

*Journal of Proceedings*  
*of the*  
**Common Council**  
*of the*  
**City of Indianapolis**  
*In Marion County, in the State of Indiana*

---

FIRST REGULAR MEETING

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, January 5, 1920, 7:30 P. M.

Pursuant to Section 49 of "An act concerning municipal corporations," approved March 6, 1905 (64th Regular Session, Chapter 129, pages 219 to 410), the Common Council held its first meeting on the first Monday in January, 1920, at 7:30 P. M., in the Council Chamber, located in the City Hall, and was called to order by George O. Hutsell, City Clerk, who called the roll of the nine Councilmen-at-Large, all of whom, except Mr. Brown, answered to their respective names.

Present: Messrs. Kirsch, Peake, Willson, Miller, Schmidt, Furniss, Pettijohn and Carnefix.

Absent: Mr. Brown.

The City Clerk announced eight members present, and stated the first business in order to be the election of a President for the year 1920.

Councilman Furniss placed in nomination Russell Willson, which nomination was seconded by Councilman Miller.

Councilman Carnefix placed in nomination Gustave G. Schmidt, which nomination was seconded by Councilman Pettijohn.

The Clerk called the roll, which resulted as follows:

Those voting for Mr. Schmidt, 4, viz.: Messrs. Kirsch, Pettijohn, Carnefix and Peake.

Those voting for Mr. Willson, 2, viz.: Messrs. Miller and Furniss.

Those not voting, 2, viz.: Messrs. Willson and Schmidt.

City Clerk Hutsell announced the result of the vote and declared Councilman Gustave G. Schmidt elected President of the Common Council for the year 1920.

The Clerk announced the next order of business to be the election of a President pro tem.

Councilman Kirsch placed in nomination Otto B. Pettijohn, which nomination was seconded by Councilman Peake.

There being no other nominations, City Clerk Hutsell declared Councilman Pettijohn elected President pro tem. of the Common Council for the year 1920.

City Clerk Hutsell appointed Messrs. Willson and Peake to escort Mr. Schmidt to the chair.

Whereupon the President took the chair, and announced the next order of business to be the election of a Secretary of Committees for the Common Council for the year 1920.

Councilman Peake placed in nomination John E. Ambuhl, which nomination was seconded by Councilman Willson.

There being no other nominations, President Schmidt declared John E. Ambuhl elected Secretary of Committees for the Common Council for the year 1920.

#### REGULAR ORDER OF BUSINESS.

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

#### COMMUNICATIONS FROM THE MAYOR.

December 17, 1919.

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

Gentlemen: I have this day signed and delivered to Mr. George O. Hutsell, City Clerk, General Ordinance No. 125.

Yours very truly,

CHARLES W. JEWETT, Mayor.

December 23, 1919.

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

Gentlemen: I have this day signed and delivered to Mr. George O. Hutsell, City Clerk, the following ordinances:

Appropriation Ordinance No. 42,

Appropriation Ordinance No. 43,

Appropriation Ordinance No. 44;

General Ordinance No. 120,

General Ordinance No. 121.

General Ordinance No. 124.

Yours very truly,

CHARLES W. JEWETT, Mayor.

January 5, 1920.

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

Gentlemen: I hand you herewith an ordinance which amends that part of the General Salary Ordinance which fixes the salary of the Superintendent of the Street Cleaning Department.

As you are aware, the work of collecting the ashes and refuse of the city has been placed in the control of the Street Cleaning Department, thereby increasing the responsibility and work of the Superintendent of Street Cleaning very greatly, and making of the Street Cleaning Department one of the largest and most responsible departments of the City administration.

The City is unusually fortunate in having a man in the position of Superintendent of Street Cleaning who is securing results in handling the work. Mr. Walters has succeeded in the past year in making an excellent showing for his department, both in work done and savings made. I am convinced that the responsibility of the Superintendent of the Street Cleaning Department and the work which he does warrants an increase in his salary from \$2,500.00 to \$3,000.00 a year. The ordinance accompanying this message provides for this increase. I trust that your honorable body will investigate the work done by this Department and the responsibility imposed upon the Superintendent, and bring the salary to an amount consistent with the responsibility and work of the position.

Respectfully submitted,

CHARLES W. JEWETT, Mayor.

January 5, 1920.

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

Gentlemen: Some time ago an ordinance was presented to your honorable body restoring the position of Superintendent of Garbage Collection and fixing the salary for such position at \$2,500.00 per year. This ordinance is now pending before the Council.

I wish to call your attention to the fact that the salary of the Superintendent of Garbage Collection has always been, since the City has had charge of this work, \$2,500.00 per year, and that your honorable body reduced this salary from \$2,500.00 to \$1,800.00 in the Salary Standardization Ordinance passed near the close of the year 1919.

When this work was done by private contract, the Superintendent in charge of the collection of garbage received \$2,500.00 a year for his services. When a vacancy occurred in this position by the death of Mr. Thomas Neilan, the Board of Works appointed Mr. A. M. Buchanan as Superintendent of Garbage Collection to fill the vacancy. He left a position which paid him \$2,100.00 per year to accept the superintendency of this department. Mr. Buchanan has made an unusually good record and is now operating his Department at a saving of \$60.00 per week over the costs of operation last year.

The ordinance now pending before your honorable body takes the Superintendent of Garbage Collection out of the Department of Street Cleaning and re-establishes the Department as a separate division under the Board of Works as it has always been prior to the passage of the Salary Standardization Ordinance of last year. In the interest of justice, and for the benefit of the work to be done by this important organization, I trust the Council will pass the ordinance now pending, thus re-establishing the Department of Garbage Collection and placing the salary of the Superintendent thereof at \$2,500.00 as it was prior to January 1st, 1920.

Respectfully submitted,

CHARLES W. JEWETT, Mayor.

#### REPORTS FROM CITY OFFICERS.

From City Controller:

January 5, 1920.

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

Gentlemen: I submit you herewith, an ordinance asking for the appropriation of Six Hundred (\$600.00) Dollars, to the Department of Finance to a fund to be known as "Salary, Secretary of Committee for Common Council."

This appropriation is made necessary by the creation of the new position of Secretary to Committee of the Common Council.

I recommend the passage of the above ordinance.

Yours very truly,

ROBT. H. BRYSON,

City Controller.

January 5, 1920.

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

I submit you herewith an ordinance asking for a temporary loan of

Three Hundred Fifty Thousand (\$350,000.00) Dollars and appropriating the sum of Three Hundred Fifty-eight Thousand Seven Hundred Fifty (\$358,750.00) Dollars for payment of same when due.

I recommend the passage of this ordinance.

Yours very truly,

ROBT. H. BRYSON,  
City Controller.

January 5, 1920.

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

Gentlemen: I hand you herewith, a communication from the Board of Public Health and Charities, asking for the passage of an ordinance authorizing a Temporary Loan of One Hundred Forty Thousand (\$140,000.00) Dollars.

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

Yours very truly,

ROBT. H. BRYSON,  
City Controller.

January 2, 1920.

Mr. Robert H. Bryson, City Controller,  
City of Indianapolis.

Dear Sir: Acting under instructions from the Indianapolis City Board of Health, I respectfully request that you submit to the Council a bill for an ordinance authorizing a temporary loan of \$140,000.00 for Board of Health purposes.

This loan is made necessary on account of the fact that the Board of Health was compelled to operate for six months without any available funds when the Legislature placed an emergency clause on the Board of Health act passed in 1913.

Respectfully yours,

H. G. MORGAN.

January 5, 1920.

To the Honorable President and Members of the Common Council.

Gentlemen: I am submitting to you communication from the Department of Public Purchase asking for the employment of an additional clerk, also ordinance covering same, and would recommend its passage.

Yours very truly,

ROBT. H. BRYSON, City Controller.

January 3, 1920.

Mr. Robert Bryson, City Controller, City Hall.

Dear Sir: I am sending you herewith an ordinance authorizing the employment of an additional clerk in the Department of Public Purchase, and appropriating \$900.00 to the salary fund of this department.

Would appreciate your transmitting this to the Common Council with your approval.

Yours very truly,  
DEPARTMENT OF PUBLIC PURCHASE.  
D. S. Ritter, City Purchasing Agent.

From the Board of Public Safety:

January 5, 1920.

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

Gentlemen: We herewith present to you an ordinance approving a contract between this Board and L. H. Colvin, of Indianapolis, for the purchase of two patrol wagons, made by the White Co. of Cleveland, O.

We ask for your favorable consideration of this ordinance and inasmuch as we are only able to operate one of the old patrol wagons, and the emergency exists, if you could see your way clear to pass this ordinance under suspension of the rules, it would seem to us an act of public necessity.

Yours very truly,  
BOARD OF PUBLIC SAFETY.  
Alex. L. Taggart, President.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

Indianapolis, Ind., December 15, 1919.

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

Gentlemen: We, your Committee on Finance, to whom was referred General Ordinance No. 118, 1919, entitled An Ordinance, fixing the salary of the Superintendent of Garbage Collection under the Board of Public Works of the City of Indianapolis, and declaring a time when the same shall take effect, beg leave to report that we have had said ordinance under consideration, and recommend that the same do not pass.

LOUIS W. CARNEFIX,  
G. G. SCHMIDT,  
O. B. PETTIJOHN.

Mr. Carnefix moved that the report of the committee be concurred in.

On motion of Mr. Willson, the roll was called and the motion to concur in the report of the committee carried by the following vote:

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

Noes, 3, viz.: Messrs. Furniss, Miller and Willson.

From the Committee on Public Safety:

Indianapolis, Ind., January 5, 1920.

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

Gentlemen: We, your Committee on Public Safety, to whom was referred General Ordinance No. 128, 1919, entitled An Ordinance amending General Ordinance No. 8 for the year 1918, and fixing a time when the same shall take effect, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

S. A. FURNISS,  
L. W. CARNEFIX.

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

From the Committee on Public Safety:

Indianapolis, Ind., January 5, 1920.

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

Gentlemen: We, your Committee on Public Safety, to whom was referred General Ordinance No. 129, 1919, entitled An Ordinance amending Section 525 of General Ordinance No. 12, 1917, and declaring a time when the same shall take effect, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

S. A. FURNISS,  
L. W. CARNEFIX.



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

From the Committee on City's Welfare:

#### MINORITY REPORT.

Indianapolis, Ind., January 5, 1920.

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. 126, 1920, entitled An Ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 15th day of December, 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) 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, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

RUSSELL WILLSON.

#### MAJORITY REPORT.

Indianapolis, Ind., January 5, 1920.

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. 12, 1919, entitled An Ordinance ratifying, confirming and approving a certain contract and agreement made

and entered into on the 15th day of December, 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) 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, beg leave to report that we have had said ordinance under consideration, and recommend that the same do not pass.

LEE J. KIRSCH, Chm.  
G. G. SCHMIDT,  
L. W. CARNEFIX.

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

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

On motion of Mr. Furniss, the roll was called and the motion to concur in the majority report of the committee carried by the following vote:

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

Noes, 3, viz.: Messrs. Furniss, Miller and Willson.

## INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller :

Appropriation Ordinance No. 1, 1920.

An Ordinance appropriating the sum of Six Hundred Dollars (\$600.00) to and for the use of the Department of Finance, to a fund to be known as "Salary, Secretary of Committee for Common Council," 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 Six Hundred Dollars (\$600.00) to and for the use of the Department of Finance, to a fund to be known as "Salary, Secretary of Committee for Common Council Fund."

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

Which was read a first time.

Mr. Willson moved that the rules be suspended and Appropriation Ordinance No. 1, 1920, 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. Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

Mr. Peake called for Appropriation Ordinance No. 1, 1920, for second reading. It was read a second time.

Mr. Peake moved that Appropriation Ordinance No. 1, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 1, 1920, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By the City Controller:

General Ordinance No. 1, 1920.

An Ordinance authorizing the City Controller to make a Temporary Loan or loans for the use of the City of Indianapolis, in anticipation of taxes and payable out of the current funds of said City authorizing the rate of interest to be charged therefor 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 the Controller be and is hereby authorized and empowered to negotiate a Temporary Loan or loans for the use of the City of Indianapolis, in anticipation of current revenues of said City, said loan or loans to be for the total sum of not to exceed Three Hundred Fifty Thousand (\$350,000.00) Dollars and payable from the revenues of said city at a rate of interest not to exceed six per cent. per annum (6%) and for and during a period not exceeding five months. The said loan shall be let to the lowest bidder at competitive bidding on the annual rate of interest under conditions prescribed in notice of the same which shall be published for at least one (1) day in at least one (1) daily paper of said City. The Mayor and City Controller are authorized and directed to execute the proper obligations of the City for the amount so borrowed, and the sum of Three Hundred Fifty-eight Thousand, Seven Hundred and Fifty (\$358,750.00) Dollars is hereby appropriated for the same when due.

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 the City Controller:

General Ordinance No. 2, 1920.

An Ordinance authorizing the City Controller to make a temporary loan, or loans, for the use of the Board of Health of the City of In-

Indianapolis, in anticipation of taxes and payable out of the current funds of said Board authorizing the rate of interest to be charged therefor 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 the City Controller be, and is hereby authorized and empowered to negotiate a temporary loan, or loans, for the use of the Board of Health, of the City of Indianapolis, in anticipation of current revenues of said Board, said loan or loans, to be for the total sum of not to exceed \$140,000.00 and payable from the revenues of said Board at a rate of interest not to exceed six (6%) per cent. per annum and for and during a period not exceeding five months.

The said loan shall be let to the lowest bidder at competitive bidding on the annual rate of interest under conditions prescribed in notice of the same which shall be published for at least one day in at least one daily paper of said City.

The Mayor and City Controller are authorized and directed to execute the proper obligations of the City for the amount so borrowed, which shall also be countersigned by the President of the Board of Health and to the payment of said obligation the faith of the City is hereby irrevocably pledged.

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 the Mayor:

General Ordinance No. 3, 1920.

An Ordinance, amending paragraph (e) of Section 2 of General Ordinance No. 76, 1919, entitled "An Ordinance authorizing certain offices and positions in the City of Indianapolis, fixing the salary and compensation thereof, repealing all ordinances in conflict therewith, and declaring a time when the same shall take effect."

Section 1. *Be it Ordained by the Common Council of the City of Indianapolis,* That paragraph (e) of Section 2 of General Ordinance No. 76, 1919, be amended by striking out the words "Twenty Five Hundred" after the word "Superintendent", and inserting in lieu thereof the words "Three Thousand." By striking out the words "Eighteen Hundred" after the words "First Assistant Superintendent (Garbage)", and inserting in lieu thereof the words "Twenty Five Hundred."

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

Which was read a first time.

Mr. Peake moved that the rules be suspended and General Ordinance No. 3, 1920, 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. Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

Mr. Peake called for General Ordinance No. 3, 1920, for second reading. It was read a second time.

Mr. Peake moved that General Ordinance No. 3, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 3, 1920, was read a third time and failed to pass by the following vote :

Ayes, 3, viz. : Messrs. Furniss, Miller and Willson.

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

By the Board of Public Safety :

General Ordinance No. 4, 1920.

An Ordinance, ratifying, confirming and approving a certain contract made and entered into on the 5th day of January, 1920, between the City of Indianapolis, by and through its Board of Public Safety and Mayor, and L. H. Colvin, of Indianapolis, Indiana, whereby said City is authorized to purchase from said L. H. Colvin, two police patrol automobiles, f. o. b. Indianapolis, Indiana, for the sum of Seven Thousand, Six Hundred Dollars (\$7,600.00) specifying the fund out of which same shall be paid, and fixing a time when the same shall take effect.

Section 1. *Be it Ordained by the Common Council of the City of Indianapolis:*

Whereas, Heretofore, to-wit, on the 5th day of January, 1920, the City of Indianapolis, Indiana, by and through its Board of Public Safety and Mayor, entered into a certain contract and agreement with L. H. Colvin of Indianapolis, Indiana, which contract is in the words and figures following, to-wit:

CONTRACT.

This agreement made and entered into this 5th day of January, 1920, by and between the City of Indianapolis, Indiana, acting by and through its Board of Public Safety and Mayor, party of the first part, and L. H. Colvin of Indianapolis, Indiana, party of the second part.

Witnesseth, That the party of the second part hereby agrees to sell, transfer and deliver, subject to the terms and conditions herein set out, to the party of the first part, two police patrol automobiles for and in consideration of the sum of Seven Thousand, Six Hundred Dollars (\$7,600.00).

1st. Said patrol automobiles to be painted and lettered, with war tax paid, with electric lights and starters, open and curtained sides, open back, and as per plans and specifications attached and made a part hereof.

2nd. Said patrol wagons to be shipped by the party of the second part to Indianapolis, Indiana, in January, 1920, and if received and accepted as satisfactory, after inspection by the Superintendent of Police of the City of Indianapolis, payment of the purchase price is to be made by the party of the first part within ninety days.

3d. All deliveries to be f. o. b. Indianapolis, Indiana.

4th. This contract on the part of the City of Indianapolis, Indiana, shall be of no force and effect unless specifically authorized by ordinance of the Common Council of said City.

In Testimony Whereof, The parties hereto have hereunto set their hands this 5th day of January, 1920.

CITY OF INDIANAPOLIS.

By Alex. L. Taggart, Felix M. McWhirter, Board of Public Safety;  
Charles W. Jewett, Mayor, Party of the First Part.

L. H. COLVIN,

Party of the Second Part.

Sec. 2. That the foregoing contract and agreement made and entered into on the 5th day of January, 1920, by the City of Indianapolis and L. H. Colvin of Indianapolis, Indiana, be and the same is in all things ratified, confirmed and approved in accordance with the terms, provisions and conditions thereof.

Sec. 3. The purchase price of said police patrol automobiles as provided in this contract shall be paid out of the fund of Nine Thousand, One Hundred and Twenty Dollars (\$9,120.00) appropriated to the Department of Public Safety for new automobiles by Appropriation Ordinance No. 28, 1919.

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

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

By the City Controller :

General Ordinance No. 5, 1920.

An Ordinance, authorizing the employment of an additional clerk in the Department of Public Purchase of the City of Indianapolis, fixing the salary thereof, appropriating the sum of Nine Hundred Dollars to the salary fund of the Department of Public Purchase, and fixing a time when the same shall take effect.

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

Section 1. That there be and is hereby authorized the employment of an additional clerk in the Department of Public Purchase of the City of Indianapolis, and that the salary of the same be and is hereby fixed at the rate of Nine Hundred Dollars per year.

Sec. 2. That there be and is hereby appropriated the sum of Nine Hundred Dollars to the salary fund of the Department of Public Purchase.

Sec. 3. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time.

Mr. Peake moved that the rules be suspended and General Ordinance No. 5, 1920, 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. Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.



Mr. Peake called for General Ordinance No. 5, 1920, for second reading. It was read a second time.

Mr. Peake moved that General Ordinance No. 5, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 5, 1920, was read a third time and failed to pass by the following vote:

Ayes, 3, viz.: Messrs. Furniss, Miller and Willson.

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

By Board of Park Commissioners:

General Ordinance No. 6, 1920.

An Ordinance authorizing the sale of twenty bonds of \$1,000.00 each of the City of Indianapolis, Indiana, payable from the General Revenues and Funds of said City, or from the Sinking Fund of said City, or as may be required by law, for the purpose of procuring money to be used for a payment of purchase money for certain park lands and providing for the time and manner of advertising, sale of bonds and the receipt of bids for same, together with the manner and terms of sale, in fixing a time when the same shall take effect.

Whereas, the City of Indianapolis has, by its Board of Park Commissioners, entered into a contract for the purchase for park purposes of certain lands described as Lots 167, 168, 169, 170, 171, 172, 178, 179, 180 and Blocks I, K and J, all in Heywood's Second Park Addition to the City of Indianapolis; and

Whereas, there is now past due and unpaid, under the terms of said contract, a balance of Twenty Thousand (\$20,000) Dollars of such purchase money, and there is not now, and will not be, sufficient funds in the treasury of the City of Indianapolis with which to meet such payment; and it being necessary for the City of Indianapolis to borrow the sum of Twenty Thousand (\$20,000) Dollars in order to procure such a fund to be devoted to such purposes, and to issue and sell its bonds in such an amount, payable from the general revenue and funds of said city or from the sinking fund, or as may be required by law; therefore,

Section 1. *Be it Ordained by the Common Council of the City of Indianapolis, Indiana,* That the City Controller of said City be and is hereby authorized, for the purpose of procuring money to be used for the purpose of making a payment of Twenty Thousand (\$20,000) Dollars

on the contract for the purchase of park lands for said city to prepare and sell Twenty (20) new bonds of the City of Indianapolis, Marion County, Indiana, of the sum of One Thousand (\$1,000) Dollars each, each bond shall bear date of February 1, 1920, and shall be numbered from One (1) to twenty (20), both inclusive shall be designated as "Park Purchase Bonds of 1920", shall mature on January 1, 19\_\_, and shall bear interest at 4½% per annum, payable semi-annually, and said installments of interest shall be evidenced by interest coupons attached to said bonds, and the first coupon attached to each bond shall be for the interest on said bond from date of issue until the first day of January, 19\_\_. Said bonds and interest coupons shall be negotiable and payable at the Fletcher Savings and Trust Company, Indianapolis, Indiana. Said bonds shall be signed by the Mayor and City Controller of said City of Indianapolis and attested by the City Clerk, who shall affix the seal of said city to each of said bonds, and the interest coupons attached to said bonds shall be authenticated by a lithographed fac-simile of the signatures of the Mayor and City Controller of said city engraved thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof. Said bonds shall be prepared by the City Controller in due form, irrevocably pledging the faith and credit of the City of Indianapolis to the payment of the principal and interest stipulated therein respectively.

It shall be the duty of the City Controller at the time of the issue and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with number one (1), giving also the date of their issuance, their amount, date of maturity, rate of interest and the time and place where said interest shall be payable; said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before issuance thereof:

No.-----

\$1000.00

UNITED STATES OF AMERICA, CITY OF INDIANAPOLIS,  
MARION COUNTY, STATE OF INDIANA,  
PARK PURCHASE BONDS OF 1920.

For value received, the City of Indianapolis, in Marion County, in the State of Indiana, hereby promises to pay to the bearer, without any relief from valuation and appraisement laws, on February 1, 19\_\_, at the Fletcher Savings and Trust Company, Indianapolis, Indiana, One Thousand (\$1000) Dollars in lawful money of the United States of America, together with interest thereon at the rate of 4½% per annum from date until paid, the first interest payable on the first day of January, 1920, and the interest thereafter payable semi-annually on the first day of

January and July, respectively, upon the presentation and surrender of the proper interest coupons hereunto attached, and which are made a part of this bond.

This bond is one of an issue of twenty (20) bonds, of one thousand dollars (\$1,000) each, numbered from one (1) to twenty (20), both inclusive, of date February 1, 1920, issued by said City of Indianapolis, pursuant to an ordinance passed by the Common Council of the city on ----- and an act of the General Assembly of the State of Indiana entitled "An act concerning municipal corporations," approved March 6, 1905, and all acts supplemental thereto and amendatory thereof.

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

IN WITNESS WHEREOF, The Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and the City Controller, and attested by the City Clerk, and the corporate seal of the said city to be hereunto affixed this, as of ----- day of ----- 19-----.

-----  
Mayor.

-----  
City Controller.

Attest:

-----  
City Clerk.

Sec. 2. The City Controller shall, as soon as practicable after the passage of this ordinance, advertise for bids or proposals for said bonds by at least one insertion each in two daily newspapers of general circulation, printed and published in the City of Indianapolis, and may otherwise advertise for such bids, or proposals, as he may deem advisable. Said advertisement shall describe said bonds with such minuteness and particularity as the City Controller may see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they shall bear, that the bidder may bid for all or any part of said bonds, the date of opening bids or proposals therefor, the right of the City Controller to reject any or all bids, the amount of deposit each bidder will be required to make, and when and where the bonds shall be delivered and paid for.

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

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

Sec. 5. In case any bid or proposal shall not be accepted and there shall be no award of bonds thereon by the City Controller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the City Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same, and shall hold the proceeds collected thereon until the completion of the purchase and the payment of the bonds so awarded. If for any reason said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of the contract for the purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to re-advertise said bonds for sale at once, and shall, in such event, retain said check, and shall have the right to collect the same for its own use,

and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the city. In case any successful bidder shall fail to complete the purchase of the bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the City Controller, as herein provided, the proceeds of such certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder, or, at the option of the City Controller, at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

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

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

Sec. 8. The proceeds of the sale of said bonds is hereby appropriated to the Board of Park Commissioners for the purchase of said land.

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

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

By the Board of Public Works:

Special Ordinance No. 1, 1920.

An Ordinance authorizing the sale of certain personal property of the City of Indianapolis under the control of the Board of Public Works, and providing a time for the taking effect of the same.

Whereas, prior to the first day of October, 1919, the Board of Public Works of the City of Indianapolis recommended the sale, as personal property, of the following property, to-wit: One frame two story double residence known as Nos. 654 and 656 South West Street, and one frame two story store and residence known as Nos. 660 and 662 South West Street, and

Whereas, the said Board of Public Works did, on the ----- day of October, 1919, file its petition in the Marion Circuit Court praying the appointment of appraisers to appraise said property, which petition is as follows, to wit:

"The City of Indianaolis, by and through its Board of Public Works, respectively shows to the court that it has in its care and custody one two story frame dwelling located at the northwest corner of Norwood and South West Streets in said city, and one two story double dwelling known as numbers 654 and 656 South West Street in said city, and one small out-building adjacent to, said double dwelling. That said dwelling houses are located upon real estate owned by said city, along and upon which is constructed what is commonly known as the Pogue's Run sewer. That said dwellings are unfit for any use whatever and are not needed by said city for any purpose, and that said city and its Board of Public Works deems it advisable to sell said property as personalty.

"Wherefore your petitioner prays the court to appoint as appraisers for said property three disinterested freeholders of the City of Indianapolis, no one of whom shall be an officer or employee of said city, to make an appraisement and sworn valuation of said property and to make written return of said appraisement to the Mayor of said city.

"Dated this ----- day of October, 1919."

And, whereas, upon the filing of said petition said court did order the appointment of appraisers, which order is as follows, to-wit:

"Comes now the City of Indianapolis, by its Board of Public Works, and presents its petition for the appointment of appraisers to make and return an appraisement and valuation of two dwellings and an out-building, one dwelling located at the northwest corner of Norwood and South West Streets in said city, and the other dwelling and the out-building located at numbers 654 and 656 South West Street in said city; and the court being duly advised in the premises does hereby appoint Patrick Cahalane, Joseph Schmid and William W. Robbins, none of whom is an officer or employee of said city, as appraisers to

make and return a sworn valuation and appraisalment of said property, as in said petition prayed for.

"Dated this \_\_\_\_\_ day of October, 1919."

And, whereas, said appraisers duly accepted said appointment and made an appraisalment as required by law and returned a copy thereof to the Mayor of the City of Indianapolis, which appraisalment is as follows, to wit:

"The undersigned, having been duly sworn on their oaths, depose and say: That having been duly appointed by the Judge of the Circuit Court in and for the county and state as aforesaid to make appraisalment and sworn valuation of certain personal property inventoried by the Board of Public Works of the City of Indianapolis, for the purpose of making sale of the same, we do now hereby honestly and truly appraise such property as being of the fair and reasonable value herein indicated as follows:

"One frame, two story, double residence (building only), known as 654 and 656 South West Street, \$150.00,

"One frame, two story, store and residence (building only), known as 660 and 662 South West Street, \$75.00."

And, whereas, the Mayor of the City of Indianapolis did, on the 21st day of October, 1919, approve said proceedings and appraisalments as follows, to wit:

"I, Charles W. Jewett, Mayor of the City of Indianapolis, Indiana, do hereby approve the foregoing proceedings and contemplated sale of the property herein inventoried, and also approve the appraisalments and sworn valuations made by said appraisers.

"Dated this 21st day of October, 1919."

Now therefore,

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

Section 1. That said Board of Public Works is hereby authorized to sell for cash, at public or private sale, for not less than its full appraised value, the following personal property of the City of Indianapolis, namely: One frame two story double residence known as Nos. 654 and 656 South West Street, and one frame two story store and residence known as Nos. 660 and 662 South West Street, provided that such buildings only shall be sold, and no portion of the ground upon which said buildings now stand or any interest therein shall be included in such sale. Such sale shall be upon such notice as the Board of Public Works shall determine and such property may be sold separately or in one lot.

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

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

INTRODUCTION OF MISCELLANEOUS BUSINESS.

By Mr. Peake:

Resolution No. 1, 1920.

Whereas, the American Legion, after due consideration of the claims and advantages of other cities, have selected the City of Indianapolis as the best and most advantageous location for the National Headquarters of that one hundred per cent American patriotic organization, composed of soldiers and sailors of the United States in the Great World War, and

Whereas the location of the National Headquarters of such an organization in our city is a matter of state-wide interest and concern and of supreme public importance which will promote the general welfare of the State of Indiana, the County of Marion and the City of Indianapolis; now therefore

Be it Resolved by the Common Council of the City of Indianapolis, Indiana, that Mayor Charles W. Jewett and Corporation Counsel Samuel Ashby be and they are hereby requested to cooperate with others interested in the preparation of and the presentation to the General Assembly of the State of Indiana for passage, an act providing for the levy of taxes and the issue of bonds and the appropriation of money for the securing of a site and the erection and maintenance in the City of Indianapolis, jointly by the State of Indiana, the County of Marion and the City of Indianapolis, or jointly by the City of Indianapolis and the County of Marion, or by the City of Indianapolis alone, of a monument, or a memorial hall and other buildings and other structures, or a monument and memorial hall or other buildings and other structures, to commemorate the bravery, courage and valor of the soldiers and sailors of the United States and of all others who rendered faithful, loyal, heroic and self-sacrificing service at home and overseas in the glorious part which the United States took in the Great World War, and to provide a place or places of meeting and headquarters for local, city, county, state and national organizations of such soldiers and sailors and others, in order to teach the duties and benefits of American citizenship and inspire patriotism and respect for the law to the end that peace may prevail, good will be promoted, justice administered and established, public order maintained and liberty and freedom under the law be perpetuated.



Be it further resolved, that this resolution be submitted to the Mayor for his approval and when so approved that a duly certified copy hereof be presented to the national officers of the American Legion by a committee representing the Common Council, consisting of Lee J. Kirsch, William B. Peake, Russell Willson, Jesse E. Miller, Gustave G. Schmidt, Sumner A. Furniss, Otto B. Pettijohn, Louis W. Carnefix and Jacob P. Brown, with assurances of the full support and cooperation by the Common Council.

Which was read a first time.

Mr. Furniss moved that the rules be suspended and Resolution No. 1, 1920, 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. Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

Mr. Peake moved that Resolution No. 1, 1920, be adopted.

The roll was called and Resolution No. 1, 1920, was adopted by the following vote:

Ayes, 8, viz.: Messrs. Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

On motion of Mr. Peake, the City Clerk was instructed to file in his office the report received from the State Board of Accounts of an examination made of the City of Indianapolis for the year 1918.

#### ORDINANCES ON SECOND READING.

Mr. Furniss called for General Ordinance No. 129, 1919, for second reading. It was read a second time.

Mr. Furniss moved that General Ordinance No. 129, 1919, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 129, 1919, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

Mr. Furniss called for General Ordinance No. 128, 1919, for second reading. It was read a second time.

Mr. Furniss moved that General Ordinance No. 128, 1919, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 128, 1919, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

Mr. Kirsch called for General Ordinance No. 126, 1919, for second reading. It was read a second time.

Mr. Kirsch moved that General Ordinance No. 126, 1919, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 126, 1919, was read a third time and failed to pass by the following vote:

Ayes, 3, viz.: Messrs. Furniss, Miller and Willson.

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

Mr. Willson explained his vote as follows:

Mr. President:

The investigation conducted by the committee into the merits of this ordinance has convinced me:

First: That if in the past there were benefits to the consuming public by competition between public utilities selling the same commodity in Indianapolis, such possibilities have been eliminated by the creation, by legislative enactment of our Public Utilities Commission, with its broad powers, including that of fixing and changing rates.

Second: That even if at present, advantage could inure to the public by such competition, the business of one of these companies after hard and costly effort to secure patronage has dwindled to the point where it ceases to furnish such competition to the other company; and that a majority of those persons opposed to this ordinance desire that the selling company continue to operate and furnish such alleged competition without themselves patronizing such company.

Third: That even in the event this sale is not consummated, said company will cease to function as an operating company or competitor, and the city's yearly franchise payments will be lost for the remainder of the life of its contract.

Fourth: If the decision of the Marion Circuit Court is affirmed by the Supreme Court of Indiana, there is a possibility, if not a probability that such annual payments will be lost to the City.

Fifth: I believe further that the position of the public, with reference to the rights, privileges and restrictions of the Central Union Telephone Company, will be greatly safe-guarded and strengthened by the passage of this ordinance.

Inasmuch therefore as by proper action this Council can remove all doubt and save to the City \$114,000.00 and as no arguments have been advanced convincing me that this ordinance should be defeated, I vote "aye."

Mr. Carnefix called for General Ordinance No. 118, 1919, for second reading. It was read a second time.

Mr. Carnefix moved that General Ordinance No. 118, 1919, be stricken from the files.

The roll was called and General Ordinance No. 118, 1919, was stricken from the files by the following vote:

Ayes, 6, viz.: Messrs. Carnefix, Kirsch, Miller, Pettijohn, Peake and President G. G. Schmidt.

Noes, 1, viz.: Mr. Furniss.

Not voting, 1, viz.: Mr. Willson.

President Schmidt announced the following standing committees for the year 1920:

*Finance*—Peake, Kirsch, Willson, Pettijohn, Furniss.

*Public Works*—Kirsch, Peake, Carnefix, Pettijohn, Brown.

*Public Safety*—Willson, Carnefix, Kirsch, Peake, Miller.

*Public Health and Charities*—Pettijohn, Furniss, Miller, Brown, Carnefix.

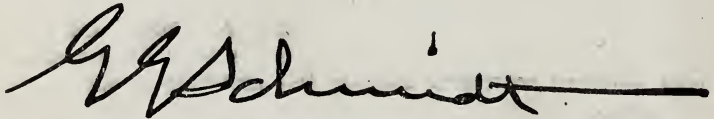
*Parks*—Furniss, Peake, Miller, Pettijohn, Willson.

*Law and Judiciary*—Brown, Willson, Miller, Furniss, Kirsch.

*Elections*—Miller, Brown, Willson, Furniss, Carnefix.

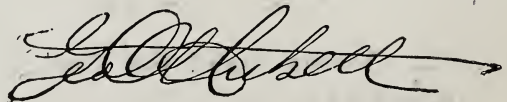
*City's Welfare*—Carnefix, Peake, Kirsch, Pettijohn, Brown.

On motion of Mr. Pettijohn, the Common Council, at 9:45 o'clock p. m., adjourned.



President.

Attest:



City Clerk.