

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, October 18, 1920.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, October 18, 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 Pettijohn.

Absent: Mr. Willson.

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

COMMUNICATION FROM THE MAYOR.

October 11th, 1920.

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

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

General Ordinance No. 83.

Appropriation Ordinance No. 18.

Appropriation Ordinance No. 19.

Yours very truly,

CHARLES W. JEWETT, MAYOR.

President Schmidt instructed the City Clerk to request the Mayor to name each ordinance by title, as well as by number, when returning the same to the Common Council with his approval or disapproval.

REPORTS FROM CITY OFFICERS.

From the City Controller:

October 18th, 1920.

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

Gentlemen:—I hand you herewith a communication and ordinance transferring certain sums from certain funds under the Board of Public Safety to other funds under said board, and reappropriating same.

I recommend the passage of this ordinance.

Yours very truly,

ROBT. H. BRYSON,
City Controller.

October 18, 1920.

Robert H. Bryson, City Controller City Hall, City:

Dear Sir:—Please find attached ordinance transferring certain funds of the Police and Fire Force. Will you please transmit same to the Council, recommending that same be passed:

Yours very truly,

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

Indianapolis—Fifth Army Corps Headquarters at Ft. Benjamin Harrison.

From the Board of Public Works:

October 15th, 1920.

Mr. George O. Hutsell, City Clerk, City of Indianapolis:

Dear Sir:—I am enclosing herewith for transmission to the Common Council, an Ordinance transferring the sum of Twenty-Five Thousand Dollars (\$25,000.00) from the Street and Alley Improvement Fund under the Department of Public Works, transferring and reappropriating the same to the Bridge Repair Fund of the Department of Public Works.

Yours truly,

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

October 5th, 1920.

Mr. George O. Hutsell, City Clerk:

Dear Sir:—I am transmitting herewith for presentation to the Common Council at its next meeting, a contract approved by the Board of Public Works granting the Adams Rogers Co. the right to lay and maintain a track from the Vincennes Division, Pennsylvania R. R. across Ray street to the northwest corner of Ray and Drover streets.

Yours very truly,

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

October 11, 1920.

Mr. George O. Hutsell, City Clerk:

Dear Sir:—I am submitting herewith for transmission to the Common Council, an Ordinance transferring the sum of \$1,500.00 from the Sprinkling Department, Equipment and Supply Appropriation Fund, to the Sewer Department, Equipment and Supply Appropriation Fund of the Department of Public Works.

Yours truly,

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

October 8th, 1920.

Mr. George O. Hutsell, City Clerk:

Dear Sir:—I am submitting herewith for transmission to the Common Council, an ordinance transferring the sum of \$2,000.00 from the Sprinkling Department Equipment and Supply Appropriation Fund to the fund known as Blank Books, Printing and Advertising Fund of the Board of Public Works.

Yours truly,

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

From the Board of Public Safety:

October 15, 1920.

Hon. President and Members of the Common Council:

Gentlemen:—The Board of Public Safety herewith presents to your Honorable body an ordinance increasing the salary of the Executive Secretary of the Board of Public Safety from \$2,000.00 to \$2,400.00 per year, which amount has been appropriated in the budget to become effective January 1, 1921, and respectfully requests the Council to give same favorable consideration.

BOARD OF PUBLIC SAFETY,
A. L. TAGGART, PRESIDENT.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

Indianapolis, Ind., Oct. 18, 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. 20, 1920, entitled

APPROPRIATION ORDINANCE NO, 20, 1920.

AN ORDINANCE, appropriating money to the Department of Public Works for the purpose of paying the amount of the increase in the awards of damages to Nellie G. Cole, made by the Marion Circuit Court of Marion County Indiana, in the appeal taken by said Nellie G. Cole for the award of damages made to her real estate by the Board of Public Works on account of the opening of Forty-ninth Street from Pennsylvania Street to Illinois Street.

Beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

W. B. PEAKE, CHAIRMAN.

O. B. PETTIJOHN,

LEE J. KIRSCH.

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

From the Committee on Finance:

Indianapolis, Ind., Oct. 18, 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. 74, 1920, entitled: An ordinance transferring certain sums from certain departments under the Department of Public Works, City of Indianapolis, transferring to and reappropriating the same to certain other funds under said department 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.

O. B. PETTIJOHN,

LEE J. KIRSCH.

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

From the Committee on Finance:

Indianapolis, Ind., Oct. 18, 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. 77, 1920, entitled: An Ordinance transferring the sum of \$750.00 from the Sprinkling Equipment and Supplies Fund, of the Department of Public Works, to the Sprinkling Department Salaries Fund of the Department of Public Works, and transferring the sum of \$1,000.00 from the Sprinkling Department Equipment and Supplies Fund, of the Department of Public Works to the City Yard Department Salary Fund of the Department of Public Works, 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,
O. B. PETTIJOHN,
LEE J. KIRSCH.

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

From the Committee on City's Welfare:

Indianapolis, Ind., Oct. 18, 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. 82, 1920, entitled: An ordinance, ordering the Board of Public Works to improve Delaware Street from 16th Street to 19th Street, beg leave to report that we have had said ordinance under consideration, and recommend that the same be amended to read as follows:

LOUIS W. CARNEFIX,
W. B. PEAKE
O. B. PETTIJOHN,
J. P. BROWN.

GENERAL ORDINANCE NO. 82, 1920.

AN ORDINANCE, ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Delaware Street from the north property line of Sixteenth Street to the south property line of Nineteenth Street, by widening and resurfacing the roadway under and by virtue of Improvement Resolution No. 9664 of the Board of Public Works, 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. Whereas, the Board of Public Works of the City of Indianapolis, Indiana, in the manner prescribed by law, adopted on the 26th day of July, 1920, Improvement Resolution No. 9664, for improving by widening and resurfacing the roadway of Delaware Street from the north property line of Sixteenth Street to the south property line of Nineteenth Street, which resolution was duly advertised as required by law, and confirmed by the Board of Public Works without modification on the 30th day of August, 1920, and

WHEREAS, within ten days after confirmation of said Improvement Resolution, a majority of the resident free-holders of said street filed their remonstrance with said Board of Public Works, remonstrating against said improvement, NOW THEREFORE,

Be It Ordered by the Common Council of the City of Indianapolis, That the Board of Public Works be and the same is hereby ordered to improve by widening and resurfacing the roadway of Delaware Street from the north property line of Sixteenth Street to the south property line of Nineteenth Street, all in accordance with said Improvement Resolution No. 9664 of said Board of Public Works.

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

and as amended the same do pass.

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

From the Committe on City's Welfare:

Indianapolis, Ind., Oct. 18, 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. 85, 1920, entitled

GENERAL ORDINANCE NO. 85, 1920.

AN ORDINANCE ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Merrill Street from the west property line of Meridian Street (north) to the west property line of Senate Avenue (north), under and by virtue of Improvement Resolution No. 9699 of the Board of Public Works, and declaring a time when the same shall take effect.

I beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

LOUIS W. CARNEFIX,
J. P. BROWN,
O. B. PETTIJOHN,
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. 87, 1920.

AN ORDINANCE, transferring certain sums of money from certain funds under the Department of Public Safety, and reappropriating the same to 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 Two Hundred Seventeen Dollars and Twenty-Two Cents (\$217.22) from the New Auto Fund of the Police Department, under the Board of Public Safety and that the same be and is hereby transferred to and re-appropriated to the Printing and Stationery Fund of the Police Department under the Board of Public Safety.

Sec. 2. That there be and is hereby transferred the sum of Five Hundred Dollars (\$500.00) from the Police Barn Fund of the Police Department, under the Board of Public Safety, and that the same be and is hereby transferred to and re-appropriated to the Printing and Stationery Fund of the Police Department under the Board of Public Safety.

Sec. 3. That there be and is hereby transferred the sum of One Thousand Dollars (\$1,000.00) from the Pay Roll Fund of the Police Department, under the Board of Public Safety, and that the same be and is hereby transferred to and re-appropriated to the Auto Maintenance and Repairs Fund of the Police Department under the Board of Public Safety.

Sec. 4. That there be and is hereby transferred the sum of Fifteen Hundred Dollars (\$1500.00) from the Pay Roll Fund of the Police Department, under the Board of Public Safety, and that the same be and is hereby transferred to and re-appropriated to the Motorcycle Fund of the Police Department under the Board of Public Safety.

Sec. 5. That there be and is hereby transferred the sum of Two Thousand Dollars (\$2,000.00) from the Emergency Police Fund of the Police Department, under the Board of Public Safety, and that the same be and is hereby transferred to and re-appropriated to the Fuel and Heat Fund of the Police Department under the Board of Public Safety.

Sec. 6. That there be and is hereby transferred the sum of Two Thousand Dollars (\$2,000.00) from the Repairs to Buildings Fund of the Fire Department, under the Board of Public Safety, and that the same be and is hereby transferred to and re-appropriated to the Fuel and Heat Fund of the Fire Department under the Board of Public Safety.

Sec. 7. That there be and is hereby transferred the sum of Two Hundred Dollars (\$200.00) from the New Apparatus and Tires Fund of the Fire Department, under the Board of Public Safety, and that the same be and is hereby transferred to and re-appropriated to the Gas and Electric Light Fund of the Fire Department under the Board of Public Safety.

Sec. 8. That there be and is hereby transferred the sum of Two Hundred Dollars (\$200.00) from the Repairs to Cisterns Fund of the Fire Department, under the Board of Public Safety, and that the same be and is hereby transferred to and re-appropriated to the Gas and Electric Light Fund of the Fire Department under the Board of Public Safety.

Sec. 9. 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:

GENERAL ORDINANCE NO. 88, 1920.

AN ORDINANCE, transferring the sum of Twenty-Five Thousand Dollars (\$25,000.00) from the Street and Alley Improvement Fund under the Department of Public Works, transferring and re-appropriating the same to the Bridge Repair Fund of the Department of Public Works 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 the sum of Twenty-Five Thousand Dollars (\$25,000.00) be and the same is hereby transferred from the Street and Alley Improvement Fund under the Department of Public Works, and that the same be and is hereby transferred to and re-appropriated to the Bridge Repair Fund under the Department of Public Works.

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

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

By the Board of Public Works:

SWITCH CONTRACT.

GENERAL ORDINANCE NO. 89, 1920.

AN ORDINANCE, approving a certain contract granting ----- the right to lay and maintain a sidetrack or switch from ----- according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: on the ----- day of -----, 192___, filed his petition before the Board of Public Wirks of the City of Indianapolis, as follows:

PETITION

To Board of Public Works, City of Indianapolis:

Gentlemen:—

NOW, THEREFORE, This agrèment made and entered into this ----- day of -----, 192___, by and between

----- 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 sidewalk or switch from

 in the City of Indianapolis, which is more specifically described as follows:

To Board of Public Works, City of Indianapolis:

Gentlemen:—We petition your Honorable Board to grant us the right to lay and maintain said side tracks, or switches, over and across Biddle Street in the City of Indianapolis, which side tracks, or switches, are more fully described and set out as follows:

Track No. 1. Beginning at a point in an existing track a distance of 25 feet from south line of St. Clair Street and running on a 90-30' curve to the left a distance of 75 feet thence on a tangent a distance approximately 139 feet to a point thence to the right on a 10° curve a distance of 71.5 feet to a point distant, at right angle, from said existing track a distance of 26.5 feet thence running parallel to said existing track a distance of approximately 110 feet to a point in the north property line of Biddle Street, said point being 522.6 feet from the east property line of Pine Street, measured along north property line of Biddle Street, thence continuing in the same line to a point in the south property line of Biddle Street, said point being 522.6 feet from the east property line of Pine Street, measured along south property line of Biddle Street, continuing in the same straight line a distance of 200 feet, thence on a 7° curve to the left a distance of 200 feet approximately.

Track No. 2. Beginning at a point in an existing track 10 feet south of south property line of St. Clair Street, thence in a straight line tangent to said existing track a distance of 75 feet, thence on a 10° curve to the right a distance of 144 feet approximately, to a point distant at right angles from tangent line of Track No. 1, produced a distance of 38.5 feet, thence parallel to Track No. 1 a distance of 210 feet approximately to a point in the north property line of Biddle Street, said point being 561.1 feet distant from the east property line of Pine Street measured along north property line of Biddle Street and crossing the south line of Biddle Street at a point 561.1 feet from east line of Pine Street, measured along south property line of Biddle Street, thence continuing in a straight line a distance of 35 feet to a point thence on a 15° curve to the left a distance of 330 feet approximately.

Track No. 3. Beginning at a point in an existing track 10 feet south of the south property line of St. Clair Street, thence on a 90-30 ft. curve to the left a distance of 75 feet, thence on a 12° curve to the right a distance of 180 feet approximately to a point distant at right angles from track No. 2 a distance of 13 feet, thence running in a parallel line to track No. 2 a distance of 172 feet approximately to a

point in the north property line of Biddle Street, said point being 574.1 feet from the east property line of Pine Street measured along the north property line of Biddle Street and crossing the south property line of Biddle Street at a distance of 574.1 feet from the east property line of Pine Street, measured along south property line of Biddle Street, thence continuing to a point 35 feet distant from south line of Biddle Street, thence on a 15°-30 ft. curve to the left a distance of 319 feet.

F. W. REYNOLDS.

Oct. 18, 1920.

The right to lay and maintain such sidetrack shall cease and same shall be removed on or before November 1, 1921.

(Signed) F. W. REYNOLDS.

Approved October 18, 1920.

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

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 ----- 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 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 29th day of August, 1920.

F. W. REYNOLDS,
Party of the First Part.

Witness: G. G. BARNES,
J. A. CAMERON.

CITY OF INDIANAPOLIS,

By -----

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.

Mr. Miller moved that the rules be suspended and General Ordinance No. 89, 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, Pettijohn and President G. G. Schmidt.

Mr. Miller called for General Ordinance No. 89, 1920, for second reading. It was read a second time.

Mr. Miller moved that General Ordinance No. 89, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 89, 1920, was read a third time and passed by the following vote:

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

By the Board of Public Works:

SWITCH CONTRACT

GENERAL ORDINANCE NO. 90, 1920.

AN ORDINANCE, approving a certain contract granting ADAMS ROGERS COMPANY the right to lay and maintain a sidetrack or switch from Vincennes Division, Pennsylvania Railroad Company across Ray Street in a northeasterly direction into property described as Northwest corner of Ray and Drover Streets, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: on the ----- day of -----, 190---, ADAMS-ROGERS COMPANY 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:—We hereby petition your Honorable Board to permit the construction of a switch off of the Vincennes Division of the Pennsylvania Railroad Company's Right of Way across Ray Street as shown by attached plat.

NOW, THEREFORE, This agreement, made and entered into this ----- day of -----, 190---, by and between ADAMS ROGERS COMPANY 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 Vincennes Division of the Pennsylvania Railroad Company's Right of Way across West Ray Street, West of Drover Street, in the City of Indianapolis, which is more specifically described as follows: Crossing the South line of West Ray Street (36) feet West of the Southwest corner of Drover and Ray Streets and crossing the North line of Ray Street at a point (18) feet West of the Northwest corner of Drover and Ray Streets and thence into our property parallel to Drover Street as per plat attached, 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 West Ray 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 Ray 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 to be void if switch is not laid within one year of date of this contract.

IN WITNESS WHEREOF, We have hereunto set our hands this _____ day of _____, 190_____.

ADAMS ROGERS CO.

By C. O. Rogers, Secy.

Party of the First Part.

Witness:

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 Board of Public Safety:

GENERAL ORDINANCE NO. 91, 1920.

AN ORDINANCE, fixing the salary of the Executive Secretary of the Board 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, Indiana:

Section 1. That the salary of the Executive Secretary of the Board of Public Safety of the City of Indianapolis be and the same is hereby fixed at the rate of Twenty-Four Hundred Dollars (\$2400.00) per annum.

Sec. 2. This ordinance shall be in full force and effect from and after January 1, 1921.

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

By the Board of Public Works:

GENERAL ORDINANCE NO. 92, 1920.

AN ORDINANCE, transferring the sum of One Thousand Five Hundred Dollars (\$1,500.00) from the Sprinkling Department, Equipment and Supply Appropriation Fund to the Sewer Department, Equipment and Supply Appropriation Fund of the Department of Public Works, 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 Five Hundred Dollars (\$1,500.00) from the Sprinkling Department, Equipment and Supply Appropriation Fund of the Department of Public Works, and that said sum be transferred to and re-appropriated to the Sewer Department, Equipment and Supply Appropriation Fund of the Department of Public Works.

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

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

By the Board of Public Works:

GENERAL ORDINANCE NO. 93, 1920.

AN ORDINANCE, transferring the sum of Two Thousand Dollars (\$2,000.00) from the Sprinkling Department Equipment and Supply Appropriation Fund to the Blank Books, Printing and Advertising Fund of the Department of Public Works, 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 Two Thousand Dollars (\$2,000.00) from the Sprinkling Department Equipment and Supply Appropriation Fund of the Department of Public Works, and that said sum be transferred to and re-appropriated to the Blank Books, Printing and Advertising Fund of the Department of Public Works.

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

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

By Mr. Willson (by request):

SPECIAL ORDINANCE NO. 16, 1920.

AN ORDINANCE, annexing to the City of Indianapolis certain territory contiguous to said City, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis that the following described territory, contiguous to the City of Indianapolis, be, and the same is hereby, annexed to and made a part of said City of Indianapolis, to-wit:

Beginning in the West line of the Northeast Quarter of section nineteen (19), in township fifteen (15) North, of range four East, Marion County, State of Indiana, at a point which is one hundred and fifty (150) feet South of the Northwest corner of said quarter section, and running thence East, parallel to the North line of said section, shrdluupupuup thence East, parallel to said North line, two hundred and $\frac{8}{10}$ (200.8) hundred forty-eight and $\frac{8}{10}$ (648.8) feet South of said North line, thence East, parallel to said North line, twi hundred and $\frac{8}{10}$ (200.8) feet, thence North to a point twenty-five feet South of the North line of said section, thence East, parallel to and twenty-five feet distant from, the North line of said section seven hundred thirty-seven and

20/100 (737.20) feet, thence South to a point which is ten hundred and thirty-four and 22/100 (1034.22) feet West of the East line of said section, which point is also eleven hundred twenty and 7/10 (1120.7) feet South of the North line of said section, thence East, parallel to the North line of said section, to the East line of said section; thence North, on and along said East line of said section, to a point twenty-five feet North of the North line of said section nineteen (19), thence West, parallel to and twenty-five feet distant from, said North line of said section, to a point which is one hundred fifty-three (153) feet East of the West line of the Southeast Quarter of section eighteen, in township fifteen North, of range four East, Marion County, State of Indiana, thence North Forty-three and 8/10 (43.8) feet, thence West to the West line of the Southeast Quarter of said section eighteen, thence South to the place of beginning.

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

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

ORDINANCE ON SECOND READING.

Mr. Peake called for Appropriation Ordinance No. 20, 1920, for second reading. It was read a second time.

Mr. Peake moved that Appropriation Ordinance No. 20, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 20, 1920, was read a third time and passed by the following vote:

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

Mr. Peake called for General Ordinance No. 74, 1920, for second reading. It was read a second time.

Mr. Peake moved that General Ordinance No. 74, 1920, be ordered engrossed read a third time and placed upon its passage. Carried.

General Ordinance No. 74, 1920, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Peake and Pettijohn.

Noes, 1, viz.: President G. G. Schmidt.

Mr. Peake called for General Ordinance No. 77, 1920, for second reading. It was read a second time.

Mr. Peake moved that General Ordinance No. 77, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 77, 1920, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Peake and Pettijohn.

Noes, 1, viz.: President G. G. Schmidt.

Mr. Carnefix moved that General Ordinance No. 82, 1920, for second reading. It was read a second time.

Mr. Carnefix moved that General Ordinance No. 82, 1920, be amended as recommended by the committee. Carried.

Mr. Carnefix moved that General Ordinance No. 82, 1920, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 82, 1920, was read a third time and passed by the following vote:

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

Mr. Carnefix called for General Ordinance No. 85, 1920, for second reading. It was read a second time.

Mr. Carnefix moved that General Ordinance No. 85, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 85, 1920, was read a third time and passed by the following vote:

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

By Mr. JPettijohn:

October 18, 1920.

Mr. President: I respectfully move that the Centennial Committee be requested to furnish the Common Council with a detailed account of the moneys expended by the committee.

Which motion was seconded by Mr. Furniss and carried.

President Schmidt instructed the City Clerk to inform the Centennial Committee of the request.

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

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

President.

Attest:

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

City Clerk.