

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, July 19, 1920.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, July 19, 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 seven (7) members, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Peake and Willson.

Absent: Mr. Pettijohn.

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

COMMUNICATIONS FROM THE MAYOR.

June 23rd, 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, General Ordinances Nos. 51, 54 and 57.

Yours very truly,

CHARLES W. JEWETT,

Mayor.

June 26th, 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, Appropriation Ordinance No. 12.

Yours very truly,

CHARLES W. JEWETT,

Mayor.

REPORTS OF CITY OFFICERS.

From the City Controller:

July 19th, 1920.

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

Gentlemen—I herewith transmit to you communication from the Board of Public Safety, requesting the transfer of certain sums from certain funds of the Department of Public Safety to the Repairs to Apparatus Fund.

I enclose ordinance covering same and recommend its passage

Yours very truly,

ROBERT H. BRYSON,
City Controller.

July 19th, 1920.

Robert H. Bryson, City Controller, City:

Dear Sir—Please find enclosed ordinance, transferring funds from the Fire Department repair to the apparatus fund. Approximately 40 per cent of the 1920 appropriation to the repairs to the apparatus fund was expended in the payment of accounts contracted in 1919, thereby reducing this fund to such an extent that this transfer is necessary in order to have sufficient funds to maintain the fire apparatus in working condition for the balance of the year.

The Board of Public Safety requests you to present this ordinance to the Common Council and recommend the passage of the same.

Yours very truly,

BOARD OF PUBLIC SAFETY,
Geo. W. Williams, Executive Secretary.

July 19th, 1920.

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

Gentlemen—I herewith transmit to you, a communication from the Board of Public Safety, amending General Ordinance No. 78, providing an increase of salary for the hostlers at the Police Barns, and transferring funds to cover same, and recommend its passage.

Yours very truly,

ROBERT H. BRYSON,
City Controller.

July 19th, 1920.

Robert H. Bryson, City Controller, City:

Dear Sir—Please find enclosed ordinance amending General Ordinance No. 78, providing an increase of salary for the hostlers at the police barns from \$75.00 to \$90.00 per month and transferring funds to cover such increases for the remainder of the year 1920.

The Board of Public Safety requests you to present this ordinance to the Common Council and recommend that same be passed.

Yours very truly,

BOARD OF PUBLIC SAFETY,

Geo. W. Williams, Executive Secretary.

From the Board of Works:

June 28th, 1920.

To Members of the Common Council, City of Indianapolis:

Gentlemen—I am directed by the Board of Public Works to forward you the attached remonstrance against the Improvement of Virginia Avenue from Louisiana to Shelby Streets—I. R. 9603.

There are 28 resident property owners, 19 of whom have signed the remonstrance. The Board of Works will be pleased to have you issue an order for the improvement of this if it is possible for you to do so.

When you have finished with the remonstrance will you be kind enough to return it to this office for our files?

Yours truly,

W. F. CLEARY,

Clerk, Board of Public Works.

REMONSTRANCE.

Indianapolis, June 19th, 1920.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, owners of real estate abutting on Virginia avenue, from Louisiana street to Shelby street, respectfully remonstrate against any further action of the Board of Public Works in the matter of Improvement Resolution No. 9603, providing for Resurfacing of said street.

Frances L. Moores, 856 and 860 Virginia avenue; Frederick William Rosebrock, 1028 Virginia avenue; Henry Arnholter, 950 Virginia avenue; Henry J. Resner, 738 Virginia avenue; Katharine Resner, 738 Virginia avenue; Ed Frand, 716 Virginia avenue; Fannie

Frاند, 716 Virginia avenue; W. H. Wentе, 432 Virginia avenue; Anna Wentе, 432 Virginia avenue; May Rosenthal, 430 Virginia avenue; Samuel E. Woolensnider, 527 Virginia avenue; Miss Emma Bake-meier, 823 Virginia avenue; Miss Mary C. Bakemeier, 823 Virginia avenue; Antonio Ferraro, 453 Virginia avenue; Rosina Ferraro, 453 Virginia avenue; H. Mazur, 444 Virginia avenue; Frank Schafer, 467 Virginia avenue; *Nancy G. Goldsberry, 503 Virginia avenue; Luna M. Webb, 505 Virginia avenue; Perdita B. Monroe, 505 Virginia avenue.

*Wants name withdrawn.

Filed at 10:17 a. m. June 19, 1920.

BOARD OF PUBLIC WORKS.

W. F. Cleary, Clerk.

Referred to City Civil Engineer for investigation and report June 21, 1920.

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

July 3rd, 1920.

Mr. Gustav G. Schmidt, President, and Members of the Common Council, City of Indianapolis:

Gentlemen—I am directed by the Board of Public Works to submit to you herewith an ordinance designating an increase in the salary of the Chief of the Assessment Bureau and each of the clerks in that Department.

The present salary of the Chief of this Bureau is \$1,500 per year, and that of each of the clerks, \$90 per month. This increase will not require an additional appropriation as sufficient money has been saved during the slack season to take care of the increase.

Yours truly,

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

July 3rd, 1920.

Mr. Gustav G. Schmidt, President, and Members of the Common Council, City of Indianapolis:

Gentlemen—I am directed by the Board of Public Works to submit to you herewith the report of the appraisors in regard to the sale of certain property for which the City no longer has need. All the

items are listed in the papers accompanying the case, therefore further description is not deemed necessary in this letter.

Yours truly,

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

July 3rd, 1920.

Mr. Gustav G. Schmidt, President, and Members of the Common Council, City of Indianapolis:

Gentlemen—I am directed by the Board of Public Works to submit herewith a contract with the Equitable Asphalt Maintenance Company of Kansas City, Mo., for the use of what is known as the "Lutz Surface Heater," which, after investigation, the Board believes will materially lessen the cost of street repair work as well as make it possible to do all resurfacing for possibly one-half of what it now costs.

Yours truly,

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

July 15th, 1920.

Mr. Gustav G. Schmidt, President, and Members of the Common Council, City of Indianapolis:

Gentlemen—I am directed by the Board of Public Works to forward to you a certain contract granted the National Paper Stock Co., giving the right to lay and maintain a switch from the main line of the C., C., C. & St. L. R. R. (old Chicago Division) across Bowman street to a parcel of ground on the east side of Bowman street north of Michigan street.

The Board has approved this contract and requests your Board to pass an ordinance approving the same.

Yours truly,

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

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

Indianapolis, Ind., July 19, 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 Appropriation Ordinance No. 13, 1920, entitled An ordinance, appropriating the sum of Sixty Dollars (\$60.00) to the Department of Finance for the purpose of paying appraisers under certain flood prevention work, 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,
RUSSELL WILLSON,
LEE J. KIRSCH,
S. A. FURNISS.

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Board of Public Works:

GENERAL ORDINANCE NO. 62, 1920.

AN ORDINANCE amending Clause C of Section 5 of General Ordinance No. 76, 1919, as amended by Section No. 1, General Ordinance No. 47, 1920, declaring time when same shall take effect.

Be It Ordained by the Common Council of the City of Indianapolis, Indiana,

SECTION 1.

That Clause C of Section 5 of General Ordinance No. 76, 1919, as amended by Section 1, General Ordinance No. 47, 1920, be and the same is hereby amended to read as follows:

General Ordinance No. 47, 1920, Section 1.

That Clause C of Section 5 of General Ordinance No. 76, 1919, be and the same is hereby amended to read as follows:

Section 5. FOR THE DEPARTMENT OF PUBLIC WORKS.

c. For the ASSESSMENT BUREAU.

The chief of the Assessment Bureau—Eighteen Hundred Dollars per year.

Each Clerk—One Hundred Dollars per month.

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 Board of Public Works:

SWITCH CONTRACT.

General Ordinance No. 63, 1920, An ordinance approving a certain contract granting the

NATIONAL PAPER STOCK COMPANY

the right to lay and maintain a sidetrack or switch from the main line track (old Chicago Division) of the C., C. & St. L. Railroad Company across Bowman street to a parcel of ground on the East side of Bowman street north of Michigan street according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: on the day of July, 1920, the NATIONAL PAPER STOCK COMPANY filed its petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION

To the Board of Public Works, City of Indianapolis:

Gentlemen—The National Paper Stock Company, the undersigned petitioner, hereby requests the Board of Public Works of the City of Indianapolis, Indiana, to authorize and permit said petitioner to lay and maintain a railroad side-track or switch on and across the following part of Bowman street in said City of Indianapolis, to-wit:

Beginning at a point on the west property line of said Bowman street one hundred fifty-eight (158) feet southwest of the south property line of North street in said city where same is intersected by said Bowman street, thence across said Bowman street in a southeasterly direction to a point on the east side of said Bowman street two hundred forty-three (243) feet southwest of the south property line of said North street, thence along the property line of the east side of said Bowman street in a southwesterly direction a distance of eight (8) feet (the width of said side-track between ends of ties), thence in a northwesterly direction across said Bowman street to a point on the west property line of said Bowman street eight (8) feet southwest of said beginning point, thence in a northeasterly direction a distance of eight (8) feet to said beginning point.

line of said Bowman street eight (8) feet southwest of said beginning point, thence in a northeasterly direction a distance of eight (8) feet to said beginning point, 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 herein-after 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 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 violation 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 Bowmar street in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

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

IN WITNESS WHEREOF, We have hereunto set our hands this 13th day of July, 1920.

THE NATIONAL PAPER STOCK COMPANY,

By H. B. Sutphin, Treas.,

Party of the First Part.

Witness: M. D. Lupton.

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.

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

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

By the City Controller:

GENERAL ORDINANCE NO. 64, 1920.

AN ORDINANCE, amending Section 1 of General Ordinance No. 78, 1919, fixing the salaries of the hostlers at the Police Barn, transferring certain sums of money, 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 1 of General Ordinance No. 78, 1919, be and the same is hereby amended to read as follows: Section 1. That there be and hereby is created the position of hostler under the Department of Public Safety of the City of Indianapolis, Indiana: The Board of Public Safety is hereby authorized to employ two such hostlers; such hostlers shall be employed by the Department of Public Safety for services at the Police Barn of the Police Department of the City of Indianapolis. The salary of such hostlers shall be and is hereby fixed at the rate of \$90.00 per month each.

Sec. 2. That there be and is hereby transferred the sum of \$150.00 from the emergency police fund of the Department of Public Safety, and that the same be and is hereby transferred and re-appropriated to the Police Barn's fund of the Board of Public Safety.

Sec. 3. 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. 65, 1920.

AN ORDINANCE, transferring certain sums from certain funds of the Fire Department, under the Department of Public Safety, and transferring and re-appropriating the same under other funds under the same department 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 transferred, the sum of One Thousand Dollars (\$1,000.00) from the Furniture and Fixtures Fund of the Fire Department, under the Department of Public Safety and that the same be and is hereby transferred to and re-appropriated to the Repairs to Apparatus Fund of the Fire Department, under the Department of Public Safety.

Sec. 2. That there be and is hereby transferred the sum of One Thousand Dollars (\$1,000.00) from the Horse Feed Fund of the Fire Department, under the Department of Public Safety, and that the same be and is hereby transferred to and re-appropriated to the Repairs to Apparatus Fund of the Fire Department under the Department of Public Safety.

Sec. 3. That there be and is hereby transferred the sum of five Hundred Dollars (\$500.00) from the Purchase of Horses Fund of the Fire Department, under the Department of Public Safety, and that the same be and is hereby transferred to and reappropriated to the Repairs to Apparatus Fund of the Fire Department under the Department of Public Safety.

Sec. 4. That there be and is hereby transferred the sum of Three Thousand Dollars (\$3,000.00) from the New Apparatus Fund of the Fire Department under the Department of Public Safety, and that the same be and is hereby transferred to and re-appropriated to the Repairs to Apparatus Fund of the Fire Department under the Department of Public Safety.

Sec. 5. 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 Mr. Pettijohn:

GENERAL ORDINANCE NO. 66, 1920.

AN ORDINANCE, prohibiting the erection, establishment, or location, of public garages and filling stations within certain distances of hospitals within the City of Indianapolis, defining certain words, prescribing penalties, for the violation thereof and declaring a time when same should take effect.

Be It Ordained by the Common Council of the City of Indianapolis Indiana:

Section 1. No public garage nor filling station shall hereafter be erected, established, or located, within the fire limits of the City of In-

dianapolis, as now defined by General Ordinance No. 12, 1917, within one hundred fifty feet (150) of any lot or parcel of real estate on which there is located or may hereafter be located a hospital or hospitals.

Sec. 2. No such public garage nor filling station shall hereafter be erected, established, or located, within the City of Indianapolis, outside of the territory contained in the fire limits of the City of Indianapolis, as now defined by General Ordinance No. 12, 1917, within four hundred (400) feet of any lot or parcel of real estate on which there is located, or may hereafter be located a hospital or hospitals.

Sec. 3. The term public garages as used within the meaning of this ordinance shall be deemed to include any place used in whole or in part for the care, repair, or storage of motor vehicles, or parts thereof, for the public or for profit.

The term filling station as used within the meaning of the ordinance shall be deemed to mean any place used in whole or in part where oil, gasoline, or other materials used for the fuel or for the operation, or maintenance, of motor vehicles, is sold or disposed of to the public or for profit, or where any such oils, or gasoline is kept for any such purposes.

The term hospital as used within the meaning of this ordinance shall be deemed to include any place, building, or institution within which sick, infirmed, diseased, or injured people are treated by physicians, or surgeons, with, or without, compensation provided, however, such hospitals has for an average of not less than twenty-five (25) patients during any given year.

Sec. 4. Any person, firm, association, or corporations, violating any provisions of this ordinance shall, upon conviction, thereof, be fined in any sum, not exceeding one hundred dollars (\$100.00), to which may be added imprisonment, not exceeding ninety (90) days.

Sec. 5. This ordinance shall be in full force and effect from and after its passage, and publication as required by law.

Which was read a first time.

Mr. Willson moved that the rules be suspended and General Ordinance No. 66, 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. Brown, Carnefix, Furniss, Kirsch, Miller, Peake, Willson and President G. G. Schmidt.

Mr. Peake called for General Ordinance No. 66, 1920, for second reading. It was read a second time.

Mr. Willson moved that General Ordinance No. 66, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 66, 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.

By Mr. Carnefix, (by request):

GENERAL ORDINANCE NO. 67, 1920.

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

That Section No. 1, Clause D. of the General Ordinance No. 47 of the City of Indianapolis, for the year of 1920, be and the same is hereby amended to read as follows:

For the Street Commissioner's Dept.

Street Commissioner—Three Thousand Dollars per year.

Assistant Commissioner (in charge of unimproved streets)—Two Thousand Dollars per year.

Assistant Commissioner (in charge of sewers and bridges)—Two Thousand Dollars per year.

Assistant Commissioner (in charge of improved streets and sidewalks)—Two Thousand Dollars per year.

Chief Clerk—Sixteen Hundred and Twenty Dollars per year.

Assistant Chief Clerk—Fifteen Hundred Dollars per year.

One Assistant Clerk—One Thousand Dollars per year.

Stenographer—One Thousand Dollars per year.

Timekeeper—Eighteen Hundred Dollars per year.

Superintendent Asphalt Plant—Sixteen Hundred and Twenty Dollars per year.

Yard Foreman—Thirteen Hundred and Twenty Dollars per year.

Yard Clerk—Fifteen Hundred Dollars per year.

Storekeeper—One Thousand Dollars per year.

Each Foreman (of improved streets)—Thirteen Hundred and Twenty Dollars per year.

Each Foreman (of unimproved streets)—Thirteen Hundred and Twenty Dollars per year.

Each Foreman of Sewers—Thirteen Hundred and Twenty Dollars per year.

Each Carpenter Foreman—One Dollar and Ten Cents per hour.

Each Inspector—Thirteen Hundred and Twenty Dollars per year.

Carpenters—One Dollar per hour.

Painters—One Dollar per hour.

Blacksmith—Twenty-five Dollars per week.

Blacksmith Helper—Four Dollars per day.

Hoisting Engineer—Thirty-five Dollars per week.

Stationary Engineer—Fifty-five Cents per hour.

Engineers on Asphalt Rollers—Twenty-seven Dollars and Fifty Cents per week.

Drivers on Heavy Trucks—Sixty Cents per hour.

Drivers on Light Trucks—Twenty-four Dollars per week.

Drivers on Tractors—Twenty-four Dollars per week.

Class (A) Laborers (which shall include rakers, mixermen, cement finishers and assistant foremen)—Sixty Cents per hour.

Class (B) Laborers (which shall include tampers, smoothers, drum firemen, kettlemen, stone dust man, hot asphalt shovelers and sand feeders)—Fifty-five Cents per hour.

Class (C) Laborers (which shall include all other laborers)—Fifty Cents per hour.

Tunnel Man—Sixteen Dollars per week.

Night Watchmen—Three Dollars per night.

Red Light Men—Three Dollars per night.

Team Hire for All Purposes—One Dollar per hour.

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

By the Board of Public Works:

SPECIAL ORDINANCE NO. 12, 1920.

AN ORDINANCE authorizing the sale of private personal property of the City of Indianapolis by and through its Board of Public Works and declaring time when same shall take effect.

WHEREAS, on the 18th day of June, 1920, under and pursuant to an order of the Board of Public Works of the City of Indianapolis, Indiana, said Board determined that certain personal property belonging to the City of Indianapolis and under the care and custody of said Board was, and is no longer needed and no longer fit for the purpose for which it was intended and that a petition be filed in the Marion Circuit Court for the appointment of appraisers to appraise the same, and that such other proceedings be had toward the sale thereof, which said property is hereinafter set out in said appraisers' report and

WHEREAS, said City of Indianapolis, by and through its said Board of Public Works, filed in the Marion Circuit Court on the 21st day of June, 1920, its petition for the appointment of said appraisers to appraise said property, and

WHEREAS, said Court on the 23rd day of June, 1920, appointed three disinterested freeholders of the City of Indianapolis, none of whom is an officer or employee of said City of Indianapolis, as appraisers to make an appraisal and sworn valuation of said property and make a return thereon to the Mayor of the City of Indianapolis, and

WHEREAS, said appraisers did make a sworn valuation and appraisal of said property and made return thereon to the Mayor of the City of Indianapolis, and

WHEREAS, the Mayor of the City of Indianapolis did, on the ----- day of June, 1920, approve in writing said sworn valuation and appraisal, which said sworn valuation and appraisal of said appraisers and said approval thereof by the Mayor of the City of Indianapolis is in the words and figures as follows: towit:

STATE OF INDIANA)
COUNTY OF MARION } SS:

IN THE MATTER OF THE SALE OF
CERTAIN PERSONAL PROPERTY
BY THE BOARD OF PUBLIC WORKS

APPRAISEMENTS.

The undersigned, having been duly sworn on oath, depose and say:

That having been duly appointed by the Judge of the Circuit Court in and for the said County and State, aforesaid to make appraisal and sworn valuation of certain personal property inventoried by the Board of Public Works for the purpose of making sale of same, we do now hereby honestly and truly appraise such property as being of the fair and reasonable value herein indicated as follows:

| | | |
|-------------------|-------|--------------|
| 7—Old dump wagons | ----- | \$2.00 each |
| 8—Squeeges | ----- | \$50.00 each |

| | |
|--------------------------------|---------------------|
| 5—Mules, 4 bays, 1 brown..... | \$50.00 each |
| 3,000 lbs. old mule shoes..... | \$12.00 per ton |
| 3,000 lbs. old scrap iron..... | \$12.00 per ton |
| 2—12 Ton Huber Rollers..... | \$500.00 old one |
| | \$1,500.00 new one |
| 9—Horse drawn oil wagons..... | \$100.00 each |
| 1—Lot of old scrap iron..... | \$12.00 per ton |
| 1—Overland Roadster 75..... | \$50.00 |
| 3—Ford Roadsters 1915..... | \$50.00 each |
| 2—Packard Patrols..... | \$400.00 each |
| 1—Ford Touring..... | \$50.00 |
| 1—Overland Touring 83..... | \$50.00 |
| 2—50 gal. oil containers..... | 50c each |
| 1,000 (approx.) old tires..... | \$2.00 per 100 lbs. |
| 2—50 gal. oil drums..... | 50c each |
| 5—30 gal. oil drums..... | 50c per ton |
| 3 lots of manure..... | 50c per ton |

Dated this 1st day of July, 1920.

JOHN W. FRIDAY,
 PATRICK J. CAHALANE,
 J. W. BALLARD,

Appraisers.

STATE OF INDIANA }
 COUNTY OF MARION } SS:

Subscribed and sworn to before me, a Notary Public in and for said Marion County, State of Indiana, this first day of July, 1920.

My commission expires June 6, 1922.

ROSS TECKEMEYER.

APPROVAL BY THE MAYOR.

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 appraisements and sworn valuation made by said appraisers.

Dated this _____ day, of July, 1920.

CHARLES W. JEWETT,
 Mayor.

Now Therefore Be It Ordained by the Common Council of the City of Indianapolis, Indiana:

Section 1. That the City of Indianapolis, by and through its said Board of Public Works, is hereby authorized to sell said property, hereinafore set out in said appraisers' sworn valuation and appraisement,

for cash, at public or private sale, for not less than its full said appraised value. Such sale shall be upon such notice, if any, as said Board shall determine or may have determined and said 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.

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

By the Board of Public Works:

SPECIAL ORDINANCE NO. 13, 1920.

AN ORDINANCE ratifying, confirming and approving a contract entered into on the 2nd day of July, 1920, between the City of Indianapolis, by and through its Board of Public Works and the Equitable Asphalt Maintenance Company, for the lease of certain asphalt repairing and resurfacing machines and declaring a time when same shall take effect.

WHEREAS, HERETOFORE, TOWIT: On the 2nd day of July, 1920, the City of Indianapolis, by and through its Board of Public Works, entered into a certain contract with the Equitable Asphalt Maintenance Company of Kansas City, Mo., for the lease of certain asphalt repairing and resurfacing machinery, which said contract was, on the 3rd day of July, 1920, approved by the Mayor of the City of Indianapolis and said contract is as follows towit:

CONTRACT WITH
THE EQUITABLE ASPHALT MAINTENANCE CO.
KANSAS CITY, MO.

This agreement made and entered into this 1st day of July, 1920, by and between the Equitable Asphalt Maintenance Company, a corporation (the sole and exclusive owner of certain patented improvements on machines known as the Lutz Surface Heater for heating surfaces covered by letters patent granted by the United States,) party of the first part, and the City of Indianapolis, State of Indiana, party of the second part.

WITNESSETH: That the said first party hereby leases and lets to the said second party for the period of two years from this date July 1st, 1920, two (2) of said surfacing machines to be used in doing the work of repairing and resurfacing old asphalt, brick and stone pavements on streets in the City of Indianapolis, State of Indiana.

It is further agreed that the party of the second part shall pay the party of the first part ten cents (10c) per square yard for the first (36,000) thirty-six thousand square yards of of repair work done by each machine, and five cents (5c) per square yard thereafter during the life of the lease. Such payments to be made monthly on settlements made not later than the 10th day of every month for the work done the preceding month.

Said first party agrees to deliver said machines at Indianapolis, Indiana, Marion County, on or before August 1st, 1920, contingent on strikes, car shortages and other unavoidable delays. Each machine is to be fully tested and in perfect working order when delivered.

The said second party further covenants and agrees with the first party that should the aforesaid rentals of ten cents per square yard amount to less than Five Hundred Dollars (\$500.00) per year for machines so used by the said second party it will pay the said first party the difference between the actual rentals earned and five hundred dollars (\$500.00) within ten days from the end of such year, but nothing herein shall be construed as limiting the rentals to the said first party hereunder to the said sum of five hundred dollars (\$500.00), but the said second party shall pay the said first party all the rentals earned by each machine and guarantees to said first party that such earned rentals shall not be less than five hundred dollars (\$500.00) per year for said machines.

The said second party agrees to make reports to said first party on or before the 10th day of each month during the life of this agreement of the number of square yards of work done in the preceding month and remit with said report the money due as earned rentals under this agreement, and said first party shall have the right and privilege at all times of examining the books of the said second party with reference to the amount of work done under this contract.

Said party of the second part further agrees to keep said machines in repair during the life of this agreement and at the expiration of this agreement to deliver said machines to the said party of the first part F. O. B. Kansas City, Mo., in as good condition as when received, wear and tear alone excepted.

The said second party further agrees to make no changes, additions or alterations in said machines or any part thereof or as to their method of operation without the written consent of the said first party.

The said second party further agrees to keep attached in a conspicuous place on the aforesaid machines and each of them a name plate and patent plate of the said party of the first part as the same appears and is attached upon the delivery of said machines. And to keep the machines under cover when not in use.

It is further agreed by the party of the first part that the party of the second part may sublet the machines to contractors for work to be done under the supervision of the Board of Public Works in the City limits of Indianapolis, with the understanding that the machines are to be returned to the City as soon as the work is completed.

It is further agreed by the parties hereto that failure to perform any one or more of the covenants of this agreement herein to be performed by the party of the second part, then this agreement shall terminate and all rights of the party of the second part shall be forfeited upon receipt by the said second party of a written notice to that effect and mailing such notice to said second party at its last known address shall be deemed receipt of said written notice and in case of such termination and forfeiture the said party of the first part shall be entitled to at once repossess the aforesaid machines without prejudice, to recover all money due or to rely on any and all breaches of this contract by said party of the second part to that date.

In Testimony Whereof, the names of the parties hereto are hereunto subscribed by their duly authorized representatives.

THE EQUITABLE ASPHALT MAINTENANCE COMPANY,

By W. M. Federman, President,
F. H. Moore, Secretary.

(SEAL)

Approved July 2, 1920.

GEO. LEMAUX,
THOMAS A. RILEY,
MARK H. MILLER,
Board of Public Works.

CHARLES W. JEWETT,

Mayor.

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

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

Section 1. That the foregoing contract agreement made and entered into on the 2nd day of July, 1920, by the City of Indianapolis, by and through its Board of Public Works, and approved by the Mayor with the Equitable Asphalt Maintenance Company, Kansas City, Mo., be and the same is hereby in all things ratified, confirmed and approved.

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

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

Introduction of Miscellaneous Business.

A large delegation of citizens from the south part of the city appeared before the Council and asked that a market house be established on the property on Shelby Street now used by the Street Cleaning Department.

President Schmidt appointed the following Committee to thoroughly investigate this matter:

Messrs. Brown, Carnefix and Peake.

ORDINANCES ON SECOND READING.

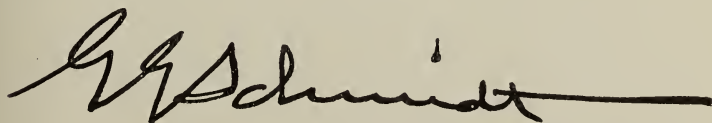
Mr. Peake called for Appropriation Ordinance No. 13, 1920, for second reading. It was read a second time.

Mr. Peake moved that Appropriation Ordinance No. 13, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 13, 1920, was read a third time and passed by the following vote:

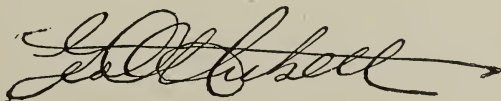
Ayes, 8, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Peake, Willson and President G. G. Schmidt.

On motion of Mr. Willson the Common Council at 9:07 o'clock P. M. adjourned.



President.

Attest:



City Clerk.