

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.,

MONDAY, May 7, 1917.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, May 7, 1917, at 7:30 o'clock in regular session, President Michael J. Shea in the chair.

Present: The Hon. Michael J. Shea, President of the Common Council, and 8 members, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Lee, Connor and Graham.

President Shea called for the reading and correction of the Journal.

By Mr. Porter:

I move that the Journal of the meeting of the Common Council held April 2, 1917, be corrected by striking out the words "Forty-eighth" in line 29 on page 168, and inserting instead the words "Hampton Drive", making lines 28 and 29 on page 168 read as follows:

"Name of Forty-fourth Street, extending from Pennsylvania Street to Washington Boulevard, to be changed to East Hampton Drive."

By striking out the words "West Thirty-third" in line 8 on page 169, and inserting instead the word "Clark", making lines 7 and 8 on page 169 read as follows:

"Name of Thirty-fifth Street, from Canal to Northwestern Avenue, to be changed to Clark Street."

When so corrected I move that further reading of the Journal be dispensed with.

Seconded by Mr. Barry.

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., April 19, 1917.

To the President and Members of the Common Council, Indianapolis, Ind.:

GENTLEMEN—I have approved and signed the following ordinances:

1. General Ordinance No: 2, 1917, the same being an ordinance entitled: "An ordinance authorizing the sale of certain real estate belonging to the City of Indianapolis."

2. Appropriation Ordinance No. 9, 1917, the same being an ordinance entitled: "An ordinance appropriating the sum of Two Thousand Dollars (\$2,000.00) to the Department of Public Works, and fixing a time when the same shall take effect."

I return the said ordinances herewith.

Yours very truly,

J. E. BELL,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., April 20, 1917.

To the President and Members of the Common Council, Indianapolis, Ind.:

GENTLEMEN—I have approved and signed Special Ordinance No. 5, 1917, the same being an ordinance entitled: "An ordinance annexing certain territory to the City of Indianapolis, and defining a part of the boundary line of said City, and fixing the time when same shall take effect."

I return the said ordinance herewith.

Yours very truly,

J. E. BELL,
Mayor.

CITY OF INDIANAPOLIS.

FINANCE DEPARTMENT,

INDIANAPOLIS, IND., May 7, 1917.

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

GENTLEMEN—I am inclosing letters from the Department of Public Works requesting transfers of funds from said department to the Department of Public Sanitation, which was created by an act of the last Legislature, and also to pay certain judgments against the City of Indianapolis. I inclose ordinances which I recommend.

I have not yet prepared an ordinance authorizing a bond issue of \$22,000.00, per letter of the Board of Public Works.

Yours very truly,

R. H. SULLIVAN,
City Controller.

DEPARTMENT OF PUBLIC WORKS,

OFFICE OF THE BOARD.

INDIANAPOLIS, IND., May 7, 1917.

Mr. R. H. Sullivan, City Controller, Indianapolis, Ind.:

DEAR SIR—I am directed to request that you recommend to the Common Council the passage of an ordinance authorizing the transfer of \$1,000.00 from the fund for assessments against the City of Indianapolis to pay the following judgments entered against city:

William H. Overmeyer vs. City of Indianapolis, Marion Superior Court, Room 2, Cause No. 103070. Appeal from award of damages for land appropriated for opening and extension of Minkner street, Vermont to Michigan street, under the provisions of Declaratory Resolution No. 8093. Amount, \$800 and costs.

Daniel Tibbs vs. City of Indianapolis, Marion Circuit Court, Cause No. 24769. Appeal from award of damages for land appropriated for opening and extension of Tibbs avenue from Vermont street to Tenth street, under the provisions of Declaratory Resolution No. 7614. Amount, \$150 and costs.

The Board directs me to request that the money to satisfy these judgments be made at once available.

Very truly yours,

JOSEPH P. TURK,

Clerk Board of Public Works.

REPORTS FROM CITY OFFICERS.

From City Controller :

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., May 7, 1917.

Mr. R. H. Sullivan, City Controller, Indianapolis, Ind.:

DEAR SIR—I am directed to request that you recommend to the Common Council the passage of an ordinance authorizing a bond issue of \$22,000 to provide funds for construction of East Michigan street bridge over Pogue's Run and cost of new abutment at north end of the Madison avenue bridge over Pleasant Run.

I am also directed to request that you recommend the passage of an ordinance authorizing the following transfers of money from the funds of this department to the Department of Public Sanitation, same having been requested by the Board of Sanitary Commissioners and indorsed by resolution of the Board adopted this day:

From the City Civil Engineer's Laboratory Salary and Wages Fund -----	\$2,000.00
From the Sewage Disposal Fund ----- (Being present balance in said fund.)	3,239.67
From the City Civil Engineer's Office Salaries-----	3,000.00
Total -----	<u>\$8,239.67</u>

On January 22 last the Board requested that a bond issue of \$19,000 be authorized for constructing the East Michigan street bridge. This request is now withdrawn and the above amount asked for, so as to include repairs to the Madison avenue bridge.

Very truly yours,

JOSEPH P. TURK,

Clerk Board of Public Works.

From the Department of Law:

DEPARTMENT OF LAW,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., May 26, 1917.

To the President and Members of the Common Council:

EXTENSION OF STREET-CAR SERVICE IN COLLEGE AVENUE.

GENTLEMEN—I have the letter of the City Clerk of date 10th inst., inclosing your inquiry for my opinion as to the power of your body, or of the Board of Public Works, to compel the Indianapolis Traction and Terminal Company to extend its service in College Avenue northward from Fairfield Avenue to the city limits, College Avenue being occupied throughout the extent of the suggested extension by the tracks of the Union Traction Company of Indiana.

Your inquiry calls for a determination of the following questions:

1. What rights, if any, are held by the Union Traction Company of Indiana in that part of College Avenue involved in the proposed extension that might interfere with the extension of the city street car lines?
2. What power exists to compel joint use by the Indianapolis Traction and Terminal Company and the Union Traction Company of Indiana of the tracks of the latter company now occupying the avenue, if it should be found inadvisable to lay additional tracks in the avenue?
3. What governmental agency has jurisdiction of the matter, and what is the extent of its powers?

In determining the first question, as to what, if any, rights the Union Traction Company of Indiana has in that part of College Avenue involved in the proposed extension, I assume that the historical statement you have furnished me of that company's occupancy of the street is correct; that its predecessor, The Indianapolis Northern Traction Company, received from the Board of Commissioners of Marion County a grant, without limitation, to occupy with its tracks a county highway which has since been brought within the corporate limits of the city and which constitutes an extension of College Avenue, and that this grant has legally come to the present holder, the Union Traction Company of Indiana.

The first element in this grant by the County Commissioners that deserves attention is the element of perpetuity. The grant is without any limitation whatever as to time. The Board of County Commissioners have only such powers as are delegated to them by the General Assembly. From this source they have been given general jurisdiction over the highways of their county, but their general powers over the highways relate only to the use of the highways for which they were originally intended, to-wit: traffic by ordinary methods of walking, horseback riding and traveling in ordinary vehicles. Their powers being only such as are granted by statutes strictly construed, they would not have, under their general powers, any right to turn over the highways to steam or electric railways, so we must look for a specific grant to determine what rights they could give to the Indianapolis Northern Traction Company. In section 5671 of Burns' Revised Statutes of 1914 it is provided that any person desiring to build a street railway on any public highway outside of any city "may do so after procuring the consent of the board of county commissioners of

such county." This is all the statutory authority the County Commissioners had for granting the right of way on the public highways of the county to the Indianapolis Northern Traction Company, and this, as I have said, must be strictly construed. There is no power in the board to do more than give a mere license. No contract can be made that will give up irrevocably any part of the highway and destroy for all time its usefulness for its original purpose.

The Board of County Commissioners cannot grant any such right on a public highway for longer than a reasonable term, and any effort to do so would be beyond their powers, and therefore void. Many of the courts have held that a grant without limitation as to time is void. See:

Logansport Railroad Company vs. Logansport, 114 Fed. 688;

Birmingham vs. Birmingham Street Railroad Company, 79 Ala. 465;

Ampt vs. Cincinnati, 21 Ohio C. C. 300;

Blaschko vs. Wurster, 156 N. Y. 437.

According to the historical statement you have furnished me, the Board of Commissioners of Marion County granted to the Indianapolis Northern Traction Company a perpetual right of way on the highway that has since been taken into the city, and which now comprises an extension of College Avenue. In the light of the statute and the decisions just cited, I am of opinion that the Indianapolis Northern Traction Company and the Union Traction Company of Indiana have no rights whatever in the street which may not be terminated upon reasonable demand and hearing, and that if public necessity requires, their tracks may be removed.

If the traction company's status in College Avenue were not determined by the foregoing statute and cases which I have cited, there is a further condition, according to the historical statement you have furnished me, under which I feel quite sure the courts would hold that its occupancy is without right and subject to termination, and that is the fact that the highway on which it built its tracks with the consent of the Board of Commissioners of Marion County has since been brought within the boundaries of the city of Indianapolis by annexation. The grant by the commissioners was not for any definite time, and even though there were no rule against perpetual grants, it could not extend beyond the period of control of the commissioners over the highway.

Whenever any territory is brought within the corporate limits of a city, the right of government over such territory becomes superior in the city to any right of government theretofore exercised by the county, and it may maintain, improve or vacate any highways in the territory annexed, and it would be incompatible with this power to hold that a board of county commissioners could grant a right upon a public highway for an indefinite time that would forever prevent a city from exercising its governmental functions. A board of county commissioners has power to grant a right to operate a toll road over a county highway. Suppose the theory of the traction company in this case, that it has a perpetual right to occupy the highway with its tracks, were true, and suppose that when the limits of the city of Indianapolis were at Sixteenth Street, as now located, the county commissioners had granted a perpetual right to a company to operate a toll gate extending north from the north end of Meridian Street at Sixteenth, then, if the theory of the traction company that it has a perpetual right by the grant of the commissioners were correct, we might today have a toll gate at Sixteenth Street across Meridian Street, and

everyone traveling on that highway would have to stop and pay toll. To just the same extent that an annexation to a city would open the toll gates and make a toll road a public street, such annexation will turn over to the city authorities the right to control the operation of an interurban electric railroad over a street which was before annexation a county highway. The following cases sustain this doctrine:

Lake Shore Railroad vs. Town of Whiting, 161 Ind. 76;

Snell vs. Chicago, 133 Ill. 413;

Railway Company vs. Chicago, 176 U. S. 646;

Blair vs. Chicago, 201 U. S. 400;

People vs. Chicago Telephone Company, 220 Ill. 238.

In view of the law as laid down in the cases just cited, I am of opinion that, for the additional reason above stated, the Union Traction Company of Indiana has no right whatever in that part of College Avenue over which you desire to have the city street railway service extended that will prevent the city of Indianapolis from enforcing such an extension.

The street car company and the traction company may contend that the traction company has rights in College Avenue by reason of an ordinance of the city of Indianapolis, approved August 15, 1902. It must be remembered that this ordinance, which is a grant of a franchise, is to be construed strictly against the traction company. The ordinance was for the purpose of granting the Indianapolis Northern Traction Company the right to operate its cars over the tracks of the Street Railway Company, and designated certain streets upon which it may so operate, one of which is College Avenue "from Sutherland Avenue north to the north corporate limits of the city, together with the right to construct, maintain and operate its lines of railway track with the necessary overhead construction over and upon any bridge hereafter constructed by said city over Fall Creek in the course of College Avenue." You will note from this language that there is no right granted to construct or operate tracks on any part of College Avenue except on the bridge over Fall Creek. A further provision in Section 10 of the ordinance requires the company to pave the space between its rails on any tracks of the company that may thereafter be brought within the city, but this provision, strictly construed, grants no right to maintain any such tracks, but is simply a requirement that it pave any tracks which may be brought in, and neither grants nor confirms any rights the company may have to maintain such tracks. In Section 11 of the ordinance referred to there is a provision that any tracks which may come into the city, by reason of extension of the city's boundaries, shall be kept in repair, but the language of the ordinance in this connection does not grant or confirm any rights of the company.

The traction company may also contend that under an ordinance of July 21, 1913, its rights in College Avenue are confirmed. This last named ordinance has a clause that provides that the Indianapolis Northern Traction Company may continue to operate its cars on College Avenue "as it is now or hereafter may be included in the boundaries of the city." This is the ordinance that provided for another route for the cars that ran over the tracks that were washed out on Sutherland Avenue by the flood of 1913, and, strictly construed, it gives no right to maintain any tracks on any part of College Avenue, although it does give the right to operate cars. It may continue to operate such cars if its tracks are taken over by the street car company or if used jointly with the street car company.

Finally, upon this point I do not find anything in the franchise of the Indianapolis Northern Traction Company or in the ordinance of July 21, 1913, above referred to, that in any way changes or modifies my opinion hereinbefore set out.

This brings us to the second principal question involved in your inquiry, *i. e.*, the power to compel the joint use by the Indianapolis Traction and Terminal Company and the Union Traction Company of Indiana of the tracks of the latter company now occupying College Avenue. I assume that if the city should order extension of street car service in College Avenue as you have indicated, it would not be found advisable to lay additional tracks in the street, but that it would be desirable to use the tracks heretofore laid by the predecessor of the Union Traction Company of Indiana, with such alterations for return of city cars as might be found necessary.

If the city sees fit to direct that the Indianapolis Traction and Terminal Company shall use the tracks of the Union Traction Company of Indiana now occupying the roadway of College Avenue, it has ample power so to do.

Under Section 110 of the Public Service Commission law of Indiana the "municipal council" has power to determine the quality and character of each kind of product or service to be furnished or rendered by any public utility furnishing service within the municipality, and "to require of any public utility, by ordinance or otherwise, such additions or extensions to its physical plant within said municipality as shall be reasonable and necessary in the interest of the public, and to designate the location and nature of all such additions and extensions, the time within which they must be completed, and all conditions under which they must be constructed."

The Public Service Commission law defines municipal council as being "the common council, the board of trustees or other governing body" of the city where the utility is located. If the order of the "municipal council" is unreasonable, then the utility or any other person or concern interested may appeal to the Public Service Commission, which may declare the order of the "municipal council" void.

Under this section the "Municipal Council" of Indianapolis may order the Indianapolis Traction and Terminal Company to extend its tracks and service in College Avenue from Fairfield Avenue to the city limits, and may order it to lay its tracks, set its poles and string its trolley wires at the points in the street now occupied by the tracks, poles and wires of the Union Traction Company of Indiana.

Section 8 of the Public Service Commission law of Indiana above referred to provides that "every public utility of every person, association or corporation having tracks, conduits, subways, poles or other equipment on, over or under any street or highway shall, for a reasonable compensation, permit the use of the same by any public utility whenever public convenience and necessity require such use and such use will not result in irreparable injury to the owner or other users of such equipment or in any substantial detriment to the service to be rendered by such owners or other users."

It has been contended by lawyers representing public utilities that a municipality cannot compel a utility to grant the use of its tracks or equipment to another utility, but that this provision of the statute is only for

the benefit of other utilities, and that such joint use must be demanded by the utility expecting to use the tracks or equipment referred to. Such an interpretation of the statute would limit its benefits to the utilities rather than to the public, when it is perfectly apparent from the whole statute that the Public Service Commission law was enacted with the intent to benefit the public, rather than to benefit the utilities of the state.

I am firmly of the opinion that under the provisions just quoted from Section 8, the municipality having jurisdiction over the tracks or equipment under consideration may require any utility to submit to any other utility the use of its tracks and equipment, and that the compensation must be sought under other provisions of the law, which provisions are ample.

The municipality of Indianapolis having the power to order the extension of street car service in College Avenue, as above set out, we must determine the third proposition above—that is, what governmental agency has jurisdiction of the matter and the extent of its powers.

Section 110 of the Public Service Commission law above referred to, as has already been said, gives power to the "municipal council" to order the extension of the service of any public utility where such an extension is necessary in the interest of the public.

As I have above suggested, the term "municipal council" is defined in the law to "embrace the common council, the board of trustees or *any other governing body* of any town or city" where the public utility is located. In the city of Indianapolis the "governing body" which, under our charter, has charge of the extension of the service of public utilities is the Board of Public Works, and I am of opinion that the Board of Public Works has the sole jurisdiction of the matter and the sole responsibility for requiring proper extensions of service from utilities, and that your body, the Common Council, has no power or jurisdiction to order the extension of the service of any utility.

It is true that the Public Service Commission law defines "municipal council" as embracing the Common Council, but before we could determine that the Common Council has jurisdiction to order the extensions of the service of utilities we would have to conclude that the Legislature intended to take out of the hands of the Board of Public Works the duty and authority to order such extension and transfer it to the Common Council, and I feel quite sure no court would adopt any such construction of the Public Service Commission law.

In conclusion I respectfully submit that the Board of Public Works of the city of Indianapolis has ample authority to compel the Indianapolis Traction and Terminal Company to extend its tracks and service in College Avenue from the intersection of that street with Fairfield Avenue northward to the city limits, and that it has power to direct the Indianapolis company to use the tracks, poles and trolley wires of the Union Traction Company of Indiana and the Indianapolis Northern Traction Company, upon proper compensation, to be determined as provided in the Public Service Commission law.

Yours truly,

WM. A. PICKENS,
Corporation Counsel.

By Mr. Barry:

MR. PRESIDENT—I move that the communication from the corporation counsel, in reply to one from this body in reference to the extension of street car service in College Avenue, be referred to a committee for consideration and report at the next regular meeting of the Common Council.

EDWARD P. BARRY.

Seconded by Mr. Lee. Carried.

The communication was referred to the Committee on City's Welfare.

From the Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

OFFICE OF THE BOARD.

INDIANAPOLIS, IND., May 7, 1917.

To the Honorable Common Council, City of Indianapolis:

GENTLEMEN—I am directed to submit for your consideration and approval the following ordinances:

An ordinance authorizing the sale and conveyance of Lots 7 and 8 in Russell's Heirs' Subdivision of Outlot No. 26, being part of ground acquired for construction of Pogue's Run Drain, same having been duly appraised as provided by law;

An ordinance authorizing the sale and conveyance of the unused portions of thirty-seven lots acquired for construction of the White River Flood Levee, same having been duly appraised as provided by law;

An ordinance changing the names of certain streets, avenues, drives, roads, courts and alleys; and

An ordinance authorizing the Board of Public Works to proceed with the work of resurfacing the roadway of South Street, from Virginia Avenue to Kentucky Avenue, as provided for under the provisions of Improvement Resolution No. 8854.

Very truly yours,

JOSEPH P. TURK,
Clerk Board of Public Works.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

INDIANAPOLIS, IND., May 7, 1917.

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

GENTLEMEN—We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 10, 1917, entitled "An ordinance appropriat-

ing \$300.00 to the Department of Law for changes of venue, and fixing a time when the same shall take effect, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

A D. PORTER,
EDWARD P. BARRY,
JOHN F. CONNOR,
THOS. C. LEE,
FRANK GRAHAM.

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

From the Committee on Finance:

INDIANAPOLIS, IND., May 7, 1917.

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

GENTLEMEN—We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 11, 1917, entitled "An ordinance appropriating \$225.00 to the Department of Finance for Memorial Day expenses, and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration and recommend that the same be passed.

A. D. PORTER,
EDWARD P. BARRY,
JOHN F. CONNOR,
THOS. C. LEE,
FRANK GRAHAM.

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

From the Committee on Law and Judiciary:

INDIANAPOLIS, IND., May 7, 1917.

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

GENTLEMEN—We, your Committee on Law and Judiciary, to whom was referred General Ordinance No. 36, 1917, entitled "An ordinance prohibiting the erection of commercial establishments operated by steam, gasoline or other power, within certain park and residence districts," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

W. TODD YOUNG,
THOS. C. LEE,
JOHN F. CONNOR,
EDWARD P. BARRY,
ED. MCGUFF.

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

From the Committee on City's Welfare:

INDIANAPOLIS, IND., May 7, 1917.

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

GENTLEMEN—We, your Committee on City's Welfare, to whom was referred General Ordinance No. 33, 1917, entitled "An ordinance approving a certain contract granting The Indianapolis Union Railway Company the right to lay and maintain additional tracks across East Tenth Street and East Thirteenth Street and East Sixteenth Street on Belt Railroad, according to blue print attached, in the City of Indianapolis, Indiana," beg leave to report that we have said ordinance under consideration, and recommend that the same be passed.

E. R. MILLER,
JOHN F. CONNOR,
ED. MCGUFF.

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

Mr. John A. Moriarty requested permission to address the Council relative to the ordinance. President Shea stated the rules of the Council provide no one not a member of the Council shall be permitted to address the same except by a two-thirds majority vote cast by secret ballot.

Mr. Young moved that Mr. Moriarty be given ten minutes to address the Council relative to General Ordinance No. 33, 1917. Seconded by Mr. McGuff.

A secret vote was cast, resulting in 7 votes in favor and 2 votes against the motion.

The motion was carried and Mr. Moriarty discussed the ordinance.

The President put Mr. Miller's motion, which carried.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By City Controller:

General Ordinance No. 38, 1916. An ordinance transferring certain funds of the Department of Public Works, reappropriating the same and fixing a time when said ordinance shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be and is hereby transferred from the fund for Assessments against the City of Indianapolis the sum of One Thousand Dollars (\$1,000.00), and said sum of One Thousand Dollars (\$1,000.00) is hereby reappropriated to pay the following judgments and costs against the City of Indianapolis:

W. H. Overmeyer vs. City of Indianapolis, Marion Superior Court No. 2, Cause No. 103070;

Daniel Tibbs vs. City of Indianapolis, Marion Circuit Court, Cause No. 24769.

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 City Controller:

General Ordinance No. 39, 1917. An ordinance transferring certain funds of the Department of Public Works, reappropriating the same to the Board of Public Sanitary Commissioners and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be and is hereby transferred from the City Civil Engineer's Laboratory Wages and Salaries Fund of the Department of Public Works the sum of Two Thousand Dollars (\$2,000.00); from the Sewage Disposal Fund of the Department of Public Works the sum of Three Thousand Two Hundred Thirty-nine Dollars and Sixty-seven Cents (\$3,239.67); from the City Civil Engineer's Office salaries Three Thousand Dollars (\$3,000.00), and said sum of Eight Thousand Two Hundred Thirty-nine Dollars and Sixty-seven Cents (\$8,239.67) is hereby reappropriated to the Department of Public Sanitation of the City of Indianapolis, Ind.

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

Which was read a first time.

Mr. Porter moved that the rules be suspended and General Ordinance No. 39, 1917, be placed upon its passage.

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

Ayes, 8; viz.: Messrs. Barry, McGuff, Miller, Porter, Lee, Connor, Graham and President Michael J. Shea.

Noes, 1; viz.: Mr. Young.

General Ordinance No. 39, 1917, was thereupon referred to the Committee on Finance.

By the Board of Public Works:

General Ordinance No. 40, 1917. An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve South Street from the southeast property line of Kentucky Avenue to the southwest property line of Virginia Avenue by resurfacing the roadway with wooden block, asphalt, bituminous concrete, brick or granite block, as provided for under Improvement Resolution No. 8854, adopted March 14, 1917.

WHEREAS, The Board of Public Works of the City of Indianapolis did on the 14th day of March, 1917, adopt Improvement Resolution No. 8854, for the improvement of South Street from the southeast property line of Kentucky Avenue to the southwest property line of Virginia Avenue by resurfacing the roadway with wooden block, asphalt, bituminous concrete, brick or granite block; and

WHEREAS, The said Board of Public Works did at the same time fix April 4, 1917, at 10 o'clock a. m. as the time to hear all persons interested, or whose property is affected by said improvement; and the notice of the passage of said resolution and of the said time for hearing was published on the 16th day of March and 23d day of March, 1917, in the Indiana Daily Times, a daily newspaper of general circulation, printed and published in the City of Indianapolis, and notices by mail duly forwarded as provided by law; and

WHEREAS, On the 4th day of April, 1917, the Board having met in regular session, postponed said hearing until the 6th day of April, 1917; and

WHEREAS, On the 6th day of April, 1917, the Board having met in regular session, took final action on said resolution, the same being confirmed without modification; and

WHEREAS, On the 12th day of April, 1917, a written remonstrance of twelve (12) out of the seventeen (17) resident property owners was filed with the Board of Public Works against said improvement; and

WHEREAS, The Board of Public Works has submitted to the Common Council, for their consideration and action thereon, an ordinance ordering the Board of Public Works to proceed with the improvement of said street under said resolution; now, therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis that the Board of Public Works of the City of Indianapolis be and are hereby ordered to improve South Street from the southeast property line of Kentucky Avenue to the southwest property line of Virginia Avenue by resurfacing the roadway with wooden block, asphalt, bituminous concrete, brick or granite block, under Improvement Resolution No. 8854, adopted by the Board of Public Works on the 14th day of March, 1917.

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

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

By Mr. Barry:

General Ordinance No. 41, 1917. An Ordinance relating to the licensing of Electrical Contractors.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis that there hereby is created a Board of Examiners of Electrical Contractors, which Board shall consist of three members. The Commissioner of Buildings of the City of Indianapolis and the Chief Electrical Inspector in the department of such commissioner, by virtue of their offices, shall be members of such Board. The other member shall be appointed by the Board of Public Safety for a period of one year, and shall serve until his successor is duly appointed and qualified, unless sooner removed for cause by said Board of Public Safety. Such third member shall be an electrical contractor with at least five years' experience in general electrical contracting, and his successors shall be appointed for terms of one year. The member of said Board, other than the Commissioner of Buildings and the Chief Electrical Inspector, shall receive as compensation for services rendered Five (\$5.00) Dollars per day during the time such Board is in session. The Commissioner of Buildings shall be the Chairman of such Board, and the stenographer in the office of such Building Commissioner shall act as secretary of such Board, and shall keep a full and accurate record of the minutes of the meetings of said Board. Such secretary shall keep a register of the names of all persons who are examined by the Board under the terms of this ordinance, which register shall be kept at all times during office hours, available for public inspection. In all matters coming before said Board the vote of a majority of the members shall control the action of said Board. The Board shall adopt rules governing its business and meetings. Meetings of the Board shall be held as often as may be necessary for the examination of applicants, as hereinafter provided, and may be called by the Commissioner of Buildings, and shall be called at the request of the other two members of the Board. All meetings shall be held in the office of the Commissioner of Buildings. The appointment of the member of such Board by the Board of Public Safety shall be made within ten days after the taking effect of this ordinance.

SECTION 2. Such Board of Examiners shall examine all applicants whose applications are filed with the City Controller under the provisions of this ordinance, touching their practical and theoretical knowledge of the construction, repair, installation and erection of electrical apparatus, machines, appliances, devices, fixtures, attachments, wiring and wires, and as to the requirements of the laws of the State of Indiana and ordinances of the City of Indianapolis relating to such work. Any person who fails in an examination shall be permitted to take a second examination, but not within thirty days from the date of the first examination. Such second examination shall be allowed without the filing of a new application. If the person who fails to pass such examination is engaged in the electrical contracting business, or is employed by some other person, firm or corporation, and takes such examination in behalf of such other person, firm or corporation, such person so taking such first examination, or the person, firm or corporation by whom he is employed, may continue in such business without a license for a period of not more than thirty days from the date of such first examination.

SECTION 3. The term "electrical contractor," when and as used in this ordinance, shall be taken to mean and include:

(1) Any person, firm or corporation engaged in the business of constructing, repairing, extending, installing or erecting any electrical apparatus, machine, appliance, device, fixture, attachment, wire or wiring in or about which electric current is to be used for any purpose in any building or structure of any kind under contract with the owner, lessee, contractor, agent or other person in charge or possession of such structure or building: Provided, That telephone or telegraph companies or city or interurban street car companies are not herein included.

(2) Any person, firm or corporation engaged in the business of erecting and constructing structures or buildings of any kind for himself or itself only, and which person, firm or corporation, in the erection and construction of such structure or building shall, by himself or itself in person or through any employee, construct, repair, extend, install or erect any electrical apparatus, machine, appliance, device, fixture, attachment, wire or wiring, in or about which electric current is to be used for any purpose.

(3) Any person, firm or corporation in charge or possession of any building or structure, as owner, lessee, agent or operator, who shall have regularly in his or its employ any person whose duty it is to and who shall, as a part of his regular employment, construct, repair, extend, install or erect any electrical apparatus, machine, appliance, device, fixture, attachment, wire or wiring in or about which electric current is used for any purpose in or about such building or structure, and in no other.

SECTION 4. From and after the appointment by the Board of Public Safety of the third member of said Board of Examiners, any persons, firm or corporation desiring to become a licensed electrical contractor shall make application to the City Controller for a license, in which application will be stated (1) the name of the applicant, (2) if the applicant be a person, firm or corporation engaged in electrical contracting, the name of the person in active charge of the electrical work to be carried on by such person, firm or corporation, which person shall be required to take the examination above provided. If such person, representing such person, firm or corporation, after having passed the examination, and after the issuance to such person, firm or corporation of a license, shall leave the employment of such person, firm or corporation, then some other person

in the employ of such person, firm or corporation and in active charge of its or his electrical work shall take such examination: *Provided, however,* That the license originally issued to such person, firm or corporation shall continue upon the successful outcome of the examination of such other employee.

SECTION 5. The City Controller shall at once transmit such application to the Board of Examiners, which Board, within fifteen days from the receipt thereof, shall hold a session and examine the applicant as provided in this ordinance. Upon a showing by the applicant under such examination that he is qualified to install, erect and construct electrical appliances and wiring, as referred to in this ordinance, and in compliance with the laws of the State and ordinances of the city relating thereto, such Board shall approve his application and upon the presentation of such approved application to the City Controller, said Controller shall issue to him a license, which license shall be subject to the provisions of Section — of General Ordinance No. 12, 1917. If such license is issued to any person, firm or corporation, as defined in subdivisions 2 and 3 of Section 3 of this ordinance, there shall be set out in said license the name of the person who was examined for the issuing of such license. Every licensee shall keep his license posted in a conspicuous place in his chief place of business.

SECTION 6. Each applicant shall pay to the City Controller, upon filing his application, the sum of Fifteen (\$15.00) Dollars, which shall be the license fee for the first year, and thereafter shall pay an annual renewal license fee of Ten (\$10.00) Dollars. The receipt of the City Controller for such fee shall accompany the application to the Board of Examiners.

SECTION 7. From and after forty days from the taking effect of this ordinance it shall be unlawful for any person, firm or corporation to do any work as an electrical contractor, as defined by this ordinance, without first having procured a license from the City Controller, as herein provided.

SECTION 8. From and after forty days from the taking effect of this ordinance it shall be unlawful for any person, firm or corporation engaged in supplying electric current for use in any apparatus, machine, appliance, device, fixture, attachment, or upon any wire or wiring, in or about any building or structure of any kind, to so supply such current where the apparatus, machine, appliance, device, fixture, attachment, wire or wiring has been constructed, repaired, installed or erected by any person, firm or corporation without a license as an electrical contractor, when such license is required by this ordinance.

SECTION 9. A license issued to any person, firm or corporation, under the provisions hereof, shall be upon the express condition that all work done by the licensee shall be in accordance with the terms and conditions of the ordinances of the City of Indianapolis, of the laws of the State of Indiana and any rule or regulation of the Board of Public Safety relating thereto, and for the violation of the provisions of any ordinance, law or regulation, as aforesaid, such license may be revoked by the Board of Public Safety. When so revoked a new license shall not be issued to the same person for a period of thirty days, where the violation is a first offense. Upon a second violation and revocation, a license shall not be issued for a period of ninety days, and upon a third revocation the applicant shall be permanently prohibited from receiving a license.

SECTION 10. It shall be the duty of the employee or officer in the Department of the Commissioner of Buildings charged with the duty of inspect-

ing electrical equipment and wires under the provisions of the ordinances of the City of Indianapolis, now or hereafter in force, to enforce the provisions of this ordinance in the same manner as he is authorized to enforce the provisions of such other ordinances of said city; and such inspector is given the same power to compel compliance herewith as he now has to compel compliance with the provisions of such other ordinances.

SECTION 11. The provisions of this ordinance requiring a license shall not apply to journeymen electricians.

SECTION 12. This ordinance is hereby declared to be intended to secure a reduction of the fire hazard by permitting only such contractors to engage in the installation, erection and construction of electrical appliances and wiring, as referred to herein, as possess the knowledge and experience that qualify them to do such work, in compliance with the laws of the State and the ordinances of this city relating thereto.

SECTION 13. Any person, firm or corporation violating any of the provisions of Section 7 or 8 of this ordinance, upon conviction, shall be fined not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00). Each day's violation of the provisions of this ordinance shall constitute a separate offense.

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

By Mr. Miller :

General Ordinance No. 42, 1917. An ordinance requiring a flagman to be stationed by the Indianapolis Union Railway Company at the crossing of said company's tracks over East Tenth Street in the City of Indianapolis, Indiana.

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

SECTION 1. It shall be the duty of every person connected with the control or management of the Indianapolis Union Railway Company to cause a flagman to be stationed at said company's tracks crossing over East Tenth Street in the City of Indianapolis.

SECTION 2. Any of the executive officials of said railroad company who shall fail or neglect to cause a flagman to be stationed at said crossing hereinbefore provided for shall be fined in any sum not exceeding One Hundred Dollars for each day's neglect to provide such flagman as herein specified.

SECTION 3. Such flagman shall be provided with proper and conspicuous signals and shall give proper and timely notice to all persons about to cross such railroad track or tracks of the approach of any locomotive or train of cars, and said flagman shall prevent persons from standing upon tracks at said crossing.

SECTION 4. The hours of duty of such flagman shall be twenty-four hours per day.

SECTION 5. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the Indiana Daily Times.

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

By Mr. Miller :

General Ordinance No. 43, 1917. An ordinance amending Sections 433 and 438 of General Ordinance No. 12, 1917, providing for special stage firemen and fire guards in theaters, and fixing other regulations.

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

SECTION 1. That Section 433 of General Ordinance No. 12, 1917, be amended to read as follows :

“Fire Doors and Windows, Stage Firemen and Fire Guards.—(a) All window frames and sash, doors, trim and other interior finish leading to or from the auditorium, balcony or gallery, stage or dressing rooms, must be of metal or of wood covered with metal, or of such other incombustible material that may be approved by the Commissioner of Buildings. (b) All glass, if used, must be of the standard wire glass. (c) Every person, firm or corporation conducting, operating or maintaining any theater shall procure and keep at his, their or its own expense an adult male person as a special stage fireman, and one adult male person as fire guard, who shall wear such uniform and badge as the chief of the fire force of the city of Indianapolis may prescribe. Such stage fireman and fire guard shall at all times be under the control and direction of such chief. (d) It shall be the duty of such stage fireman to see that all fire appliances in and about such theater, including mains, service pipes and hydrants leading thereto are at all times in working order, and he shall be on duty upon the stage of such theater during all performances and for thirty minutes prior to the opening of the doors of the theater and until every person not an employe of such theater has left the same after the performance has ended. (e) It shall be the duty of such fire guard to see that all exit doors are unfastened and unobstructed at all times when any person not an employe is in such theater, and such fire guard may, in the discretion of the owner or manager of such theater, act as chief usher during any performance in such theater.”

SECTION 2. That there be added to Section 438 of said General Ordinance No. 12, 1917, the following provision: “After the proscenium curtain has been raised at any theater for the beginning of any theatrical performance no person shall enter the seating portion of such theater to take any seat until such time as the manager of such theater may arrange for a cessation in the performance for the seating of late comers, and it shall be the duty of the manager and of the ushers of such theater to see that this rule is obeyed by patrons of such theater.”

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

Br. Mr. McGuff (by request) :

General Ordinance No. 44, 1917. Be it ordained by the City Council of the City of Indianapolis, State of Indiana :

That eight (8) hours shall constitute a legal day for inspectors, judges, clerks and sheriffs of all primary election nominations and registrations for the City of Indianapolis, State of Indiana. All laws in conflict with this ordinance are hereby repealed. To take effect on and after its passage.

Indianapolis, Ind., April 30, 1917.

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

By the Board of Public Works :

Special Ordinance No. 6, 1917. An ordinance changing the names of certain streets, avenues, drives, roads, courts and alleys :

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the names of certain streets, avenues, drives, roads, courts and alleys be changed as follows, to-wit :

Foundry Street, from the first alley south of Twenty-sixth Street to Thirtieth Street and from Thirty-third Street to Thirty-fourth Street, to be changed to Denny Street.

Manual Place, from Meridian Street to the first alley west of Meridian Street, to be changed to Warsaw Street.

Smith Lane, from Merrill Street to Empire Street, to be changed to South Adelaide Street.

Washington Place, from Washington Boulevard to the second alley west of Washington Boulevard, to be changed to Washington Court.

Wallace Street, or the first street south of Orange Street, from the first alley west of Vandeman Street to Earhart Street, to be changed to Terrace Avenue.

Drapier Street, from Raymond Street to the north line of Justus C. Adams' South Park Addition, to be changed to Draper Street.

Calvelage Street, from Moreland Avenue to the first alley east of Moreland Avenue, to be changed to West St. Clair Street.

Garfield Place, from Fourteenth Street to Fifteenth Street, to be changed to Pine Street.

SECTION 2. All ordinances and parts of ordinances in conflict herewith be, and the same are, hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval of the Mayor.

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

By the Board of Public Works:

Special Ordinance No. 7, 1917. An ordinance authorizing the Board of Public Works to sell and convey the unused portions of thirty-seven lots acquired for construction of the White River Flood Levee and fixing the time when the same shall take effect.

WHEREAS, The Board of Public Works desires to sell the unused portions of thirty-seven lots acquired for the construction of the White River Flood Levee; and

WHEREAS, Appraisers were duly appointed by the Judge of the Marion Circuit Court, said appointment of appraisers and report submitted by them to the Mayor being as follows:
State of Indiana, County of Marion, ss:

In the Marion Circuit Court.

In the Matter of the Sale of Certain Real Property by the Board of Public Works.

Petition for the Appointment of Appraisers.

The Board of Public Works respectfully petitions the Court and shows that it has in its care and custody certain real property belonging to the City of Indianapolis, Indiana, which is no longer needed and no longer fit for the purpose for which it was intended to be used, and which this Board deems advisable to sell, all as shown by the inventory attached hereto and made a part hereof and marked "Exhibit B."

Wherefore your petitioner prays the Court to appoint as appraisers for said property three disinterested freeholders of the City of Indianapolis, neither of whom shall be officers or employes of said City of Indianapolis, to make an appraisalment and sworn valuation of said property in writing, and return the same to the Mayor of the said City of Indianapolis, Indiana, dated this 30th day of April, 1917.

J. A. RINK,
E. L. ZIEGLER,
GEO. B. GASTON,

Board of Public Works.

"EXHIBIT B."

In the Matter of the Sale of Certain Real Property by the Board of Public Works.

—Inventory—

We, the undersigned Board of Public Works, do hereby inventory the following real property belonging to the City of Indianapolis, Indiana, which is no longer needed and no longer fit for the purpose for which it was intended to be used, and which it is deemed advisable by this Board, which has the care and custody of such property of said city, to sell, namely:

Item No. 1. Part of Lot 2, Block 4, Blake and Ray's subdivision of Outlot 12, west of White River, more particularly described as follows: Beginning at a point in the east line of said lot 4, which point is 94.35 feet north of the southeast corner of lot 4; thence south along the east line of lot 4, a distance of 94.35 feet, to the southeast corner of said lot 4; thence

west along the south line of lot 4, a distance of 61.25 feet, to a point in the south line of said lot 4; thence along a line which makes an angle of 87 degrees and 30 minutes in the northeast quadrant with the aforesaid south line of lot 4 at the aforesaid point, a distance of 136.36 feet to a point; thence along a line in a southeasterly direction, a distance of 69.34 feet, more or less, to the place of beginning .

Item No. 2. Part of Lot 8, Block 4, Blake and Ray's subdivision of Outlot 12, west of White River, more particularly described as follows: Beginning at a point in the east line of said lot 8, which point is 58.58 feet north of the southeast corner of lot 8; thence south along the east line of lot 8, a distance of 58.58 feet, to the southeast corner of lot 8; thence west along the south line of lot 8, a distance of 47.25 feet, to the southwest corner of lot 8; thence north along the west line of lot 8, a distance of 94.35 feet, to a point in the west line of lot 8; thence along a line in a southeastrly direction, a distance of 59.20 feet, more or less, to the place of beginning.

Item No. 3. Part of Lot 9, Block 4, Blake and Ray's subdivision of Outlot 12, west of White River, more particularly described as follows: Beginning at a point in the east line of lot 9, which point is 11.43 feet north of the southeast corner of lot 9; thence south along the east line of lot 9, a distance of 11.43 feet, to the southeast corner of lot 9; thence west along the south line of lot 9, a distance of 47.25 feet, to the southwest corner of lot 9; thence north along the west line of lot 9, a distance of 47.27 feet, to a point in the west line of lot 9; thence along a line in a southeastely direction, a distance of 59.25 feet, more or less, to the place of beginning.

Item No. 4. Part of Lot 10, Block 4, Blake and Ray's subdivision of Outlot 12, west of White River, more particularly described as follows: Beginning at a point in the south line of lot 10, which point is 15 feet east of the southwest corner of lot 10; thence west along the south line of lot 10, a distance of 15 feet, to the southwest corner of lot 10; thence north along the west line of lot 10, a distance of 11.43 feet, to a point in the west line of lot 10; thence along a line in a southeasterly direction, a distance of 18.90 feet, more or less, to the place of beginning.

Item No. 5. Part of Lot 1, Block 4, Blake and Ray's subdivision of Outlot 12, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 1, which point is 141 feet north of the southwest corner of lot 1; thence south along the west line of lot 1, a distance of 141 feet, to the southwest corner of lot 1; thence east along the south line of lot 1, a distance of 43.12 feet, to a point in the south line of lot 1; thence northwestwardly along a line making an angle of 87 degrees and 24 minutes in the northwest quadrant with the aforesaid line at the aforesaid point, a distance of 111.33 feet, to a point; thence along a line making an angle of 49 degrees and 11 minutes, to the left of the aforesaid line at the aforesaid point, a distance of 48.17 feet, more or less, to the place of beginning.

Item No. 6. Port of Lot 6, Block 3, Hacker's addition of Outlot 9, west of White River, more particularly described as follows: Beginning at a point in the south line of lot 6, which point is 19.09 feet east of the southwest corner of lot 6; thence west along the south line of lot 6, a distance of 19.09 feet, to the southwest corner of lot 6; thence north along the west line of lot 6, a distance of 15 feet, to a point in the west line of lot 6; thence in a southeasterly direction along a line, a distance of 24.35 feet, more or less, to the place of beginning.

Item No. 7. Part of Lot 5, Block 3, Hacker's addition of Outlot 9, west of White River, more particularly described as follows: Beginning at a point in the south line of lot 5, which point is 70 feet east of the southwest corner of lot 5; thence west along the south line of lot 5, a distance of 70 feet, to the southwest corner of lot 5; thence north along the west line of lot 5, a distance of 40 feet, to the northwest corner of lot 5; thence east along the north line of lot 5, a distance of 19.09 feet, to a point in the north line of lot 5; thence along a line in a southeasterly direction, a distance of 64.95 feet, more or less, to the place of beginning.

Item No. 8. Part of Lot 2, Block 2, Hacker's addition of Outlot 9, west of White River, more particularly described as follows: Beginning at a point in the east line of lot 2, which point is 38.14 feet south of the northeast corner of said lot 2; thence north in the east line of lot 2, a distance of 38.14 feet, to the northeast corner of lot 2; thence west in the north line of lot 2, a distance of 40 feet, to the northwest corner of lot 2; thence south in the west line of lot 2, a distance of 5.08 feet, to a point in the west line of lot 2; thence southeastwardly along a line, a distance of 51.90 feet, more or less, to the place of beginning.

Item No. 9. Part of Lot 3, Block 2, Hacker's addition of Outlot 9, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 3, which point is 38.14 feet south of the northwest corner of lot 3; thence north in the west line of lot 3, a distance of 38.14 feet, to the northwest corner of lot 3; thence east along the north line of lot 3, a distance of 40 feet, to the northeast corner of lot 3; thence south along the east line of lot 3, a distance of 73.21 feet, to a point in the east line of lot 3; thence northwestwardly along a line making an angle of 36 degrees and 16 minutes in the northwest quadrant with the aforesaid line at the aforesaid point, a distance of 6.36 feet, to a point; thence northwestwardly along a line making an angle of 14 degrees and 10 minutes to the left of the aforesaid line at the aforesaid point, a distance of 47 feet, more or less, to the place of beginning. (Subject to easement.)

Item No. 10. Part of Lot 4, Block 2, Hacker's addition of Outlot 9, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 4, which point is 73.21 feet south of the northwest corner of lot 4; thence north along the west line of lot 4, a distance of 73.21 feet, to the northwest corner of lot 4; thence west along the north line of lot 4, a distance of 40 feet, to the northeast corner of lot 4; thence south along the east line of lot 4, a distance of 127.73 feet, to a point in the east line of lot 4; thence along a line in a northwestwardly direction, a distance of 67.61 feet, more or less, to the place of beginning. (Subject to easement.)

Item No. 11. Part of Lot 5, Block 2, Hacker's addition of Outlot 9, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 5, which point is 127.73 feet south of the northwest corner of lot 5; thence north along the west line of lot 5, a distance of 127.73 feet, to the northwest corner of lot 5; thence east along the north line of lot 5, a distance of 15.62 feet, to a point in the north line of lot 5; thence along a line in a southeasterly direction, a distance of 20.48 feet, to a point in the east line of lot 5, which point is 6.63 feet south of the northeast corner of lot 5; thence south along the east line of lot 5, a distance of 133.37 feet, to the southeast corner of lot 5; thence west along the south line of lot 5, a distance of 26 feet, to a point in the south line of lot 5; thence northwestwardly along a line, a distance of 15.22 feet, more or less, to the place of beginning. (Subject to easement.)

Item No. 12. Part of Lot 16, Block 1, Hacker's addition of Outlot 9, west of White River, more particularly described as follows: Beginning at a point in the east line of said lot 16, which point is 11.6 feet south of the northeast corner of lot 16; thence north along the east line of lot 16, a distance of 11.6 feet, to the northeast corner of lot 16; thence west along the north line of lot 16, a distance of 6 feet, to a point in the north line of lot 16; thence along a line in a southeasterly direction, a distance of 13.15 feet, more or less, to the place of beginning.

Item No. 13. Part of Lot 15, Block 1, Hacker's addition of Outlot 9, west of White River, more particularly described as follows: Beginning at the southeast corner of lot 15; thence north along the east line of lot 15, a distance of 142.5 feet, to the northeast corner of lot 15; thence west along the north line of lot 15, a distance of 35 feet, to the northwest corner of lot 15; thence south along the west line of lot 15, a distance of 31.05 feet, to a point in the west line of lot 15; thence along a line in a southeasterly direction, making an angle of 27 degrees and 10 minutes in the southeast quadrant with the aforesaid line extended south at the aforesaid point, a distance of 36.35 feet, to a point; thence along a line making an angle of 13 degrees and 49 minutes to the right of the aforesaid line at the aforesaid point, a distance of 81.5 feet, more or less, to the place of beginning.

Item No. 14. Part of Lot 7, Block 1, Hacker's addition of Outlot 9, west of White River, more particularly described as follows: Beginning at a point in the north line of lot 7, which point is 35 feet west of the northeast corner of lot 7; thence east along the north line of lot 7, a distance of 35 feet, to the northeast corner of lot 7; thence south along the east line of lot 7, a distance of 142.5 feet, to the southeast corner of lot 7; thence along a line in a northeasterly direction, a distance of 146.83 feet, more or less, to the place of beginning.

Item No. 15. Part of Lot 18, Block 1, Hacker's addition of Outlot 9, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 18, which point is 36 feet south of the north line of lot 18; thence south along the west line of lot 18, a distance of 22.3 feet, to a point in the west line of lot 18; thence east along a line parallel with and 58.3 feet south of the north line of lot 18, a distance of 13 feet, to a point; thence along a line in a northwestwardly direction, a distance of 25.81 feet, more or less, to the place of beginning.

Item No. 16. Part of Lot 17, Block 1, Hacker's addition of Outlot 9, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 17, which point is 42.5 feet north of the southwest corner of lot 17; thence south along the west line of lot 17, a distance of 42.5 feet, to the southwest corner of lot 17; thence east along the south line of lot 17, a distance of 24.28 feet, to a point in the south line of lot 17; thence along a line in a northwestwardly direction, a distance of 48.94 feet, more or less, to the place of beginning.

Item No. 17. Part of Lot 5, Block 1, Hacker's addition of Outlot 9, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 5, which point is 110.5 feet north of the southwest corner of lot 5; thence south along the west line of lot 5, a distance of 110.5 feet, to the southwest corner of lot 5; thence east along the south line of lot 5, a distance of 30 feet, to a point in the south line of lot 5; thence along a line in a northwestwardly direction, a distance of 114.5 feet, more or less, to the place of beginning.

Item No. 18. Part of Lot 2 of Bell and Anderson's subdivision of Outlot 4, west of White River, more particularly described as follows: Beginning at a point in the east line of lot 2, which point is 157.15 feet north of the southeast corner of lot 2; thence south along the east line of lot 2, a distance of 157.15 feet, to the southeast corner of lot 2; thence west along the south line of lot 2, a distance of 20 feet, to a point in the south line of lot 2; thence north along a line parallel with and 20 feet west of the east line of lot 2, a distance of 166.21 feet, to a point; thence along a line in a southeasterly direction, a distance of 21.96 feet, more or less, to the place of beginning. (Subject to easement.)

Item No. 19. Part of Lot 3, Bell and Anderson's subdivision of Outlot 4, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 3, which point is 157.15 feet north of the southwest corner of lot 3; thence south along the west line of lot 3, a distance of 157.15 feet, to the southwest corner of lot 3; thence east along the south line of lot 3, a distance of 40 feet, to the southeast corner of lot 3; thence north along the east line of lot 3, a distance of 139.02 feet, to a point in the east line of lot 3; thence along a line in a northwestwardly direction, a distance of 43.92 feet, more or less, to the place of beginning. (Subject to easement.)

Item No. 20. Part of Lot 4, Bell and Anderson's subdivision of Outlot 4, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 4, which point is 139.02 feet north of the southwest corner of lot 4; thence south along the west line of lot 4, a distance of 139.02 feet, to the southwest corner of lot 4; thence east along the south line of lot 4, a distance of 40 feet, to the southeast corner of lot 4; thence north along the east line of lot 4, a distance of 120.88 feet, to a point in the east line of lot 4; thence along a line in a northwestwardly direction, a distance of 43.92 feet, more or less, to the place of beginning. (Subject to easement.)

Item No. 21. Part of Lot 5, Bell and Anderson's subdivision of Outlot 4, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 5, which point is 120.88 feet north of the southwest corner of lot 5; thence south along the west line of lot 5, a distance of 120.88 feet, to the southwest corner of lot 5; thence east along the south line of lot 5, a distance of 40 feet, to the southeast corner of lot 5; thence north along the east line of lot 5, a distance of 102.75 feet, to a point in the east line of lot 5; thence along a line in a northwestwardly direction, a distance of 43.92 feet, more or less, to the place of beginning. (Subject to easement.)

Item No. 22. Part of Lot 6, Bell and Anderson's subdivision of Outlot 4, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 6, which point is 102.75 feet north of the southwest corner of lot 6; thence south along the west line of lot 6, a distance of 102.75 feet, to the southwest corner of lot 6; thence east along the south line of lot 6, a distance of 40 feet, to the southeast corner of lot 6; thence north along the east line of lot 6, a distance of 84.63 feet, to a point in the east line of lot 6; thence along a line in a northwestwardly direction, a distance of 43.92 feet, more or less, to the place of beginning. (Subject to easement.)

Item No. 23. Part of Lot 7, Bell and Anderson's subdivision of Outlot 4, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 7, which point is 84.63 feet north of the southwest corner of lot 7; thence south along the west line of lot 7, a

distance of 84.63 feet, to the southwest corner of lot 7; thence east along the south line of lot 7, a distance of 40 feet, to the southeast corner of lot 7; thence north along the east line of lot 7, a distance of 66.49 feet, to a point in the east line of lot 7; thence along a line in a northwestwardly direction, a distance of 43.92 feet, more or less, to the place of beginning. (Subject to easement.)

Item No. 24. Part of Lot 8, Bell and Anderson's subdivision of Outlot 4, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 8, which point is 66.49 feet north of the southwest corner of lot 8; thence south along the west line of lot 8, a distance of 66.49 feet, to the southwest corner of lot 8; thence east along the south line of lot 8, a distance of 40 feet, to the southeast corner of lot 8; thence north along the east line of lot 8, a distance of 48.36 feet, to a point in the east line of lot 8; thence along a line in a northwestwardly direction, a distance of 43.92 feet, more or less, to the place of beginning. (Subject to easement.)

Item No. 25. Part of Lot 9, Bell and Anderson's subdivision of outlot 4, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 9, which point is 48.36 feet north of the southwest corner of lot 9; thence south along the west line of lot 9, a distance of 48.36 feet, to the southwest corner of lot 9; thence east along the south line of lot 9, a distance of 40 feet, to the southeast corner of lot 9; thence north along the east line of lot 9, a distance of 30.23 feet to a point in the east line of lot 9; thence along a line in a northwestwardly direction, a distance of 43.92 feet, more or less, to the place of beginning. (Subject to easement.)

Item No. 26. Part of Lot 10, Bell and Anderson's subdivision of Outlot 4, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 10, which point is 30.23 feet north of the southwest corner of lot 10; thence south along the west line of lot 10, a distance of 30.23 feet, to the southwest corner of lot 10; thence east along the south line of lot 10, a distance of 40 feet, to the southeast corner of lot 10; thence north along the east line of lot 10, a distance of 12.1 feet, to a point in the east line of lot 10; thence along a line in a northwestwardly direction, a distance of 43.92 feet, more or less, to the place of beginning. (Subject to easement.)

Item No. 27. Part of Lot 11, Bell and Anderson's subdivision of Outlot 4, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 11, which point is 12.1 feet north of the southwest corner of lot 11; thence south along the west line of lot 11, a distance of 12.1 feet, to the southwest corner of lot 11; thence east along the south line of lot 11, a distance of 26.7 feet, to a point in the south line of lot 11; thence along a line in a northwestwardly direction, a distance of 29.32 feet, more or less, to the place of beginning. (Subject to easement.)

Item No. 28. Part of Lot 6 and 28-foot strip south of and adjacent to Lot 6, in Micheal Van Blaricum's subdivision of part of Outlot 2, west of White River, more particularly described as follows: Beginning at a point in the east line of lot 6 and 28-foot strip south of and adjacent to lot 6, which point is 126.77 feet north of the southeast corner of lot 6 and 28-foot strip south of and adjacent to lot 6; thence south along the east line of lot 6 and 28-foot strip south of and adjacent to lot 6, a distance of 126.77 feet, to the southeast corner of the 28-foot strip south of and adjacent to lot 6; thence west along the south line of the 28-foot strip south of and adja-

cent to lot 6, a distance of 35 feet, to the southwest corner of the 28-foot strip south of and adjacent to lot 6; thence along a line making an angle of 4 degrees and 24 minutes in the northeast quadrant with the east line of lot 6 and the 28-foot strip south of and adjacent to lot 6, a distance of 155.46 feet, to a point in the north line of lot 6, which point is 12 feet east of the northwest corner of lot 6; thence east along the north line of lot 6, a distance of 6.81 feet, to a point in the north line of lot 6; thence along a line in a southeasterly direction, a distance of 33 feet, more or less, to the place of beginning.

Item No. 29. Part of Lot 7 and 28-foot strip south of and adjacent to Lot 7, in Michael Van Blaricum's subdivision of part of Outlot 2, west of White River, more particularly described as follows: Beginning at a point in the east line of lot 7, which point is 63.38 feet north of the southeast corner of lot 7 and the 28-foot strip south of and adjacent to lot 7; thence south along the east line of lot 7 and the 28-foot strip south of and adjacent to lot 7, a distance of 63.38 feet, to the southeast corner of the 28-foot strip south of and adjacent to lot 7; thence west along the south line of the 28-foot strip south of and adjacent to lot 7, a distance of 35 feet, to the southwest corner of the 28-foot strip south of and adjacent to lot 7; thence north along the west line of lot 7 and the 28-foot strip south of and adjacent to lot 7, a distance of 126.77 feet, to a point in the west line of lot 7; thence along a line in a southeasterly direction, a distance of 71.27 feet, more or less, to the place of beginning.

Item No. 30. Part of Lot 8 and 28-foot strip south of and adjacent to Lot 8, in Michael Van Blaricum's subdivision of part of Outlot 2, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 8, which point is 63.38 feet north of the southwest corner of lot 8 and the 28-foot strip south of and adjacent to lot 8; thence south along the west line of lot 8 and the 28-foot strip south of and adjacent to lot 8, a distance of 63.38 feet, to the southwest corner of the 28-foot strip south of and adjacent to lot 8; thence east along the south line of the 28-foot strip south of and adjacent to lot 8, a distance of 35 feet, to the southeast corner of the 28-foot strip south of and adjacent to lot 8; thence along a line in a northwestwardly direction, a distance of 71.27 feet, more or less, to the place of beginning.

Item No. 31. Part of Lot 12, in Michael Van Blaricum's subdivision of part of Outlot 2, west of White River, more particularly described as follows: Beginning at a point in the east line of lot 12, which point is 98.08 feet north of the southeast corner of lot 12; thence south along the east line of lot 12, a distance of 98.08 feet, to the southeast corner of lot 12; thence west along the south line of lot 12, a distance of 35 feet, to the southwest corner of lot 12; thence north along the west line of lot 12, a distance of 128 feet, to the northwest corner of lot 12; thence east along the north line of lot 12, a distance of 17.93 feet, to a point in the north line of lot 12; thence along a line in a southeasterly direction, a distance of 35.53 feet, more or less, to the place of beginning.

Item No. 32. Part of Lot 11, in Michael Van Blaricum's subdivision of part of Outlot 2, west of White River, more particularly described as follows: Beginning at a point in the west line of lot 11, which point is 98.08 feet north of the southwest corner of lot 11; thence south along the west line of lot 11, a distance of 98.08 feet, to the southwest corner of lot 11; thence east along the south line of lot 11, a distance of 35 feet, to the southeast corner of lot 11; thence north along the east line of lot 11, a distance of 34.7 feet, to a point in the east line of lot 11; thence along a line

in a northwestwardly direction, a distance of 71.27 feet, more or less, to the place of beginning.

Item No. 33. All of Lot 215, McCarty's Seventh West Side addition to the City of Indianapolis, located at Drover Street (now known as White River Parkway, West Drive) and River Avenue.

Item No. 34. A tract of land in the southwest quarter of Section 11, Township 15 North, Range 3 East, more particularly described within the following boundaries: Beginning at the intersection of the north line of Kentucky Avenue with the west line of Drover Street (now known as White River Parkway, West Drive); thence southwestwardly along the north line of Kentucky Avenue, a distance of 103 feet, to a point in the north line of Kentucky Avenue; thence along a line in a northwestwardly direction at right angles to the aforesaid line of Kentucky Avenue at the aforesaid point, a distance of 250 feet, to the south right-of-way line of the Vandalia Railroad, Vincennes Division; thence northeastwardly along the south right-of-way line of the Vandalia Railroad, Vincennes Division, a distance of 114 feet, to a point in the south right-of-way line of the Vandalia Railroad, Vincennes Division; thence along a line in a southeasterly direction, which line is at right angles to the south right-of-way line of the Vandalia Railroad, Vincennes Division, at the aforesaid point, a distance of 243 feet, more or less, to a point in the west line of Drover Street (now known as White River Parkway, West Drive), which point is 12.5 feet north of the intersection of the north line of Kentucky Avenue with the east line of Drover Street (now known as White River Parkway, West Drive); thence south along the east line of Drover Street (now known as White River Parkway, West Drive), a distance of 12.5 feet, to the place of beginning.

Item No. 35. The dwelling at No. 1102 Kentucky Avenue, together with the outhouses, fences, etc., belonging to the same.

Item No. 36. The dwelling at No. 1104 Kentucky Avenue, together with the outhouses, fences, etc., belonging to the same.

Item No. 37. The dwelling at No. 1108 Kentucky Avenue, together with the outhouses, fences, etc., belonging to the same.

Dated this 30th day of April, 1917.

J. A. RINK,
President,

E. L. ZIEGLER,
GEO. B. GASTON,
Board of Public Works.

Checked:

D. C. HAYNE,

Assistant City Civil Engineer.

STATE OF INDIANA, COUNTY OF MARION, SS:

In the Marion Circuit Court.

In the Matter of the Sale of Certain Real Property by the Board of Public Works.

Appointment of Appraisers.

Comes now the Board of Public Works, and having presented the inventory, attached hereto, of certain real property in the care and custody of said Board, which said Board desires to sell, and petitions the Court to appoint three (3) disinterested freeholders of the City of Indianapolis, County of Marion and State of Indiana, as appraisers for said property, and the Court being fully advised in the premises, does hereby appoint William Low Rice, 712 State Life; James E. Berry, 126 East Market Street; John Roberts, 511 Fletcher Trust Building, neither of whom is an officer or employe of said city, as appraisers to make an appraisement, and sworn valuation of said property in writing, and return same to the Mayor of said City.

Dated this 2d day of May, 1917.

LOUIS B. EWBANK,
Judge, Marion Circuit Court.

STATE OF INDIANA, COUNTY OF MARION, ss:

In the Matter of the Sale of Certain Real 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 said County and State, aforesaid to make appraisement and sworn valuation of certain real 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:

Item No. 1.	Three hundred fifty dollars	-----	(\$ 350.00)
Item No. 2.	One hundred fifty dollars	-----	(\$ 150.00)
Item No. 3.	Fifty dollars	-----	(\$ 50.00)
Item No. 4.	One dollar	-----	(\$ 1.00)
Item No. 5.	Four hundred fifty dollars	-----	(\$ 450.00)
Item No. 6.	One dollar	-----	(\$ 1.00)
Item No. 7.	Fifteen dollars	-----	(\$ 15.00)
Item No. 8.	Two 50/100 dollars	-----	(\$ 2.50)
Item No. 9.	Thirty-five dollars	-----	(\$ 35.00)
Item No. 10.	One hundred dollars	-----	(\$ 100.00)
Item No. 11.	One hundred fifty dollars	-----	(\$ 150.00)
Item No. 12.	One dollar	-----	(\$ 1.00)
Item No. 13.	One hundred dollars	-----	(\$ 100.00)
Item No. 14.	Fifty dollars	-----	(\$ 50.00)
Item No. 15.	One dollar	-----	(\$ 1.00)
Item No. 16.	One dollar	-----	(\$ 1.00)
Item No. 17.	One hundred dollars	-----	(\$ 100.00)
Item No. 18.	Two thousand dollars	-----	(\$2,000.00)
Item No. 19.	Four thousand dollars	-----	(\$4,000.00)
Item No. 20.	Thirty-eight hundred dollars	-----	(\$3,800.00)
Item No. 21.	Thirty-six hundred dollars	-----	(\$3,600.00)
Item No. 22.	Three thousand dollars	-----	(\$3,000.00)
Item No. 23.	Twenty-four hundred dollars	-----	(\$2,400.00)
Item No. 24.	Sixteen hundred dollars	-----	(\$1,600.00)
Item No. 25.	Eight hundred dollars	-----	(\$ 800.00)

Item No. 26.	Four hundred dollars -----	(\$ 400.00)
Item No. 27.	Should not be sold (name plate) -----	(None)
Item No. 28.	Two hundred dollars -----	(\$ 200.00)
Item No. 29.	Seventy-five dollars -----	(\$ 75.00)
Item No. 30.	Twenty-five dollars -----	(\$ 25.00)
Item No. 31.	One hundred twenty-five dollars -----	(\$ 125.00)
Item No. 32.	Fifty dollars -----	(\$ 50.00)
Item No. 33.	Six hundred dollars -----	(\$ 600.00)
Item No. 34.	Twenty-five hundred dollars -----	(\$2,500.00)
Item No. 35.	One hundred dollars -----	(\$ 100.00)
Item No. 36.	One hundred dollars -----	(\$ 100.00)
Item No. 37.	Two hundred dollars -----	(\$ 200.00)

Dated this 7th day of May, 1917.

WILLIAM LOW RICE,
 JAMES E. BERRY,
 JOHN W. ROBERTS,
Appraisers.

STATE OF INDIANA, COUNTY OF MARION, SS:

Subscribed and sworn to before me, a Notary Public in and for said County and State, this the 7th day of May, 1917.

CARSIE L. OWEN,
Notary Public.

My commission expires May 27, 1917.

APPROVAL BY THE MAYOR.

I, Joseph E. Bell, 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 the 7th day of May, 1917.

J. E. BELL,
Mayor.

ORDINANCE APPROVING SALE.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that said appraisalment, be and is hereby approved, and that the sale of said property be authorized for a sum not less than the appraised value.

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 Parks.

By the Board of Public Works:

Special Ordinance No. 8, 1917. An ordinance to authorize the sale of certain real estate belonging to the City of Indianapolis, Indiana.

WHEREAS, the Department of Public Works of the City of Indianapolis desires to sell and convey certain real estate owned by the City and acquired by it in connection with the construction of the Pogue's run sewer, said real estate being situate in the City of Indianapolis, in Marion County, Indiana, and being more particularly described as follows: Lots Numbers 7 and 8 in Russell's Heirs' Subdivision of Outlot Number 26 in the City of Indianapolis, a plat of which Subdivision is recorded in the records of the Recorder's Office of Marion County, Indiana, in Plat Book Number 2, at page 24. which real estate is no longer needed by the City of Indianapolis, except the City's right to maintain the Pogue's run sewer under the surface of said lots. said two lots fronting east on Meridian Street, and each being 32 feet front thereon; and,

WHEREAS, on the 4th day of January, 1916, on the petition of the Board of Works of the City of Indianapolis, appraisers were appointed by the Judge of the Marion Circuit Court of Marion County, Indiana, to appraise said two lots, together with numerous other tracts of real estate, likewise acquired by the City for said purpose, and said appraisers duly and in writing appraised said two lots (and said other parcels of real estate), the said petition, appointment and the said appraisement of said appraisers being as follows, to-wit:

STATE OF INDIANA, COUNTY OF MARION, SS:

In the Marion Circuit Court.

In the Matter of the Sale of Certain Real Estate by the Board of Public Works.

Petition for the Appointment of Appraisers.

The Board of Public Works respectfully petitions the court and shows that it has in its care and custody certain real estate belonging to the City of Indianapolis, Indiana, which is no longer needed and no longer fit for the purpose for which it was intended to be used and which this Board deems advisable to sell, all as shown by the inventory attached hereto and made a part hereof, and marked "Exhibit A."

Wherefore, your petitioner prays the Court to appoint as appraisers for said property three disinterested freeholders of the City of Indianapolis, neither of whom shall be officers or employees of said City of Indianapolis, to make an appraisement and sworn valuation of said property in writing, and return the same to the Mayor of said City of Indianapolis, Indiana.

Dated this 30th day of December, 1915.

J. A. RINK,
HUBERT S. RILEY,
GEO. B. GASTON,
Board of Public Works.

STATE OF INDIANA, COUNTY OF MARION, SS:

In the Matter of the Sale of Certain Real Estate by the Board of Public Works.

Appointment of Appraisers.

Comes now the Board of Public Works and having presented the inventory, attached hereto of certain real estate in the care and custody of said Board which said Board desires to sell, and petitions the Court to appoint three (3) disinterested freeholders of the City of Indianapolis, County of Marion, and State of Indiana, as appraisers for said property and the

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Court being fully advised in the premises does hereby appoint John Roberts, Charles Brown and William Low Rice, neither of whom are officers or employees of said city, as appraisers to make an appraisement and sworn valuation of said property in writing and return the same to the Mayor of said city.

Dated this 4th day of January, 1916.

LOUIS B. EW BANK,

Judge Marion Circuit Court.

EXHIBIT A.

In the Matter of the Sale of Certain Real Estate by the Board of Public Works.

—Inventory—

We, the undersigned, Board of Public Works, do hereby inventory the following real estate belonging to the City of Indianapolis, Indiana, which is no longer needed and no longer fit for the purpose for which it was intended to be used, and which it is deemed advisable, by this Board, which has the care and custody of such property of said city, to sell, namely:

- Lot No. 7 Russell's Sub. O. L. 26.
- Lot No. 8 Russell's Sub. O. L. 26.
- Lot No. 14 McKernan & Pierce Sub. O. L. 126.
- Lot No. 14 Yandes' Sub. O. L. 130.
- Lot No. 15 Yandes' Sub. O. L. 130.
- Lot No. 16 Yandes' Sub. O. L. 130.
- Lot No. 43 Yandes' Sub. O. L. 130.
- Lot No. 44 Yandes' Sub. O. L. 130.
- Lot No. 45 Yandes' Sub. O. L. 130.
- Lot No. 46 Yandes' Sub. O. L. 130.
- Lot No. 35 Yandes' Sub. O. L. 130.
- Lot No. 34 Yandes' Sub. O. L. 130.
- Lot No. 33 Yandes' Sub. O. L. 130.

J. A. RINK,
HUBERT S. RILEY,
GEO. B. GASTON,

Board of Public Works.

STATE OF INDIANA, COUNTY OF MARION, SS:

In the Matter of the Sale of Certain Real Estate by the Department 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 said County and State, aforesaid, to make appraisement and sworn valuation of certain real estate 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:

Lot No. 7 Russell's Sub. O. L. 26	-----	\$ 100.00 per ft.
Lot No. 8 Russell's Sub. O. L. 26	-----	100.00 per ft.
Lot No. 14 McKernan & Pierce Sub. O. L. 126	-----	550.00
Lot No. 14 Yandes' Sub. O. L. 130	-----	1,350.00

Lot No. 15 Yandes' Sub. O. L. 130	750.00
Lot No. 16 Yandes' Sub. O. L. 130	1,850.00
Lot No. 43 Yandes' Sub. O. L. 130	700.00
Lot No. 44 Yandes' Sub. O. L. 130	900.00
Lot No. 45 Yandes' Sub. O. L. 130	700.00
Lot No. 46 Yandes' Sub. O. L. 130	900.00
Lot No. 35 Yandes' Sub. O. L. 130	550.00
Lot No. 34 Yandes' Sub. O. L. 130	550.00
Lot No. 33 Yandes' Sub. O. L. 130	550.00

JOHN W. ROBERTS,
CHAS W. BROWN,
WILLIAM LOW RICE,
Appraisers.

STATE OF INDIANA, MARION COUNTY, SS:

Subscribed and sworn to before me, a Notary Public, this 8th day of April, 1916.

MOHLER McVEY,
Notary Public.

(Notarial Seal.)

My commission expires November 24, 1919.

AND WHEREAS, the Mayor of said City has approved the proceedings for the sale of all of the real estate so appraised and said appraisement thereof and the City Council of said City, by General Ordinance No. 68, 1916, passed December 4, 1916, has authorized the sale by the City of all of said real estate so appraised, except said lots Numbers 7 and 8 hereinbefore particularly described, such approval of the Mayor being in writing and reading as follows:

APPROVAL BY MAYOR.

I, Joseph E. Bell, 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 12th day of April, 1916.

J. E. BELL,
Mayor.

AND WHEREAS, the foregoing appraisement and contemplated sale of said lots Numbers 7 and 8 in Russell's Heirs' Subdivision of Outlot Number 26 in the City of Indianapolis has been submitted to the Common Council of the City of Indianapolis for its consideration and action;

NOW, THEREFORE,

ORDINANCE APPROVING SALE.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that said appraisement of said lots Numbers 7 and 8 in Russell's Heirs' Subdivision of Outlot Number 26, in the City of Indianapolis and in Marion County, Indiana, is hereby approved, and the sale is hereby authorized at a sum not less than the appraised value of said two lots, respectively, that is to say, said lot 7 at not less than thirty-two hundred dollars (\$3,200) and said lot 8 at not less than thirty-two hundred dollars (\$3,200); the same to be sold, however, subject to the right of the City to maintain "Pogue's Run Drain" as now constructed, east and west, through said two lots.

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

April 27, 1917.

Approved:

WILLIAM A. PICKENS,
Corporation Counsel.

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

INTRODUCTION OF MISCELLANEOUS BUSINESS.

By Mr. Graham (by request):

Resolution No. 4, 1917.

WHEREAS, it is the duty of the Common Council of the City of Indianapolis, Indiana, to fix the compensation of the Board of Canvassers of the City of Indianapolis for canvassing the vote at the Primary Election held in said city on March 6, 1917, therefore, be it

RESOLVED, by the Common Council of the City of Indianapolis, Indiana, that the compensation for the Board of Canvassers, composed of William W. Spencer, William H. Thompson and Thomas A. Riley, for services rendered as a Canvassing Board at the City Primary Election held in the City of Indianapolis, March 6, 1917, be fixed at three hundred dollars (\$300) each, and that the City Controller be instructed to pay the same out of moneys appropriated for election purposes.

Which was read a first time.

Mr. Graham moved that the rules be suspended and Resolution No. 4, 1917, be placed upon its passage.

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

Ayes, 8; viz.: Messrs. Young, McGuff, Miller, Porter, Lee, Connor, Graham and President Michael J. Shea.

Noes, 1; viz.: Mr. Barry.

Resolution No. 4, 1917, was thereupon referred to the Committee on Public Works.

ORDINANCES ON SECOND READING.

Mr. Young called for General Ordinance No. 36, 1917, for second reading. It was read a second time.

Mr. Young moved that General Ordinance No. 36, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 36, 1917, was read a third time and passed by the following vote:

Ayes, 9; viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Lee, Connor, Graham and President Michael J. Shea.

Mr. Porter called for Appropriation Ordinance No. 10, 1917, for second reading. It was read a second time.

Mr. Porter moved that Appropriation Ordinance No. 10, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 10, 1917, was read a third time and passed by the following vote:

Ayes, 9; viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Lee, Connor, Graham and President Michael J. Shea.

Mr. Porter called for Appropriation Ordinance No. 11, 1917, for second reading. It was read a second time.

Mr. Porter moved that Appropriation Ordinance No. 11, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 11, 1917, was read a third time and passed by the following vote:

Ayes, 9; viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Lee, Connor, Graham and President Michael J. Shea.

Mr. Miller called for General Ordinance No. 33, 1917, for second reading. It was read a second time.

Mr. Miller moved that General Ordinance No. 33, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 33, 1917, was read a third time and passed by the following vote:

Ayes, 6; viz.: Messrs. McGuff, Miller, Porter, Connor, Graham and President Michael J. Shea.

Noes, 3; viz.: Messrs. Barry, Young and Lee.

On motion of Mr. Miller, the Common Council, at 9:00 o'clock P. M., adjourned.

Michael J. Shea
.....
President.

ATTEST:

Thomas A. Riley
.....
City Clerk.