

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, October 6, 1919.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, October 6, 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 seven (7) members, viz.: Messrs. Kirsch, Furniss, Miller, Schmidt, Pettijohn, Brown and Carnefix.

Absent: Mr. Willson.

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

COMMUNICATIONS FROM THE MAYOR.

September 17th, 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, the following ordinances:

Appropriation Ordinance No. 29.

General Ordinance No. 82.

General Ordinance No. 78.

General Ordinance No. 79.

Yours very truly,

CHARLES W. JEWETT.

Mayor.

September 20, 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. 88, General Ordinance No. 89, General Ordinance No. 90.

Yours very truly,

CHARLES W. JEWETT,

Mayor.

September 23, 1919.

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

Gentlemen—I return General Ordinance No. 73, 1919, with my veto. Attached hereto is the legal opinion of Mr. Samuel Ashby, Corporation Counsel for the city of Indianapolis, holding said ordinance to be invalid.

For the reasons assigned in the opinion of the Corporation Counsel, I have vetoed said ordinance.

Respectfully submitted,

CHARLES W. JEWETT,

Mayor.

COPY.

September 20, 1919.

Mayor Charles W. Jewett,
Indianapolis, Indiana.

Dear Sir—In answer to your communication of September 18, enclosing copy of General Ordinance No. 73, 1919, entitled "An ordinance authorizing contests of skill in boxing, wrestling and other athletic sports, providing for a fee and method of regulating such contests," and asking for the opinion of the Legal Department as to the legality of said ordinance, will say that we have given this matter careful consideration and submit the following:

Section 2332, Burns' R. S. 1914, regarding the offense of PRIZE FIGHTS, is as follows:

"Whoever engages as principal in any prize fight, or attends any such fight as a backer, trainer, second, umpire, assistant, reporter, or in any other capacity, shall, on conviction, be fined not less than fifty dollars nor more than five hundred dollars, to which may be added imprisonment in the county jail not exceeding six months."

Section 2333, Burns R. S. 1914, in regard to AFFRAYS, is as follows:

"If two or more persons, by agreement, fight in any public place, the persons so offending shall be deemed guilty of an affray, and shall, on conviction, be fined not exceeding five hundred dollars each, or be imprisoned in the county jail not exceeding five days each."

Section 2241, Burns' R. S. 1914, relating to an ASSAULT, is as follows:

"Whoever, having the present ability to do so, unlawfully attempts to commit a violent injury upon the person of another, is guilty of an assault, and, on conviction, shall be fined not exceeding fifty dollars."

Section 2242, Burns' R. S. 1914, relating to ASSAULT AND BATTERY, is as follows:

"Whoever, in a rude, insolent or angry manner, unlawfully touches another, is guilty of an assault and battery, and on conviction, shall be fined not more than one thousand dollars, to which may be added imprisonment in the county jail not exceeding six months."

Section 2244, Burns' R. S. 1914, relating to the offense of MALICIOUS MAYHEM, is as follows:

"Whoever, purposely and maliciously, with intent to maim or disfigure, cuts, bites or slits the nose, ear or lip, cuts out or disables the tongue, puts out or destroys an eye, cuts off or disables a limb or any member of another person, is guilty of malicious mayhem, and, on conviction, shall be imprisoned in the state prison not less than two years, nor more than fourteen years, and be fined not more than two thousand dollars."

Section 2245, Burns' R. S. 1914, relating to the offense of SIMPLE MAYHEM, is as follows:

"Whoever, violently and unlawfully, deprives another of the use of any bodily member, or unlawfully and wilfully disables the tongue or eye, or cuts, bites or slits the nose, ear or lip of another, is guilty of simple mayhem, and, on conviction, shall be fined not less than five dollars, nor more than two thousand dollars, and shall be imprisoned in the county jail not less than twenty days nor more than six months."

Section 2342, Burns' R. S. 1914, relating to the offense of ROUT, reads as follows:

"If three or more persons shall meet together to do an unlawful act upon a common cause, and shall make advances toward the commission thereof, they shall be deemed guilty of a riot (rout), and, on conviction, shall be fined not exceeding one hundred dollars each, or they may each be imprisoned in the county jail not exceeding sixty days."

We are of the opinion that any contest for which said ordinance authorized a permit to be granted, might violate either one or all of the above named statutes of this state.

Webster, in defining the word contest, gives as synonyms of the word contest the words conflict, combat, fight, affray and fray. If the contest was a fight, it would be a violation of the assault and battery statute. If it was an affray, it would be against the statute above quoted making an affray a state offense, and as above defined is, "If two or more persons, by agreement, fight in any public place, the persons so offending shall be deemed guilty of an affray."

In addition to the above, the ordinance is clearly invalid for the following reason. The council has no power or authority to pass any ordinance unless specifically authorized by law or necessary implication thereof. There is no authority of law, either expressed or implied, to the common council to create an athletic commission.

Section 8684, Burns R. S. 1914, provides:

"The following executive departments are hereby established in cities of the first, second, third and fourth class:

- a. Department of Finance.
- b. Department of Law.
- c. Department of Public Works.
- d. Department of Public Safety.
- e. Department of Assessments and Collections.
- f. Department of Public Health and Charities.

No other executive or administrative departments shall be established in any such city unless expressly provided by law."

So that as the law now stands there is not only an absence of the grant of power to the council to create such commission, but as shown in said Section 8684 above quoted, there is absolutely prohibition against the creation of such commission.

Our conclusion is that said ordinance is invalid and that the council was without power to pass the same.

Very truly yours,

(Signed) SAMUEL ASHBY,
Corporation Counsel.

REPORTS FROM CITY OFFICERS.

From City Controller:

October 6, 1919.

*To the Honorable President and Members
of the Common Council.*

Gentlemen—I hand you herewith communications from the City Judge asking for the appropriation of One Hundred Dollars (\$100.00) to defray the cost of special judges where changes of venue are requested from the regular judge. and recommend its passage.

Yours very truly,

ROBERT H. BRYSON,
City Controller.

October 3, 1919.

*Mr. Robert H. Bryson, City Controller,
City Hall, Indianapolis, Ind.*

Dear Sir—We need an appropriation of at least \$100.00, to defray the cost of special judges, where changes of venue are requested from the regular judge of the city court.

IND. U. LIB. LIB. IND'PLS.

Upon filing of the proper affidavits, it is mandatory upon the judge to grant a change of venue.

Respectfully,

CITY COURT OF INDIANAPOLIS,

WALTER PRITCHARD,

City Judge,

October 6, 1919.

*To the Honorable President and Members
of the Common Council.*

Gentlemen—I hand you herewith a communication from the Department of Public Purchase asking for the passage of an ordinance appropriating the sum of Ninety-seven Dollars and fifty-five cents (\$97.55), to the Department of Finance for the purpose of paying the expenses of the Purchasing Agent of the City of Indianapolis, to a certain convention.

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

Yours very truly,

ROBERT H. BRYSON,

City Controller.

October 3, 1919.

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

Dear Sir—I am submitting for your approval and transmission to the Common Council, an ordinance appropriating the sum of Ninety-seven Dollars and fifty-five cents (\$97.55), to the Department of Finance in order to reimburse the City Purchasing Agent for expenses incident to attending the Convention of the National Association of Purchasing Agents, Sept. 22, 23, and 24, in Philadelphia, Pa.

Very truly yours,

DEPARTMENT OF PUBLIC PURCHASE,

D. S. RITTER,

City Purchasing Agent.

October 6, 1919.

*To the Honorable President and Members
of the Common Council.*

Gentlemen—I hand you herewith communication from the Board of Public Safety asking for the passage of an ordinance transferring Three Hundred Dollars (\$300.00) from the Building Department Salary Fund to the Building Department Printing, Stationery and Miscellaneous Fund.

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

Yours very truly,

ROBERT H. BRYSON,

City Controller.

October 6, 1919.

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

Dear Sir—I am directed by the Board of Public Safety to request you to recommend to the Common Council, the passage of an ordinance transferring from the Building Department Salary Fund, the sum of \$300.00 to the Building Department Printing, Stationery and Miscellaneous Fund.

I also enclose letter from Mr. Walter B. Stern, Commissioner of Buildings, explaining why this additional amount is needed for the Printing and Stationery Fund.

Yours very truly,

GEORGE W. WILLIAMS,

Clerk Board of Public Safety.

September 27, 1919.

*To the President and Members of the Common Council
of Indianapolis.*

Gentlemen—At the time we asked for a transfer of \$800.00 from the Building Department, Salary fund to the Printing, Stationery and Miscellaneous Fund, we had an overdraft of about \$132.00. We requested that transfer to meet the overdraft, get the Building Code reprinted, buy stationery and incidental supplies for the Building Department and have Instruction Manuals and inspection blanks printed for the Fire Prevention Bureau.

The bids received for reprinting the Building Code exceeded the estimate more than \$100.00. Inspection blanks and stationery have cost more than expected. We have a balance of about \$500.00 in our Printing, Stationery and Miscellaneous Fund by this will not be enough to pay for reprinting the Building Code and printing the Instruction Manuals for the Fire Prevention Bureau. It will also be necessary for us to purchase ledgers for our records. These will cost about \$100.00.

I estimate that we have a balance of \$500.73 in our Salary Fund. This is making an allowance of \$450.00 for Smoke Inspector for the remaining three months of the year.

I therefore request the transfer of \$300.00 from the Salary Fund to the Printing, Stationery and Miscellaneous Fund. I regret that this request is necessary, but I feel that it is important that we have the

Building Code reprinted for we have numerous requests for the same from neighboring cities, manufacturers and local architects and builders. We should be able to supply all these requests promptly.

Yours very truly,
WALTER B. STERN,
Commissioner of Buildings.

October 6, 1919.

*To the Honorable President and Members
of the Common Council.*

Gentlemen—I hand you herewith communication from the Board of Public Works asking for the passage of an ordinance appropriating the sum of Forty-five Thousand Dollars (\$45,000.00) to and for the use of the Department of Public Works, to the fund known as "Water Fund.

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

Yours very truly,
ROBERT H. BRYSON,
City Controller.

October 6, 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 \$45,000.00 to and for the use of the Department of Public Work, to the fund known as the Water Fund.

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

October 6, 1919.

*To the Honorable President and Members
of the Common Council.*

Gentlemen—I hand you herewith communication from the Board of Public Works asking for the passage of an ordinance appropriating the sum of Four Thousand One Hundred Seventy-seven Dollars and six cents (\$4,177.06) to and for the use of the Department of Public Works to the fund known as "Assessments against the City of Indianapolis."

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

Yours very truly,
ROBERT H. BRYSON,
City Controller.

October 6, 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 \$4,177.06 to and for the use of the Department of Public Works to the fund known as Assessments Against the City of Indianapolis Fund.

Yours truly,

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

October 6, 1919.

*To the Honorable President and Members
of the Common Council.*

Gentlemen—I hand you herewith communication from the Board of Public Works, asking for the passage of an ordinance appropriating the sum of Twenty-nine Hundred Twenty-two and twenty-eight cents (\$2,922.28) to and for the use of the Department of Public Works to the Fund known as "Assessments against the City of Indianapolis."

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

Yours very truly,

ROBERT H. BRYSON,
City Controller.

October 6, 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 \$2,922.28 to and for the use of the Department of Public Works to the fund known as the Assessments Against the City of Indianapolis Fund.

Yours truly,

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

October 6, 1919.

*To the Honorable President and Members
of the Common Council.*

Gentlemen—I hand you herewith communication from the Board of Public Works asking for the passage of an ordinance appropriating the sum of Fifty-five Thousand Dollars (\$55,000.00) to and for

the use of the Department of Public Work to the fund known as "Electric Gas and Vapor Lights."

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

Very truly yours,

ROBERT H. BRYSON,

City Controller.

October 6, 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 \$55,000.00 to and for the use of the Department of Public Works, to the fund known as the Electric, Gas and Vapor Lights Fund.

Yours truly,

W. F. CLEARY,

Clerk, Board of Public Works.

October 6, 1919.

*To the Honorable President and Members
of Common Council.*

Gentlemen—I hand you herewith a communication from the Board of Public Works asking for the passage of an ordinance appropriating the sum of Twenty-five Thousand Dollars (\$25,000.00) to and for the use of the Department of Public Works to the fund known as "Ashes, Sweepings and Garbage, Removal of."

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

Yours very truly,

ROBERT H. BRYSON,

City Controller.

October 6, 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 \$25,000.00 to and for the use of the Department of Public Works, to the fund known as the Ashes, Sweepings and Garbage, Removal Of. Fund.

Yours truly,

W. F. Cleary,

Clerk, Board of Public Works.

From The Board of Public Works:

October 6, 1919.

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

Dear Sir—I am forwarding, for transmission to the Common Council, switch contract granting the right to William O. Bates to lay and maintain a sidetrack or switch from the Belt Railroad across Tuxedo Street and Bates Court.

Yours truly,

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

September 20, 1919.

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

Dear Sir—I am submitting herewith, for transmission to the Common Council, switch contract granting the Valley Drive Coal Company the right to lay and maintain a sidetrack from the C. C. C. & St. L. R. R., between Hazel and Jefferson, crossing a 12-foot alley lying immediately north and west and adjoining the right of way of said railroad company.

Yours truly,

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

October 6, 1919.

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

Dear Sir—I am submitting herewith, for transmission to the Common Council, an ordinance ordering the resurfacing of New York Street from Alabama Street to East Street, except crossing of New Jersey Street, in accordance with Improvement Resolution No. 9337. This pavement has been in use for twenty-three years.

The remonstrance against this improvement, filed September 19, 1919, accompanies this letter. There are four resident property owners, three of whom have signed the remonstrance.

Yours truly,

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

October 6, 1919.

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

Dear Sir—I am submitting herewith, for transmission to the Common Council, an ordinance ordering the resurfacing of Meridian Street

from the Monument Circle to the south property line of Vermont Street, except crossing of Ohio Street, in accordance with Improvement Resolution No. 9327. This pavement has been in use for twenty-three years.

The remonstrance against this improvement, filed September 17, 1919, accompanies this letter. There are three resident property owners, all of whom have signed the remonstrance.

Yours truly,

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

October 6, 1919.

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

Dear Sir—I am submitting herewith, for transmission to the Common Council, an ordinance ordering the permanent improvement of North Street, from Noble Street to Pine Street, except crossings of Fulton and Davidson Streets, in accordance with Improvement Resolution No. 9328.

The remonstrance against this improvement, filed September 10, 1919, accompanies this letter. There are eight resident property owners, seven of whom have signed the remonstrance.

Yours truly,

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

October 6, 1919.

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

Dear Sir—I am submitting herewith, for transmission to the Common Council, an ordinance ordering the resurfacing of Washington Street from the east property line of State Street to the west property line of Rural Street, except space of 18.08 feet in center of street occupied by street car tracks, in accordance with Improvement Resolution No. 9326. This pavement has been in use for twelve years.

The remonstrance against this improvement, filed September 10, 1919, accompanies this letter. There are thirty-three resident property owners, twenty-seven of whom have signed this remonstrance.

Yours truly,

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

October 6, 1919.

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

Dear Sir—I am submitting herewith, for transmission to the Com-

mon Council, an ordinance ordering the resurfacing of Tenth Street from Illinois to West Street, in accordance with Improvement Resolution No. 9349. This pavement has been in use for sixteen years.

The remonstrance against this improvement, filed September 29, 1919, accompanies this letter. There are seven resident property owners, all of whom have signed the remonstrance.

Yours truly,

W. F. CLEARY,

Clerk, Board of Public Works.

From the Board of Public Safety:

October 6, 1919.

*Hon. William B. Peake, President and Members
of the Common Council, City of Indianapolis.*

Gentlemen—Please find attached ordinance prohibiting the operation of air craft over the City of Indianapolis.

The Board of Public Safety requests your Honorable Body to pass this ordinance. The purpose of this ordinance is to prevent commercial aeroplanes operating over the city, for the following reasons:

First, for the reason that aeroplanes are liable to fall within the city and cause a repetition of an accident such as happened in Chicago, Ill., and Cleveland, O., within recent months.

Another reason is, as a rule, commercial aeroplanes fly at a very low altitude, attracting the attention of persons, and especially children, who quite often stand on the streets while observing the movements of such aeroplanes, hereby laying themselves liable to injury by passing vehicles.

Trusting that your Honorable Body will see the advantage of this ordinance, I am,

Yours very truly,

GEORGE WILLIAMS,

Clerk, Board of Public Safety.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller:

APPROPRIATION ORDINANCE NO. 31, 1919.

AN ORDINANCE appropriating the sum of One Hundred Dollars (\$100.00) to and for the use of the Department of Finance to the fund known as "Special City Judge" 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. That there be and is hereby appropriated the sum of One Hundred Dollars (\$100.00) to and for the use of the Department of Finance to the fund known as "Special City Judge."

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. 32, 1919.

AN ORDINANCE appropriating the sum of Forty-five Thousand Dollars (\$45,000.00), to and for the use of the Department of Public Works, to the fund known as the Water Fund, 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. That there be and is hereby appropriated to and for the use of the Department of Public Works, to the fund known as the Water Fund, the sum of Forty-five Thousand Dollars (\$45,000.00).

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. 33, 1919.

AN ORDINANCE appropriating the sum of Four Thousand One Hundred Seventy-seven Dollars and six cents (\$4,177.06) to and for the use of the Department of Public Works, to the fund known as Assessments Against the City of Indianapolis Fund, 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. That there be and is hereby appropriated to and for the use of the Department of Public Works, to the fund known as the

Assessments Against the City of Indianapolis Fund, the sum of Four Thousand One Hundred Seventy-seven Dollars and Six Cents (\$4,177.06), for the purpose of paying certain assessments to the City and County Treasurer for certain lots in the City of Indianapolis on East Washington Street, namely Lot 3 in Outlot 2, and Lots 2, 3, 4 and 5 in Outlot 4, all in

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. 34, 1919.

AN ORDINANCE appropriating the sum of Ninety-seven Dollars and fifty-five cents (\$97.55) to the Department of Finance for the purpose of paying the expenses of the Purchasing Agent of the City of Indianapolis 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, Indiana:

Section 1. That there be and is hereby appropriated to the Department of Finance of the City of Indianapolis the sum of Ninety-seven Dollars and fifty-five cents (\$97.55), for the purpose of reimbursing Dwight S. Ritter, City Purchasing Agent, for expenses incurred by him in going to, attending and returning from the convention of the National Association of Purchasing Agents, held at Philadelphia, Pa., September 20 to September 25, 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. 35, 1919.

AN ORDINANCE appropriating the sum of Two Thousand Nine Hundred Twenty-two Dollars and twenty-eight cents (\$2,922.28) to and for the use of the Department of Public Works, to the fund known as

the Assessments Against the City of Indianapolis Fund, 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. That there be and is hereby appropriated the sum of Two Thousand Nine Hundred Twenty-two Dollars and twenty-eight cents (\$2,922.28) to and for the use of the Department of Public Works, to the fund known as the Assessments Against the City of Indianapolis Fund, for the purpose of paying said amount to the Columbia Construction Company to cover assessments against property growing out of the installation of three sewers on Thirtieth Street, Gale Street and Olney Street in the City of Indianapolis, which said property stands in the name of the State of Indiana.

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.

APPROPRIATION ORDINANCE NO. 36, 1919.

AN ORDINANCE transferring and re-appropriating certain funds heretofore appropriated to the Salary Fund of the Building Department of the Department of Public Safety, and fixing a time when 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 transferred from the Salary Fund of the Building Department of the Department of Public Safety, the sum of Three Hundred Dollars (\$300.00), and the same is hereby re-appropriated to the Printing, Stationery and Miscellaneous Fund of said Building Department.

Sec. 2. Whereas an emergency exists for the immediate taking effect of this ordinance, the same 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. 37, 1919.

AN ORDINANCE appropriating the sum of Fifty-Five Thousand Dollars (\$55,000.00) to and for the use of the Department of Public Works, to the fund known as the Electric, Gas and Vapor Lights Fund, 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. That there be and is hereby appropriated the sum of Fifty-five Thousand Dollars (\$55,000.00) to and for the use of the Department of Public Works, to the fund known as the Electric, Gas and Vapor Lights Fund.

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. 38, 1919.

An ordinance appropriating the sum of Twenty-five Thousand Dollars (\$25,000.00) to and for the use of the Department of Public Works, to the fund known as the Ashes, Sweepings and Garbage, Removal Of, Fund, 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. That there be and is hereby appropriated the sum of Twenty-five Thousand Dollars (\$25,000.00) to and for the use of the Department of Public Works, to the fund known as the Ashes, Sweepings and Garbage, Removal Of, Fund.

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 Board of Public Safety :

GENERAL ORDINANCE NO. 91, 1919.

AN ORDINANCE prohibiting the operation of aircraft over the City of Indianapolis, providing a penalty for violation thereof and fixing a time when the same shall take effect.

IND. U. LIB. IND'PLS.

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

Section 1. No person or persons shall operate, navigate or drive any aircraft within or above any portion of the City of Indianapolis; Provided, that such prohibition shall not apply to any person in the military, naval or civil service of the United States for the operation of any aircraft within such prohibited territory in the discharge of the duties of his or her service.

Sec. 2. Any person who violates the provisions of the foregoing section shall, upon conviction, be fined in any sum not more than one hundred dollars (\$100.00).

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

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

By the Board of Public Works:

GENERAL ORDINANCE NO. 92, 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 Alabama Street to the west property line of East Street, except crossing of New Jersey Street, 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. 9337, adopted August 25, 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 August 25th, 1919, advertised same and notified abutting property owners by mail, and confirmed without modification on September 12, 1919, Improvement Resolution No. 9331 for the improvement of said New York Street; And, Whereas within ten days of the date of hearing, three (3) of four (4) 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 of the City of Indianapolis, Indiana, be and the same is hereby ordered to improve New York Street, in accordance with Improvement Resolution No. 9337.

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 the Board of Public Works:

GENERAL ORDINANCE NO. 93, 1919.

AN ORDINANCE, Ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Meridian Street from the Monument Circle to the south property line of Vermont Street, except crossing of Ohio Street, 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. 9327, adopted August 20, 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 August 20th, 1919, advertised same and notified abutting property owners by mail, and confirmed without modification on September 10, 1919, Improvement Resolution No. 9327 for the improvement of said Meridian Street; And whereas within ten days of the date of hearing, all of three (3) 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 of the City of Indianapolis, Indiana, be and the same is hereby ordered to improve Meridian Street, in accordance with Improvement Resolution No. 9327.

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

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

By the Board of Public Works:

GENERAL ORDINANCE NO. 94, 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 Noble Street to the west property line of Pine Street, except crossings of Fulton and Davidson streets, by paving 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 plans, as provided for under Improvement Resolution No. 9328, adopted August 20th, 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 August 20th, 1919, advertised same and notified abutting property owners by mail, and confirmed without modification on September 10, 1919, Improvement Resolution No. 9328 for the improvement of said North Street; And whereas within ten days of the date of hearing, seven (7) of eight (8) 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 of the City of Indianapolis be and the same is hereby ordered to improve North Street, in accordance with Improvement Resolution No. 9328.

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 the Board of Public Works:

GENERAL ORDINANCE NO. 95, 1919.

AN ORDINANCE, Ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Washington Street from the east property line of State Street to the west property line of Rural 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. 9326, adopted August 20, 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 August 20th, 1919, advertised same and notified abutting property owners by mail, and confirmed without modification on September 10, 1919, Improvement Resolution No. 9326 for the improvement of said Washington Street; And whereas within ten days of date of hearing twenty-seven (27) of thirty-three (33) 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 of the City of Indianapolis, Indiana, be and the same is hereby ordered to improve Washington Street, in accordance with Improvement Resolution No. 9326.

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 the Board of Public Works:

GENERAL ORDINANCE NO. 96, 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, Senate, Canal and P. C. C. & St. L. R. R., 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. 9349, adopted September 3rd, 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 September 3rd, 1919, advertised same and notified abutting property owners by mail, and confirmed without modification on September 22nd, 1919, Improved Resolution No. 9349 for the improvement of said Tenth Street; And whereas within ten (10) days of the date of hearing, all of seven (7) 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 of the City of Indianapolis, Indiana, be and the same is hereby ordered to improve Tenth Street, in accordance with Improvement Resolution No. 9349.

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 the Board of Public Works:

GENERAL ORDINANCE NO. 97, 1919.

AN ORDINANCE, Approving a certain contract granting Valley Drive Coal Company the right to lay and maintain a sidetrack or switch from the C. C. C. & St. L. R. R., Cleveland Division, between Hazel and Jefferson Streets, crossing a 12-foot alley lying immediately north and west and adjoining the right of way of said railroad company, according to blue print attached, in the City of Indianapolis, Indiana. Whereas, heretofore, to-wit: on the 19th day of September, 1919, Valley Drive Coal Company filed his petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION

*To Board of Public Works,
City of Indianapolis.*

Gentlemen—The Undersigned Valley Drive Coal Company, by Elmer Casady, sole owner and proprietor, hereby petitions your Honorable Board for a right of way and the right and authority to lay a side track across a 12-foot alley lying immediately north of and adjacent to the C. C. C. & St. L. R. R. Co., between Hazel street and Jefferson Avenue, in the City of Indianapolis.

VALLEY DRIVE COAL CO.,

By Elmer Casady, Owner.

Now, Therefore, This agreement made and entered into this 19th day of September, 1919, by and between the Valley Drive Coal Company, by Elmer Casady, sole owner and proprietor, of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth, That the party of the first part, being desirous of securing a right of way for a sidetrack or switch from the C. C. C. & St. L. R. R. Co. tracks, in the City of Indianapolis, which is more specifically described as follows:

From the tracks of said company at a point between Hazel street and Jefferson Avenue, according to blue print hereto attached and made a part hereof

hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, he will lay, construct and maintain said track upon the terms and conditions hereinafter set forth, to-wit:

(1) They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said track and switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approved. Said track shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said tracks.

(3) The crossing where said track intersects blank shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, upon the written order of said Board, made for any good cause affecting the interest of the City or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to pave between said track to the entire satisfaction of the second party, and in case said tracks shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification in writing of ten (10) days, said Board shall do or cause the same to be done at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds himself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending against any such claims.

(7) Any violations of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute for-

feiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated by said Board as hereinbefore set forth.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain an additional sidetrack or switch across _____, in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

This contract void if switch is not law within one year from date.

In Witness Whereof, We have hereunto set our hands this 19th day of September, 1919.

VALLEY DRIVE COAL CO.

By Elmer Casady, Owner.

Party of the First Part.

Witness:

HARRY C. HENDRICKSON,

CITY OF INDIANAPOLIS,

By George Lemaux, President,

Mary H. Miller,

Thomas A. Riley,

Board of Public Works,

Party of the Second Part.

AND, WHEREAS, Said contract has been submitted by the Board of Public Works to the Common Council of the City of Indianapolis. for its consideration and action, now, therefore,

Section 1. *Be it ordained by the Common Council of the City of Indianapolis, Indiana, that such contract above set forth, and the same is hereby in all things confirmed and approved.*

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 Public Works.

By the Board of Public Works:

GENERAL ORDINANCE NO. 98, 1919.

AN ORDINANCE approving a certain contract granting William O. Bates the right to lay and maintain a sidetrack or switch from the

Belt Railroad across Tuxedo Street and Bates Court according to blue print attached, in the City of Indianapolis, Indiana.

Whereas, heretofore, to-wit: on the 2d day of October, 1919, filed his petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION

*To the Board of Public Works,
City of Indianapolis.*

Gentlemen—The undersigned owners of real estate abutting on Tuxedo Street, from East Michigan Street north to a point 466.60 feet north of East Michigan Street, and on Bates Court respectfully petition for the passage of a resolution providing for:

The construction of a railroad switch across Tuxedo Street and Bates Court at a point north of East Michigan Street approximately 233.6 feet and connecting with the Belt Railroad on the east, as shown on blue print attached.

Now, Therefore, This agreement, made and entered into this 2d day of October, 1919, by and between William O. Bates, of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth: That the party of the first part, being desirous of securing a right of way for a sidetrack or switch from the Belt Railroad across Tuxedo Street and Bates Court in the City of Indianapolis, which is more specifically described as follows:

hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, he will lay, construct and maintain said track upon the terms and conditions hereinafter set forth, to-wit:

(1) They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Boards of Public Works of the City of Indianapolis.

(2) Said track and switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said track shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said tracks.

(3) The crossing where said track intersects _____ shall, at all times, be kept improved and in repair and free from obstruction or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, upon the written order of said Board, made for any good cause affecting the interest of the City or the public welfare, to take up and remove said track, and upon party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to pave between said track to the entire satisfaction of the second party, and in case said tracks shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification in writing of ten (10) days, said Board shall do or cause the same to be done at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds himself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending against any such claims.

(7) Any violations of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated by said Board as hereinbefore set forth.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, and in consideration of the things hereinbefore set forth and upon the terms and

provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain an additional sidetrack or switch across Tuxedo Street and Bates Court, in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

This contract shall be void if switch is not constructed within one year.

In Witness Whereof, We have hereunto set our hands this 2d day of October, 1919.

WILLIAM O. BATES,
Party of the First Part.

Witness:

RAY S. TRENT.

CITY OF INDIANAPOLIS,

By George Lemaux, President,
Mary H. Miller,
Thomas A. Riley,
Board of Public Works,
Party of the Second Part.

AND, WHEREAS, Said contract has been submitted by the Board of Public Works to the Common Council of the City of Indianapolis, for its consideration and action, now, therefore,

Section 1. *Be it ordained by the Common Council of the City of Indianapolis, Indiana, that such contract above set forth be, and the same is hereby in all things confirmed and approved.*

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 Public Works.

By Mr. Kirsch:

GENERAL ORDINANCE NO. 99, 1919.

AN ORDINANCE to amend section 836 of the Municipal Code of the City of Indianapolis, and providing for the distribution of hand bills and prohibiting the throwing of the same on the street, alleys and public property of the city.

No person, firm or corporation shall cast, deposit or distribute any hand bill, circular, advertising matter, scrap paper or other waste material upon, or in, any automobile, street, alley or public place within said City, or post or fasten any poster, circular hand bill or paper upon,

or to, any pavement, curb, or sidewalk of any street, alley or public grounds in said City; or to, or upon, any article or structure belonging to said City; nor shall such person, firm or corporation cast, deposit or distribute any such hand bill, circular, advertising matter, scrap paper or other waste material upon the verandas, walls, lawns or premises of any person within said City.

The provisions of this Act shall not apply to any person, firm or corporation, who while engaged in the distributing of hand bills, circulars, and advertising matter, either in the furtherance of their own enterprise or business, or who are employed or engaged by any other person, firm or corporation for that purpose, shall secure or fasten the hand bills, circulars or advertising matter, which are being distributed, to the door of any residence where the same is left in such a manner that such hand bills, circulars or advertising matter shall not be blown away or scattered about the premises or upon any street, alley or public place within said City; PROVIDED, that said hand bills, circulars and advertising matter shall not be of a scurrilous, scandalous, unpatriotic, incendiary, obscene, indecent or insurrectionary character.

Any person, firm or corporation violating any of the provisions of this Section shall, on conviction, be fined in any sum not exceeding fifty (50) dollars.

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

By Mr. Pettijohn:

GENERAL ORDINANCE NO. 100, 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, 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 exterior of any vehicle for advertising purposes. Each vehicle requiring a license of \$10.00 per year or \$6.00 for six months; providing that this clause shall not apply to vehicles advertising the trade marks or owner's business; or public welfare publicity; or the name and address of owner; or name and address of agent.

Sec. 2. This amendment in so far as it conflicts with Sec. 824 of General Ordinance No. 12, 1917, shall be deemed amendatory thereof.

Sec. 3. 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. 101, 1919.

AN ORDINANCE amending paragraph (a) of Section 4 of General Ordinance No. 37 for the City of Indianapolis, for the year 1919, and providing a time when the same shall take effect.

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

Section 1. That paragraph (a) of Section 4 of General Ordinance No. 37 for the City of Indianapolis, for the year 1919, be and the same is hereby amended to read as follows :

(a) Fire department, police and salvage corps apparatus, United States mail vehicles, and the emergency repair vehicles of all public utility companies and emergency hospital ambulances shall have the right of way over all traffic in any street or other public place and through any procession; Provided, however, that the fire and police department vehicles shall have the right of way over every kind of traffic whatsoever; and provided further, that fire department vehicles shall have the right of way over police department vehicles.

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

Which was read a first time.

Mr. Schmidt moved that the rules be suspended and General Ordinance No. 101, 1919, be placed upon its passage.

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

Ayes, 8, viz. : Messrs. Brown, Carnefix, Furniss, Kirsch, Pettijohn, Miller, Schmidt and President Wm. B. Peake.

Mr. Schmidt called for General Ordinance No. 101, 1919, for second reading. It was read a second time.

Mr. Schmidt moved that General Ordinance No. 101, 1919, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 101, 1919, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Pettijohn, Miller, Schmidt and President Wm. B. Peake.

By Mr. Kirsch:

SPECIAL ORDINANCE NO. 4, 1919.

AN ORDINANCE disannexing certain territory from the City of Indianapolis, defining a part of the boundary line of said City, and fixing the time when the same shall take effect.

Indianapolis, Indiana, that the boundary lines of the City of Indianapolis be, and the same are, hereby changed and contracted so as to exclude the following described contiguous territory now constituting and forming the City of Indianapolis, in Marion County, Indiana, and shall no longer constitute a part thereof, to-wit:

Beginning at a point at the intersection of the Center Line of Sixteenth Street and the Center Line of Denny Street, thence running south with the Center Line of Denny Street Four Hundred and Forty-eight Feet (448 ft.); thence west parallel with the south line of Sixteenth Street to the east line of right of way of the Belt Railroad Company; thence north along the east line of the right of way of the Belt Railroad Company to the Center Line of Sixteenth Street; thence east with the Center Line of Sixteenth Street to the place of beginning.

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

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

By Mr. Schmidt:

RESOLUTION NO. 8, 1919.

Resolution Greeting Cardinal Mercier.

Whereas, His Eminence Cardinal Mercier, the beloved Belgian patriot, is now in the United States,

And Whereas, The American people everywhere are extending to this heroic Churchman and patriot their hearty greetings of welcome and appreciation of his great sacrifices during the period of the war when he stood foremost as the defender of his people when their country was invaded,

Therefore Be It Resolved, By the City Council of Indianapolis that we extend greetings to Cardinal Mercier and hope that he will find it possible to visit Indianapolis to receive the hearty greetings of our people who love and admire him for his heroic stand in the dark days that are now happily over,

And, That the Clerk of this body communicate this invitation and greeting to Cardinal Mercier.

Mr. Pettijohn moved that Resolution No. 8, 1919, be adopted. Carried.

By Mr. Schmidt:

RESOLUTION NO. 9, 1919.

Resolution Greeting and Inviting the King and Queen of Belgium.

Whereas, King Albert of Belgium and the Queen of Belgium are now visiting the United States,

And Whereas, The People of Indianapolis in common with all Americans have the highest admiration for the heroic stand of the Belgium people and the King and Queen of that brave little nation.

Therefore Be It Resolved, That the City Council of Indianapolis in regular meeting assembled hereby extend greetings to the King and Queen of Belgium, as the representatives of that heroic people and that we respectfully extend to them an invitation to visit Indianapolis that our people may have opportunity to show their feeling of good will and admiration for the Belgian Nation,

And, That the Clerk of this body forward to their Majesties a copy of the above resolutions.

Mr. Pettijohn moved that Resolution No. 9, 1919, be adopted. Carried.

By Mr. Schmidt:

RESOLUTION NO. 10, 1919.

Resolution Inviting DeValera, President of the Irish Republic.

Whereas, Hon. Eamonn DeValera, the elected President of the Republic of Ireland, now in the United States, is about to visit Indianapolis on Oct. 11 and 12 on his tour of the United States to lay the case of Ireland before the American people, and present to our people reasons why the Republic of Ireland should be recognized,

And Whereas, This distinguished visitor has been officially received by Governors, State Legislatures and City Councils throughout the country wherever he has already spoken,

Therefore Be It Resolved, By the City Council of the City of Indianapolis, that we hereby extend greetings to President DeValera welcome him to the Capital of the Hoosier State,

And, That the Clerk of this body forward a copy of the above resolution of welcome to the chosen representative of the Irish people.

Mr. Pettijohn moved that Resolution No. 10, 1919, be adopted. Carried.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

The Clerk read the following letter:

Sept. 17, 1919.

*Indianapolis City Council, City Hall,
Indianapolis, Indiana.*

Gentlemen—As agreed, I am writing you, as a body, in regard to fire protection on Cushing Street.

Two petitions for fire protection have been filed with the Board of Public Works, and the only action that has been taken was a call by a representative of the Indianapolis Water Company.

The taxpayers on Cushing Street are entitled to fire protection, and I am asking that same be given us.

Fountain and Rural Streets have water mains, but in rainy weather it would be impossible to get on Cushing Street via any cross-streets—therefore it would be impossible to have a hose line to a fire on Cushing Street north of the Belt Railroad.

We were promised in the campaign of 1917 that fire protection would be given us.

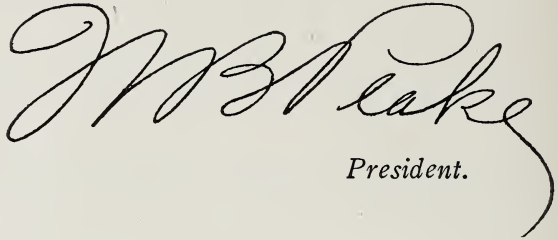
I am asking you gentlemen to at least "have a heart" and assist us taxpayers in getting what rightfully belongs to us.

Yours respectfully,

JAMES W. HENSLEY.

2182 Cushing Street.

On motion of Mr. Kirsch the Common Council at 9:17 o'clock p. m. adjourned.



J. W. Hensley

President.

Attest:



City Clerk.