

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, May 17, 1920.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, May 17, 1920, at 7:30 o'clock in regular session, President G. G. Schmidt in the chair.

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

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

COMMUNICATIONS FROM THE MAYOR.

May 14, 1920.

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

Gentlemen:

I wish to call your attention to the condition of the Street Commissioner's Department owing to the fact that approximately one hundred men quit their positions about three weeks ago because of the fact that the wages paid them were less than they were able to get from contractors and other employers in the city, thus leaving the Street Commissioner's Department totally disrupted to carry on its street repair work.

An ordinance is now pending before the Council increasing the salaries of common laborers, tamperers, rakers, mixermen, and other workmen of the Street Commissioner's Department. This proposed ordinance has now been pending in the Council for about three weeks without action. I am informed that it was referred to the Committee on City's Welfare and is still in the custody of that committee.

The recommendation for increases in these salaries provides for approximately 10 per cent increase. Even this increase will not bring

the pay up to the amount which is now being paid by contractors, but the head of the street department believes he can fill the ranks of his force with capable men at the wage rate provided in the ordinance.

It is unfortunate indeed that the changed conditions, making necessary a change in the wages of this class of labor, without any relief being granted, should come during the past three weeks when the weather has been favorable to this kind of work. However, the Street Commissioner's Department has been unable to do any work upon the hard surfaced streets, in spite of the fact that the city's repair work on streets is all the more essential this spring since the Department had anticipated making every effort to have our city's streets in the best possible condition for the three big events which will occur here within the next few weeks, which will attract to the city hundreds of thousands of visitors from throughout the country—The Speedway Races, the World's Advertising Clubs Convention and the Centennial Celebration.

Unless relief is granted for this situation, it will be impossible for this department to employ men, and it will necessarily remain closed down, as it has been for the past three weeks. May I urge upon the members of the Council the great importance of relieving this situation so that the city streets may be repaired and the Street Commissioner's force reorganized to accomplish this necessary work.

Trusting that the Council will see the importance of this problem, and will deal with it without unnecessary delay, I am

Yours very truly,

CHARLES W. JEWETT,

Mayor.

May 11, 1920.

*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. 8.

Appropriation Ordinance No. 11.

General Ordinance No. 46.

Yours very truly,

CHARLES W. JEWETT,

Mayor.

REPORTS FROM CITY OFFICERS.

From the City Controller:

May 17, 1920]

CITY OF INDIANAPOLIS, IND.

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May 17, 1920.

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

Gentlemen:

I submit you herewith an ordinance increasing the salary of the bookkeeper in City Controller's Office from Sixteen Hundred Twenty (\$1620.00) Dollars per year to Eighteen Hundred (\$1800.00) Dollars per year, and calling for an appropriation of One Hundred Five Dollars (\$105.00) Dollars for the additional salary, for the remainder of the year 1920.

I recommend the passage of above ordinance.

Yours very truly,

ROBT. H. BRYSON,
City Controller.

May 15, 1920.

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

Gentlemen:

Enclosed please find communication and ordinance from the Department of Sanitation, asking for authority to make a temporary loan of Five Hundred Thousand (\$500,000.00) Dollars, payable December 31, 1920.

This department has outstanding at the present time a temporary loan of One Hundred Fifty Thousand (\$150,000.00) Dollars and will borrow another Hundred Thousand, about June 1st. These two loans amounting to Two Hundred Fifty Thousand (\$250,000.00) Dollars will be due on August 14th, and in order to pay these loans and provide money for the construction work, between August 14th and December 31st, it is necessary that the additional Two Hundred Fifty Thousand (\$250,000.00) Dollars be borrowed.

The necessity for this temporary loan, as you know, is brought about by the failure of the last legislature to exempt bonds of this department from taxation. Should the special session of the legislature convene before the first of August and provide for the exemption of these bonds and an increased rate of interest, it will not be necessary to take advantage of this loan. But in order that the proper procedure can be gone through, and the department prepared for any emergency, I would recommend that this ordinance be passed.

Yours very truly,

ROBT. H. BRYSON,
City Controller.

May 14, 1920.

City Controller, Indianapolis, Indiana.

Dear Sir:

I beg to enclose herewith an ordinance for the making of a temporary loan of Five Hundred Thousand Dollars (\$500,000.00) for the Department of Sanitation.

The city now has a loan of One Hundred Fifty Thousand Dollars (\$150,000.00) due August 14, 1920, for said department, and the department has made a request upon you for an additional One Hundred Thousand Dollars (\$100,000.00), which shall fall due on said date.

It is estimated that an additional sum of Two Hundred Fifty Thousand (\$250,000.00) Dollars will be necessary for the work of construction from August 15th to December 31, 1920, hence to take up the outstanding loans on August 15th and to provide for further construction throughout the year, the sum of Five Hundred Thousand Dollars (\$500,000.00) will be required.

Yours very truly,

D. H. BYNUM,

Attorney for the Sanitary Board.

From the Corporation Counsel:

May 15, 1920.

To the President and Members of the Common Council.

Gentlemen:

I herewith submit Special Ordinance No. 11, 1920, accepting the bequest of \$50,000.00 made to the City of Indianapolis in the last will of Charles Warren Fairbanks.

The will provides that the bequest fails unless the same is accepted by the city within two years after the testator's death, which occurred on the 18th day of June, 1918.

So you will appreciate the importance of speedy action on this question.

I therefore request that if this ordinance meets the approval of the Council that it be passed under suspension of the rules, so that the city can be prepared in all things to accept the bequest and receive the money, if offered, before the end of the two years,

Very truly yours,

SAMUEL ASHBY,

Corporation Counsel,

From the Board of Public Works:

May 17, 1920]

CITY OF INDIANAPOLIS, IND.

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May 11, 1920.

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

Dear Sir:

Enclosed herewith you will find for transmission to the Common Council a contract granting O. L. Miller and Company and J. C. Moore the right to lay and maintain a side track, or switch, across west Seventeenth Street at the Old Chicago division of C. C. C. & St. L. Ry.

Yours truly,

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

May 17, 1920.

To the President and Members of the Common Council.

Gentlemen:

I am submitting for your approval and the passage of an ordinance, a contract granting Jacob Solotken and the Big Four Railroad the right to lay a switch from a point south of Pratt Street across the first alley west of Senate.

Yours truly,

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

From the Board of Public Safety:

May 17, 1920.

Hon. President and Members Common Council,
City of Indianapolis.

Gentlemen:

Please find enclosed herewith ordinance transferring and reappropriating certain funds under the Department of Public Safety.

The object of this transfer is to make available funds for the purchase of automobiles and motorcycles for the Police Department, and an automobile for the Weights and Measures Department, under the Department of Public Safety.

Trusting that you will give this ordinance favorable consideration, I remain,

Yours very truly,

BOARD OF PUBLIC SAFETY,
GEO. W. WILLIAMS, Executive Secretary.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

Indianapolis, Ind.,
May 17, 1920.

*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. 39, 1920, entitled "An ordinance creating the position of Fifth Assistant City Civil Engineer, fixing the salary thereof, 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.

W. B. PEAKE, *Chairman.*
LEE J. KIRSCH.
RUSSELL WILLSON.
S. A. FURNISS.
C. B. PETTIJOHN.

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

From the Committee on Finance:

Indianapolis, Ind.,
May 17, 1920.

*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. 48, 1920, entitled "An ordinance amending the plumbing regulations in the City of Indianapolis, Indiana," beg leave to report that we have had said ordinance under consideration, and recommend that the same be amended to read as follows:

GENERAL ORDINANCE, NO. 48, 1920.

AN ORDINANCE amending sections 889, 890, 894, 896, 905, 908, 909, 913, 917, 921, 922, 923, 925, 927 and 928 of General Ordinance No. 12, 1917, 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 Section 889 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read, as follows:

Section 889. That the salary of the chief inspector shall be \$2,500.00 per year.

Section 2. That Section 890 of General Ordinance No. 12, 1917, be, and the same is, hereby amended to read, as follows:

Section 890. *License of Plumbers.* Each master plumber desiring to carry on the plumbing business in the city of Indianapolis shall, before so doing, procure a license for the first year, for which he shall pay twenty-five (\$25.00) dollars, and for each year after the first he shall pay five dollars (\$5.00) dollars per year for such license. Said license shall expire on the 30th day of June of each year, and no reduction shall be made for any part of the year having already elapsed. All fees shall be paid into the office of the City Controller. In case of a firm or persons or corporation engaged in the business of plumbing desiring to take out license, one member of such firm or corporation may elect to take out license in the manner indicated and which shall entitle said firm or corporation to do business in the City of Indianapolis.

Section 3. That Section 894 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read as follows:

All permits for plumbing or house drainage shall be issued by the City Controller after approval by the inspector of plumbing. The fee for issuing permits shall be according to the number of fixtures and openings at the following rates: The minimum fee shall be one (\$1.00) dollar for one fixture or opening, fifty cents (50c) cents for each of the following five fixtures or openings, twenty-five (25c) cents each for all fixtures or openings thereafter. The fee for rain water leaders shall be twenty-five (25c) cents for each story height of each leader.

The following will be classed as fixtures, or openings: Water closets, bath tubs, lavatories, sinks of all descriptions, tubs, urinals, garage and floor drains, fountains of all descriptions, shower receptacles, or any fixture or opening, connecting with drainage system, cesspool, sanitary or storm sewer. Where second inspection is required on account of work not being installed according to the requirements of this ordinance an additional fee of one (\$1.00) dollar will be charged.

Section 4. That Section 896 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read as follows:

Section 896. Every dwelling house, hotel, apartment house, tenement or business house, factory, garage, store or other buildings in which plumbing arrangements are to be placed, shall be connected with the city sewer when such sewer is accessible, and when such sewer is not accessible, with a cesspool in a location

to be approved by the inspectors of plumbing. The plumbing and ventilation of every building shall be separate and independent from the roof, to the outside of the foundation walls, provided that private stables may be connected with the house drain. That portion of the house drain which is inside the walls and underneath the building, and three (3) feet outside the area of foundation walls, shall be constructed of what is known to commerce as extra heavy cast iron soil pipe, and extra heavy standard fittings. Fittings and pipe shall be coated outside and inside with coal tar varnish or any coating equally as good; that shall be securely ironed to the walls, laid in trenches of uniform grade, or suspended to the floor timbers by strong iron hangers, to be approved by the inspectors; in all cases a brass clean-out connection shall be placed in drain. There shall be clean-outs at the exit of drain from building, placed in an accessible location. The ends of all main drains shall be provided with a brass clean-out connection, of a size not less than two (2) inches, and placed in an accessible position. Drain and soil pipes shall have a uniform fall of not less than one-eighth of an inch per foot, toward the sewer or cesspool. A running trap, provided with a fresh-air inlet, and an accessible brass clean-out connection, may be inserted into the house drain, inside or outside of the foundation wall, and as near the said wall as practicable. The fresh-air inlet shall be not less than four (4) inches internal diameter, connected to the drain on the houseside of the trap, and not more than eight (8) feet nor less than four (4) feet from the running trap, and extending to the external air. All drains shall be run as direct as practicable. Changes in directions shall be made with regular fittings, less than 90 degrees. Soil pipes receiving the discharge from one or more water closets shall be of extra heavy cast iron soil pipe, the same as specified for drains, and not less than four inches in internal diameter, and continuing of undiminished size to the highest roof of the building, above and away from any opening or window, and left open at the top, and shall extend at least twelve (12) inches above the roof; flasing of sheet lead, not less than four (4) pounds to the square foot, or of copper or heavy galvanized iron, shall be provided, and properly attached where the pipe passes through the roof. All soil stacks shall be increased one pipe size fifteen (15) inches below roof line, soil or vent stacks shall not be less than four (4) inches at roof line.

Section 5. That Section 905 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read, as follows:

Section 905. *Traps in Old Buildings.* Whenever a trap is re-

placed under any fixture in any building, anti-syphon or vented traps shall be used.

Section 6. That Section 908 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read, as follows:

Section 908. All bands and offsets in sink waste must be provided with accessible brass clean-outs.

Section 7. That Section 909 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read, as follows:

Section 909. Bell traps may be used, provided they are placed above a three (3) inch S or P trap; deep seal floor drains of approved pattern shall be used. All floor drains must have clean-outs.

Section 8. That Section 913 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read, as follows:

Section 913. Where vent pipe is extended through roof less than twelve (12) feet from any window or opening it must be carried above same. All gas heaters now in use in public buildings, private dwellings, or which may hereafter be installed in any type of building or dwelling whatsoever shall be connected by a vent pipe which has an opening to a flue leading to the open air.

Section 9. That Section 917 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read, as follows:

Section 917. Fixtures installed in any building intended for additional tenants or families shall not be connected to the waste pipe of other adjoining fixtures, but in each case, if practicable, shall be separately and independently connected to the main line.

Section 10. That Section 921 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read, as follows:

Section 921. No waste pipe shall be less than one and one-fourth ($1\frac{1}{4}$) inches, and that only for one basin, to be not more than eight (8) feet in length, and not less than one and one-half ($1\frac{1}{2}$) inches for two fixtures, and not less than two (2) inches for three (3) fixtures, and not to exceed six (6) fixtures. No waste stack shall be less than two (2) inches for not more more than three (3) sinks or bath tubs or six (6) lavatories. Two and one-half ($2\frac{1}{2}$) inch pipe shall be used for fixtures in excess of above not to exceed ten (10) sinks or bath tubs or sixteen (16) lavatories; pipe sizes shall increase proportionately for fixtures in excess of above numbers. No soil or waste stack shall be reduced but must continue full size from base to increaser under roof.

No soil stack shall be less than four (4) inches for not to exceed sixteen (16) water closets, not more than eight (8) water closets on one-fourth ($\frac{1}{4}$) inch branch, five (5) inch pipe for not more than twenty-four (24) water closets, and not more than twelve (12) water closets on five (5) inch branch; closets in excess of above numbers, pipe shall increase proportionately. Lead waste and vent pipes shall not be of less weight than the grade known as "light." In no case shall the waste pipe from another fixture connect to the house side in the seal of a water closet trap. No refrigerator or other receptacle in which provisions are stored shall be connected with a drain, soil or vent pipe, or kitchen sink waste line, or discharge upon the ground beneath the building, but in every case shall be an open drip tray beneath the refrigerator. The waste must discharge into a sink or other fixture and be provided with a flap valve on discharge end. No steam, exhaust, blow-off or drip pipes shall be connected with a sewer, or with any building, but must discharge into an open tank or condenser, from which a perfect connection to the sewer or house drain must be provided. All joints in cast iron pipe shall be packed with picked oakum and run with molten lead, well caulked. Connections of lead pipe with those of iron shall be made with extra heavy brass ferrules or brass soldering nipples of a size not less than the lead pipe, except soldering nipples used on one and one-quarter ($1\frac{1}{4}$) and one and one-half ($1\frac{1}{2}$) inch lead waste pipe shall be one size larger than the pipe, with properly soldered joints, hand wiped and caulked or screwed to the iron pipe. All private water service pipes in the ground, which are supplied by water from a public water system, shall be placed in accordance with the rules and regulations of the Indianapolis Water Company.

Section 11. That Section 922 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read, as follows:

Section 922. Every sink, bath tub, set of three basins, water closet, urinal, washing, or set of three wash trays, and every fixture having a waste pipe, shall be separately and independently trapped with an approved anti-syphon water-sealing trap, placed as near the fixture as practicable. All traps must be provided with clean-outs placed above floors or in accessible locations. No trap shall be placed at the foot of a vertical soil or waste pipe. Rain water leaders within the building shall be of wrought iron, or extra heavy cast iron pipes. The roof connection shall be made gas and water-tight by means of a copper or lead tubing, properly soldered to a brass ferrule. The rain water leaders shall never be used as a soil-waste or vent pipe, nor shall any soil-waste or

vent pipe be used as a leader. In every case where a leader opens within twelve (12) feet of any window or opening, it shall be properly trapped and provided with clean-out.

Section 12. That Section 923 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read as follows:

Section 923. Where it shall be deemed necessary to provide a system of venting by special air or vent pipes, continuous waste and vent system can be used.

Section 13. That Section 925 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read as follows:

Section 925. Vent pipes shall be run straight and as direct as practicable, and with a grade to avoid trapping of condensation, but in all cases where vent pipes connect to soil pipes, such condensations shall not be less than two (2) feet above the highest fixture. Vent pipes may be run out separately through the roof, and shall be encased the same as soil pipe going through the roof, or when run in, up or out of a heated flue, the casing may be omitted. No pipe going through the roof to be less than four (4) inches in diameter.

Section 14. That Section 927 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read as follows:

Section 927. Safe pipes, drips or overflow pipes from tanks or cisterns shall be run to some place in open sight and provided with a flap valve on lower end, and in no case shall any pipe connect with drain, soil, waste, vent pipe or rain water leader. Every water closet shall be supplied with water from a tank or cistern, and the flush pipe shall not be less than one and one-quarter ($1\frac{1}{4}$) inches in diameter. No person shall place in any building a plunger or pan water closet; and when such kind of closet is removed for repairs or other causes it shall not be replaced. The use of wooden washtrays, or sinks, in residences, hotels or restaurants is strictly prohibited. They shall be of non-absorbent material. Provided, that wooden sinks may be lined with sheet lead or sheet copper. The use of mercury vents shall not be allowed except by permission of the inspectors. Nothing herein contained shall prevent the use of wrought iron drain-soil waste or vent pipe above the ground line, with the proper recessed fittings, two-inch pipe and smaller shall be galvanized iron, other sizes coated outside and inside as provided for under cast iron pipe. Regular cast iron or malleable galvanized fittings may be used on vent and leader pipes.

Section 15. That Section 928 of General Ordinance No. 12, 1917, be, and the same is hereby amended to read as follows:

Section 928. The whole system of drain, waste, soil and ventilation pipes and rain water leaders shall be made tight and tested with an air or water pressure of not less than ten (10) pounds per square inch, and to stand not less than fifteen (15) minutes without a drop. This test is to be made by the inspector; and in all cases where only a part of the system has been tested at one time the inspector shall require an additional test of the whole system, and it shall be absolutely tight. When the work shall be found to be tight, and in accordance with this ordinance, the inspector shall so certify on the back of the permit previously issued for such plumbing work, and no plumbing shall be used until such certificate is made by the inspector.

Section 16. This ordinance shall be in full force and effect from and after the first day of June, 1920. and that as so amended the same be passed.

W. B. PEAKE, *Chairman*.
RUSSELL WILLSON.
S. A. FURNISS.
O. B. PETTIJOHN.

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

From the Committee on City's Welfare:

Indianapolis, Ind.,
April 19, 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. 44, 1920, entitled "An ordinance amending Section 8 of General Ordinance No. 37, 1919, 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.
O. B. PETTIJOHN.
J. P. BROWN.
LEE J. KIRSCH.

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By the City Controller:

GENERAL ORDINANCE, NO. 49, 1920.

AN ORDINANCE fixing the salary of the bookkeeper in the Controller's office, repealing all ordinances in conflict therewith, and appropriating the sum of One Hundred Five (\$105.00) Dollars, to the Salary Fund of the City Controller's office, under the Department of Finance, and declaring a time when the same shall take effect.

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

Section 1. That the salary of the bookkeeper in the Controller's office, shall hereafter be at the rate of Eighteen Hundred (\$1800.00) Dollars per year.

Section 2. That there be, and is hereby appropriated, the additional sum of One Hundred Five (\$105.00) Dollars to the Salary Fund of the City Controller's office for the year 1920.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

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

By the City Controller:

GENERAL ORDINANCE, NO. 50, 1920.

AN ORDINANCE authorizing the City Controller to make a temporary loan of Five Hundred Thousand Dollars (\$500,000.00) for the Department of Public Sanitation in anticipation of a sale of bonds by said department, and payable out of the proceeds of the same, and fixing a time when the same shall take effect.

WHEREAS, under General Ordinance No. 7, 1920, the City Controller was authorized to make a temporary loan not exceeding in the aggregate Three Hundred Seventy-five Thousand (\$375,000.00) Dollars,

for a period not later than August 15, 1920, for the Department of Public Sanitation in anticipation of a sale of bonds by said department, and payable out of the proceeds of the same, and

WHEREAS, under said authorization the City Controller has made a temporary loan of One Hundred Fifty Thousand (\$150,000.00) Dollars for said Department of Public Sanitation, which said loan falls due August 14, 1920, and

WHEREAS, said Department of Public Sanitation, to carry on the work of construction now under way, will require an additional One Hundred Thousand (\$100,000.00) Dollars, and

WHEREAS, a further sum of Two Hundred Fifty Thousand (\$250,000.00) Dollars will be required from August 15, 1920, to the end of the year to carry on construction, and

WHEREAS, it is still impractical to issue bonds of said Sanitary District, *now therefore*

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

Section 1. That the City Controller is hereby authorized and empowered to negotiate a temporary loan for the use of the Department of Public Sanitation in anticipation of a sale of bonds of said department. Said loan shall not exceed the sum of Five Hundred Thousand (\$500,000.00) Dollars and shall be for a period not later than December 31, 1920, and at a rate of interest not exceeding six per cent. (6%) per annum, payable out of the funds of said department derived from the sale of bonds. The City Controller is further authorized and empowered to negotiate such loan in such amounts and at such times as the Board of Sanitary Commissioners shall request, provided, however, that no part of said loan shall be made to extend beyond the period above mentioned. Said loan or loans shall be made on competitive bidding after one publication in a daily newspaper of the City of Indianapolis, the bidding to be on the rate of interest to be paid, and the loan to be made from the lowest and best bidder. The Mayor and City Controller are hereby authorized and directed to execute proper obligations of said city for the payment of the amount or amounts so borrowed, and said obligations shall be countersigned by the President of the Board of Sanitary Commissioners; and for the payment of said obligations the faith of the city is hereby irrevocably pledged.

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

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

By the Board of Public Works:

SWITCH CONTRACT.

GENERAL ORDINANCE NO. 51, 1920.

AN ORDINANCE approving a certain contract granting O. L. Miller Co. and J. C. Moore the right to lay and maintain a sidetrack or switch from old Chicago Division C., C., C. & St. L. Ry. across West Seventeenth street, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: on the 12th day of May, 1920, O. L. Miller Co. and J. C. Moore, filed their 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—We respectfully petition for the passage of a resolution providing for the construction of a sidetrack across West Seventeenth street, along the right of way and just west of main track of the old Chicago Division of the Cleveland, Chicago, Cincinnati and St. Louis Railway.

O. L. MILLER CO.,

By O. L. Miller, Pres.

J. C. Moore.

NOW, THEREFORE, This agreement, made and entered into this 12th day of May, 1920, by and between O. L. Miller Co. and J. C. Moore 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 a point on the north line of West Seventeenth Street about fifteen feet west of the center of the main track of the Chicago Division of the Cleveland, Chicago, Cincinnati & St. Louis Railway, thence southeastwardly across said street a distance of fifty-six feet, to the center of the main track of said old Chicago Division in the city of Indianapolis, which is more specifically described as follows:

More particularly described, scheduled and shown in the drawing hereto attached, made a part hereof and marked Exhibit A.

This contract is void if the switch is not laid within one year from date of approval.

O. L. MILLER & CO.

By O. L. Miller, Pres.

J. C. Moore.

hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privi-

leges 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 up in 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 West Seventeenth Street 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 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 Seventeenth Street in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

IN WITNESS WHEREOF, We have hereunto set our hands this 12th day of May, 1920.

O. L. MILLER & CO.,

By O. L. Miller, Pres.

J. C. Moore,

Party of the First Part.

CITY OF INDIANAPOLIS,

By Geo. Lemaux, President,

Mark 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.

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 Public Safety.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 52, 1920.

AN ORDINANCE, transferring and reappropriating certain funds under the Department of Public Safety, and declaring 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 transferred from the Building Department Salary Fund, under the Department of Public Safety, the sum of Two Thousand, Two Hundred and Seventy-Five Dollars (\$2,275.00), and that the same be and is hereby reappropriated to the Police Force New Auto Fund.

Section 2. That there be and is hereby transferred from the Building Department New Auto Fund, under the Department of Public Safety, the sum of Nine Hundred Twenty-Five Dollars (\$925.00), and that the same be and is hereby reappropriated to the Police Force New Auto Fund.

Section 3. That there be and is hereby transferred from the Building Department New Auto Fund, under the Department of Public Safety, the sum of One Thousand, Six Hundred Thirty Dollars (\$1,630.00), and that the same be and is hereby reappropriated to the Police Force Motorcycle Fund.

Section 4. That there be and is hereby transferred from the East Market Salary Fund, under the Department of Public Safety, the sum of One Thousand, Three Hundred Seventy Dollars (\$1,370.00), and that the same be and is hereby reappropriated to the Police Force Motorcycle Fund.

Section 5. That there be and is hereby transferred from the East Market Salary Fund, under the Department of Public Safety, the sum of Four Hundred and Thirty Dollars (\$430.00), and that the same be and is hereby reappropriated to the Weights and Measures New Equipment Fund.

Section 6. That there be and is hereby transferred from the Dog Pound New Equipment Fund, under the Department of Public Safety, the sum of Ninety-Five Dollars (\$95.00) and that the same be and is hereby reappropriated to the Weights and Measures New Equipment Fund.

Section 7. 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. 52, 1920, be placed upon its passage.

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

Ayes, 9, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

Mr. Peake called for General Ordinance No. 52, 1920, for second reading. It was read a second time.

Mr. Peake moved that General Ordinance No. 52, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 52, 1920, was read a third time and passed by the following vote:

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

Noes, 1, viz.: Mr. Pettijohn.

By the Board of Public Works:

SWITCH CONTRACT.

GENERAL ORDINANCE NO. 53, 1920.

An ordinance approving a certain contract granting Jacob Solotken and the Cleveland, Cincinnati, Chicago & St. Louis Ry. Co. the right to lay and maintain a sidetrack or switch from a point south of Pratt Street across the first alley west of Senate avenue and better described as the ground adjoining the A. B. Meyer Coal Co. Yards, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, hretofore, to-wit: On the 11th day of May, 1920, Jacob Solotken, 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—I, Jacob Solotken, hereby filed a petition to lay a track from a point south of Pratt street across the first alley west of Senate avenue, according to the attached blue print.

NOW, THEREFORE, This agreement, made and entered into this 11th day of May, 1920, by and between Jacob Solotken 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 Cleveland, Cincinnati, Chicago & St. Louis Ry. Co. in the City of Indianapolis, which is more specifically described as follows: From a point south of Pratt street across the first alley west of Senate avenue, according to the attached blue print, 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 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 first alley west of Senate avenue 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 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 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 from a point south of Pratt street across the first alley west of Senate avenue according to the attached blue print, 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 laid in one year from date.

IN WITNESS WHEREOF, We have hereunto set our hands this 11th day of May, 1920.

JACOB SOLOTKEN,
Party of the First Part.

Witness: EMMY C. CRAWFORD.

CITY OF INDIANAPOLIS,
By Geo Lemaux, President,
Mark H. Miller,
Thomas A. Riley,
Board of Public Works,
Party of the Second Part.

Approved: F. P. Lingenfelter, C. C. Engineer.

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.

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 Public Safety.

By the Department of Law:

SPECIAL ORDINANCE NO. 11, 1920.

AN ORDINANCE, accepting, subject to all the terms, conditions and provisions therein, the bequest of Fifty Thousand Dollars (\$50,000.00) made to the City of Indianapolis in the last will and testament of Charles Warren Fairbanks, which will was duly probated in the Probate Court of Marion County, state of Indiana, on the 19th day of June, 1918, and is of record in will record C. C., beginning on page 509 of the records of said court.

PREAMBLE.

WHEREAS, Charles Warren Fairbanks, now deceased, who was most highly honored and esteemed as a friend, neighbor and citizen of Indianapolis, one of Indiana's most illustrious sons, who served his country with great ability and distinction as United States Senator from the state of Indiana, and as Vice-President of the United States, by his

last will and testament, which was duly admitted to probate in the Probate Court of Marion County, Indiana, on the 19th day of June, 1918, and recorded in Will Record C. C. beginning on page 509 of the records of said court, made a bequest of the sum of fifty thousand dollars (\$50,000.00) to the city of Indianapolis, which bequest is in words and figures following, to-wit: Item 12. "I bequeath to the city of Indianapolis, Marion County, Indiana, the sum of fifty thousand dollars (\$50,000.00) to be securely invested and kept invested by the said city at compound interest for a period of five hundred (500) years.

"The said sum with the interest thereon shall be known as 'The Cornelia Cole Fairbanks Memorial' to commemorate the life and virtues of a great woman, who was an inspiration to better living and doing and whose holy influence I gratefully acknowledge.

"She was an ideal Christian wife and mother, making home an altar of love and devotion; a patriot who inculcated love of country and its institutions; a lover of Indianapolis, who sought to advance its intellectual, moral and physical well-being; a friend of the poor, counting no service or sympathy in their behalf too great. She was democratic in manner and thought; a scholar and a speaker of attractive and persuasive power; a friend and wise counsellor of the young and a passionate lover of her own sex, which she was eager to exalt.

"Appreciating of the uplifting power of a good name, I have felt that I could in no better way serve the city which has so honored by beloved wife and myself and which we loved with increasing ardor and always hoped might be, if it is not such now, the ideal city of the world, than by bequeathing to it the sum herein named to be faithfully administered as herein set forth. It is my hope that this bequest may lead to the frequent contemplation of the character of a good Christian woman, pure in mind and deed, one who wearied not in well doing for others.

"At the end of each fifty years during said period the increase of said principal sum shall be used by the city as follows:

"First. For erecting and maintaining buildings for the purpose of promoting the intellectual, moral and physical well-being of the worthy poor of the community.

"Second. For erecting and maintaining buildings for the benefit of labor, art, science and public charity.

"Third. For the acquisition of parks and playgrounds for the use of the public.

"At the end of the period of five hundred years the principal sum may be used, together with the remaining accretions thereof for effecting the purposes of this bequest.

"The bequest of this item contained is upon the condition that the city of Indianapolis shall secure the requisite legal authority from the legislature to accept the said sum of fifty thousand (\$50,000.00) dollars, and to invest said sum and keep the same invested at compound interest and employ the proceeds thereof and ultimately the principal sum faithfully and securely as herein provided.

"And provided, further, that the said city of Indianapolis will at all times guarantee against the impairment of said principal sum or interest by improvident investment, defalcation or other loss, to the end that the said principal sum may at all times during the term hereof be maintained intact and the accruing interest thereon be kept securely invested without impairment or loss. In the event such authority of law is not secured, or that the city of Indianapolis does not accept the bequest of said sum of fifty thousand dollars (\$50,000.00) upon the conditions imposed, the said city shall have no interest therein or right thereto. Said sum shall continue to belong to my estate if legal authority on behalf of the said city as above is not secured within two years after my death.

"The buildings, parks or playgrounds to be erected or to be acquired under the bequest of this item shall bear conspicuously and permanently visible notice of the fact that they are a part of the Cornelia Cole Fairbanks' Memorial."

"Item 14. The funds arising from the bequest made to the City of Indianapolis shall be under the control of a board of seven citizens of Indianapolis, conspicuous for their probity and civic spirit. This board shall be selected regardless of politics and have power to administer the fund hereby contemplated and to expend the same under the terms hereof within the limits and general purposes and to effect the object herein mentioned.

"The members of the said board shall be selected as follows: Two (2) by the Governor, or if there be no such officer as Governor, then by the chief executive officer of the state; two (2) by the supreme judicial tribunal of the state; two (2) by the Mayor or if there be no such officer as Mayor, then by the chief executive officer of the city of Indianapolis for the time being; and one shall be chosen by the six members selected as aforesaid; and vacancies occurring in the said board shall be filled by such officers or tribunal as shall have made the original appointment in which a vacancy exists. Any member of said board may be removed by a majority of the other members because of any delinquency in the discharge of his duties as a member of the board; or because of any act which has tended to alienate the public confidence from him."

Section 1. *Be it ordained by the Common Council of the City of Indianapolis*, That the City of Indianapolis does hereby accept, subject to all the terms, conditions and provisions therein contained, the bequest of Fifty Thousand Dollars (\$50,000.00) made to the City of Indianapolis in the last will and testament of Charles Warren Fairbanks, which was duly probated in the Probate Court of Marion County, Indiana, on the 19th day of June, 1918, and is of record in will record C. C., beginning on page 509 of the records of said court, and is also set out in the preamble of this ordinance, and the City of Indianapolis does hereby agree to comply with all the terms, conditions and provisions of said bequest and does hereby agree that it will at all times guarantee against the impairment of the principal sum of said bequest or interest thereon by improvident investments, defalcations or other loss, to the end that said principal sum may at all times during the term thereof be maintained intact, and the accruing interest thereon be kept securely invested without impairment or loss, to the faithful performance of which guarantee, the faith and credit of the city is hereby irrevocably pledged.

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

Which was read a first time.

Mr. Wilson moved that the rules be suspended and Special Ordinance No. 11, 1920, be placed upon its passage.

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

Ayes, 9, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

Mr. Willson called for Special Ordinance No. 11, 1920, for second reading. It was read a second time.

Mr. Willson moved that Special Ordinance No. 11, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 11, 1920, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

ORDINANCES ON SECOND READING.

Mr. Peake called for General Ordinance No. 39, 1920, for second reading. It was read a second time.

Mr. Peake moved that General Ordinance No. 39, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 39, 1920, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

Mr. Peake called for General Ordinance No. 48, 1920, for second reading. It was read a second time.

On motion of Mr. Furniss, further consideration of General Ordinance No. 48, 1920, was made a special order of business for the next meeting.

Mr. Carnefix called for General Ordinance No. 44, 1920, for second reading. It was read a second time.

Mr. Carnefix moved that General Ordinance No. 44, 1920, be stricken from the files.

The roll was called and General Ordinance No. 44, 1920, was stricken from the files by the following vote:

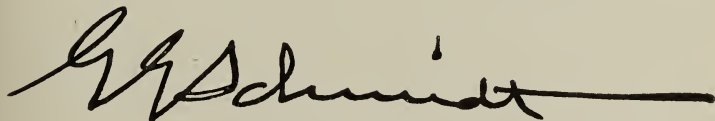
Ayes, 6, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Willson and President G. G. Schmidt.

Noes, 3, viz.: Messrs. Miller, Pettijohn and Peake.

The City Clerk was instructed to inform the Board of Public Safety, that, unless the Police Department stopped the abuse of the "No Parking" privileges, granted under Section 3 of General Ordinance No. 109, 1919, to occupants of premises in the congested district, the said section would be repealed at the next meeting of the Common Council.

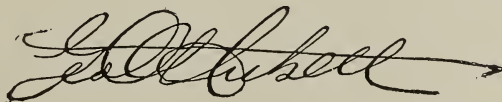
President Schmidt announced that he would call a special meeting of the Council for Wednesday, May 19, 1920 at 7:30 P. M. for the purpose of further consideration of General Ordinance No. 47, 1920 and General Ordinance No. 48, 1920,

On motion of Mr Carnefix the Common Council at 9:20 o'clock P. M. adjourned.

A handwritten signature in cursive script, appearing to read "G. G. Schmidt", followed by a long horizontal line extending to the right.

President.

Attest:

A handwritten signature in cursive script, appearing to read "G. G. Bell", followed by a long horizontal line extending to the right.

City Clerk.