

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. 62, 1919.

An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve College Avenue from Massachusetts Avenue to 11th Street, excepting space of 18.08 feet in center of street occupied by street car tracks, by resurfacing same 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 plans, as provided for under Improvement Resolution No. 9243, 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, Indiana, in the manner prescribed by law, adopted on June 6th, 1919, advertised same and notified abutting property owners by mail, and confirmed without modification on June 25th, 1919, Improvement Resolution No. 9243 for the improvement of said College Avenue; and, *whereas*, within ten (10) days of the date of hearing, twelve (12) of the fourteen (14) resident property owners interested filed a remonstrance against said improvement; therefore, be it ordained by the Common Council of the City of Indianapolis, Indiana, that the Board of Public Works be and the same is hereby ordered to improve College Avenue, in accordance with Improvement Resolution No. 9243.

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. 63, 1919.

An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Tenth Street from the west property line of Illinois Street to the east property line of West Street, except crossings of Capitol Avenue and Senate Avenue, Canal and P., C., U. & St. L. R. R., by resurfacing same 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 plans, as provided for under Improvement Resolution No. 9232, adopted June 4th, 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, Indiana, in the manner prescribed by law, adopted on June 4th, 1919, advertised same and notified abutting property owners by mail, and confirmed without modification on June 23rd, 1919, Improvement Resolution No. 9232 for the improvement of said Tenth Street; and, *whereas*, within ten (10) days of the date of hearing, all of six (6) resident property owners interested filed a remonstrance against said improvement; therefore, be it ordained by the Common Council of the City of Indianapolis, Indiana, that the Board of Public Works be and the same is hereby ordered to improve Tenth Street, in accordance with Improvement Resolution No. 9232.

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:

General Ordinance No. 64, 1919.

An ordinance to amend Lines 7, 8 and 23, of Clause (d), Section 3, under the heading "Police Department" of an ordinance entitled, "An ordinance authorizing certain offices and positions in the City of Indianapolis, fixing the salary and the compensation thereof, repealing ordinances in conflict therewith, and declaring a time when the same shall take effect"; being General Ordinance No. 56 — 1919, approved July 12, 1919.

SECTION 1. Be it ordained by the Common Council of the City of *Indianapolis, Indiana*: That Lines 7, 8, and 23 of Clause (d), Section 3, under the heading Police Department of an ordinance entitled: An ordinance authorizing certain offices and positions in the City of Indianapolis, fixing the salary and the compensation thereof, repealing ordinances in conflict therewith, and declaring a time when the same shall take effect; being General Ordinance No. 56, 1919, passed July 11, 1919, and approved July 12, 1919, be and the same is hereby amended to read as follows:

SEC. 2. Line 7—Each Patrolman, first year—four dollars and twenty-five cents per day.

Line 8—Each Patrolman, after first year—four dollars and twenty-five cents per day.

Line 23—Each Turnkey—Four dollars and twenty-five cents per day.

SEC. 3. All ordinances and parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

SEC. 4. This ordinance shall take effect and become operative from and after 12:00 o'clock noon on the first day of January, 1920.

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

#### ORDINANCES ON SECOND READING.

Mr. Kirsch called for General Ordinance No. 33, 1919, for second reading. It was read a second time.

Mr. Kirsch moved that General Ordinance No. 33, 1919, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 33, 1919, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Brown, Carnefix, Furniss, Miller, Pettijohn, Schmidt and Willson.

Noes, 2, viz.: Messrs. Kirsch and President Wm. B. Peake.

Mr. Kirsch called for General Ordinance No. 34, 1919, for second reading. It was read a second time.

Mr. Kirsch moved that General Ordinance No. 34, 1919, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 34, 1919, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Pettijohn, Schmidt and Willson.

Noes, 1, viz.: President Wm. B. Peake.

Mr. Kirsch called for General Ordinance No. 35, 1919, for second reading. It was read a second time.

Mr. Kirsch moved that General Ordinance No. 35, 1919, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 35, 1919, was read a third time and failed to pass by the following vote:

Ayes, 4, viz.: Messrs. Brown, Furniss, Miller and Willson.

Noes, 5, viz.: Messrs. Carnefix, Kirsch, Pettijohn, Schmidt and President Wm. B. Peake.

Mr. Kirsch called for General Ordinance No. 36, 1919, for second reading. It was read a second time.

Mr. Kirsch moved that General Ordinance No. 36, 1919, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 36, 1919, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Pettijohn and Willson.

Noes, 3, viz.: Messrs. Miller, Schmidt and President Wm. B. Peake.

Mr. Miller at 9:25 p. m. moved that the council do now adjourn.

Mr. Schmidt called for the ayes and noes on this motion.

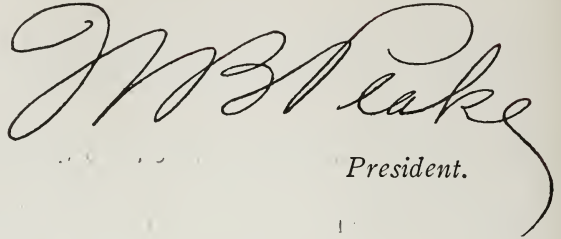
The roll was called and the motion to adjourn failed to carry by the following vote:

Ayes, 2, viz.: Messrs. Carnefix and Miller.

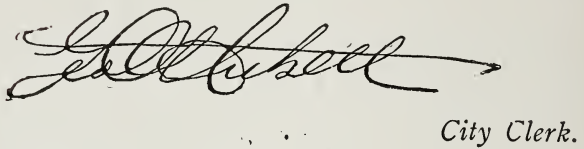
Noes, 7, viz.: Messrs. Brown, Furniss, Kirsch, Pettijohn, Schmidt, Willson and President Wm. B. Peake.

Mr. Willson, Chairman of the Committee of the Whole, announced that the committee would call General Ordinance No. 37, 1919, for third reading at the next regular meeting.

On motion of Mr. Willson the Common Council at 9:30 o'clock p. m. adjourned.

  
President.

Attest;

  
City Clerk.