

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.,

MONDAY, May 21, 1917.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, May 21, 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.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., May 7, 1917.

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

GENTLEMEN—I have approved and signed General Ordinance No. 35, 1917, the same being an ordinance entitled "An ordinance relating to conduct of persons towards the government of the United States of America."

I return the said ordinance herewith.

Yours very truly,
J. E. BELL,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., May 11, 1917.

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

GENTLEMEN—I have approved and signed the following ordinances:

1. Appropriation Ordinance No. 10, 1917, the same being an ordinance entitled "An ordinance appropriating \$300.00 to the Department of Law for Change of Venue, and fixing a time when the same shall take effect."

2. Appropriation Ordinance No. 11, 1917, the same being an ordinance 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."

3. General Ordinance No. 33, 1917, the same being an ordinance 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."

I return the said ordinances herewith.

Yours very truly,
J. E. BELL,
Mayor.

EXECUTIVE DEPARTMENT.

CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., May 16, 1917.

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

GENTLEMEN—I return herewith without my approval General Ordinance No. 36, 1917, the same being an ordinance entitled "An ordinance prohibiting the erection of commercial establishments operated by steam, gasoline or other power, within certain park and residence districts."

I am informed that it was understood by the members of the Common Council and by Mr. Young, who introduced the ordinance, that the members of the Board of Park Commissioners were interested in the passage of this ordinance, but upon inquiry I am informed that the Park Board has no interest whatever in the ordinance and does not desire its passage.

I understand, however, that some individual who was interested in preventing the erection of a business building within the territory described in said ordinance is responsible for the ordinance being presented to the Common Council.

I am also of the opinion that there is very great doubt as to the validity of this ordinance and that the Common Council does not have power to arbitrarily prohibit the erection of a building or structure used for manufacturing or commercial purposes merely because it might be operated by steam or gasoline power, and merely because steam or vapor might be emitted therefrom.

It is not within the power of the Common Council to declare anything a nuisance that is not within itself a nuisance, and inasmuch as this ordinance attempts to do this thing, I am of the opinion that it is not legal.

I also think it an exceedingly dangerous precedent to establish in passing ordinances, selecting spots in various portions of the city in which the erection of business buildings and structures may be prohibited.

For these reasons, I feel that the members of the Common Council voted for this ordinance under a misapprehension, and that the same should not become a law.

I return the said ordinance herewith.

Yours very truly,
J. E. BELL,
Mayor.

By Mr. Young:

INDIANAPOLIS, IND., May 21, 1917.

MR. PRESIDENT—I move you that General Ordinance No. 36, 1917, be passed over the veto of the Mayor.

W. TODD YOUNG.

Seconded by Mr. Miller.

The roll was called and General Ordinance No. 36, 1917, failed to pass over the Mayor's veto by the following vote:

Ayes, 5, viz.: Messrs. Young, McGuff, Miller, Porter and Lee.

Noes, 4, viz.: Messrs. Barry, Connor, Graham and President Michael J. Shea.

REPORTS FROM CITY OFFICERS.

From City Controller:

FINANCE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., May 21, 1917.

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

GENTLEMEN—I enclose herewith letter from the Board of Public Works requesting an issue of bonds for the extension of the bridge over White River at West New York Street in connection with flood prevention work. I enclose ordinance covering such bond issue, and also an ordinance for a bond issue of \$22,000 for the construction of a bridge over Pogue's Run at East Michigan Street and the construction of a new abutment to the bridge over Pleasant Run at Madison Avenue.

The letter from the Board of Works requesting this bond issue was sent to you at your last regular meeting, and I now forward an ordinance authorizing the issuances of these bonds.

I recommend passage of both ordinances.

Respectfully yours,

R. H. SULLIVAN,

City Controller.

DEPARTMENT OF PUBLIC WORKS.

OFFICE OF THE BOARD.

INDIANAPOLIS, IND., May 3, 1917.

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

DEAR SIR—On February 7 last the Board of Public Works approved a final assessment roll of damages in the sum of \$7,885 in favor of owners of land appropriated for the lengthening of the West New York Street bridge over White River, under the provisions of Declaratory Resolution

No. 8029, same being part of the plan for flood prevention work along this stream.

Forty-five per cent. of the above amount will be paid by Marion County and 10 per cent. will be raised by special assessment under the provisions of the flood prevention act of 1915, leaving \$3,548.25 to be paid by the city.

A number of property owners whose land was condemned for the lengthening of this bridge have appealed to court against the award of damages made by the Board, and the Board directs that I request you to recommend to the Common Council the passage of an ordinance authorizing a bond issue of \$4,000 to provide funds with which to pay the city's portion of the cost of land appropriated.

As the city entered upon this land some time ago in its flood prevention work, the funds to pay for same should be made available with as little delay as possible.

Very truly yours,
JOSEPH P. TURK,
Clerk, Board of Public Works.

From City Controller:

FINANCE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., May 21, 1917.

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

GENTLEMEN—I enclose herewith a letter from the Board of Public Works asking for the transfer of certain funds in their department and reappropriation of said funds to another fund of the same department.

I submit ordinance for this transfer and respectfully recommend the same to you.

Respectfully yours,
R. H. SULLIVAN,
City Controller.

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., May 21, 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 \$1,700 from the Street Intersections Fund to the Assessment Bureau Salaries Fund, such sum to be available for expense in connection with preparation of roll of special assessments for street intersection costs.

Very truly yours,
JOSEPH P. TURK,
Clerk, Board of Public Works.

From the Board of Public Works :

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., May 21, 1917.

To the Honorable Common Council, City of Indianapolis:

GENTLEMEN—I am directed to submit for your consideration and approval an ordinance authorizing the sale of about 20,000 pounds of scrap iron that has accumulated at the city asphalt plant.

This scrap has been gathered from public works in various parts of the city and the space it occupies is needed for other purposes.

Very truly yours,
JOSEPH P. TURK,
Clerk, Board of Public Works.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance :

INDIANAPOLIS, IND., May 21, 1917.

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

GENTLEMEN—We, your Committee on Finance, to whom was referred General Ordinance No. 38, 1917, entitled "An ordinance transferring certain funds of the Department of Public Works, reappropriating the same and fixing a time when said ordinance 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,
THOMAS C. LEE,
EDWARD P. BARRY,
FRANK GRAHAM,
JOHN F. CONNOR.

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

From the Committee on Finance :

INDIANAPOLIS, IND., May 21, 1917.

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

GENTLEMEN—We, your Committee on Finance, to whom was referred General Ordinance No. 39, 1917, entitled "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," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

A. D. PORTER,
THOMAS C. LEE,
FRANK GRAHAM,
JOHN F. CONNOR.

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

From the Committee on Public Works :

INDIANAPOLIS, IND., May 21, 1917.

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

GENTLEMEN—We, your Committee on Public Works, to whom was referred General Ordinance No. 43, 1917, entitled "An ordinance amending Sections 433 and 438 of General Ordinance No. 12, 1917, providing for special stage firemen and fire guards in theatres, and fixing other regulations," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

Respectfully submitted,
JOHN F. CONNOR,
E. R. MILLER,
EDWARD P. BARRY,
A. D. PORTER.

Mr. Young moved that action on the report of the committee be deferred until a public hearing is had.

Seconded by Mr. McGuff.

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

Ayes, 4, viz.: Messrs. Young, McGuff, Lee and Graham.

Noes, 5, viz.: Messrs. Barry, Miller, Porter, Connor and President Michael J. Shea.

Mr. Young moved that the Council take a recess for five minutes.

Seconded by Mr. McGuff.

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

Ayes, 5, viz.: Messrs. Young, McGuff, Lee, Graham and President Michael J. Shea.

Noes, 4, viz.: Messrs. Barry, Miller, Porter and Connor.

At 8:25 o'clock P. M., President Shea called the Council to order, all members being present.

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

From the Committee on Public Works:

INDIANAPOLIS, IND., May 21, 1917.

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

GENTLEMEN—We, your Committee on Public Works, to whom was referred Special Ordinance No. 8, 1917, entitled "An ordinance to authorize the sale of certain real estate belonging to the City of Indianapolis, Indiana," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

Respectfully submitted,

JOHN F. CONNOR,
E. R. MILLER,
EDWARD P. BARRY,
A. D. PORTER.

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

From the Committee on Public Works:

INDIANAPOLIS, IND., May 21, 1917.

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

GENTLEMEN—We, your Committee on Public Works, to whom was referred General Ordinance No. 34, 1917, entitled "An ordinance providing for the regulation and installation of flues and chimneys to be used in connection with gas burning appliances in apartments, tenements and dwell-

ings," beg leave to report that we have had said ordinance under consideration, and recommend that the same be not passed.

Respectfully submitted,
 JOHN F. CONNOR,
 E. R. MILLER,
 EDWARD P. BARRY,
 A. D. PORTER.

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

From the Committee on Public Works :

INDIANAPOLIS, IND., May 21, 1917.

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

GENTLEMEN—We, your Committee on Public Works, to whom was referred Special Ordinance No. 3, 1917, entitled "An ordinance annexing certain territory to the City of Indianapolis and defining a part of the boundary lines of said city, and fixing a time when same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be not passed.

Respectfully submitted,
 JOHN F. CONNOR,
 EDWARD P. BARRY,
 E. R. MILLER,
 W. TODD YOUNG,
 A. D. PORTER.

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

From the Committee on Public Health and Charities :

INDIANAPOLIS, IND., May 21, 1917.

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

GENTLEMEN—We, your Committee on Public Health and Charities, to whom was referred General Ordinance No. 42, 1917, entitled "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," beg leave to report that we

have had said ordinance under consideration, and recommend that the same be passed.

THOMAS C. LEE,
EDWARD P. BARRY,
E. R. MILLER,
JOHN F. CONNOR,
ED MCGUFF.

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

From the Committee on City's Welfare:

INDIANAPOLIS, IND., May 21, 1917.

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

GENTLEMEN—We, your Committee on City's Welfare, to whom was referred General Ordinance No. 40, 1917, entitled "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," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

E. R. MILLER,
EDWARD P. BARRY,
THOMAS C. LEE,
ED MCGUFF.

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

From the Committee on City's Welfare:

INDIANAPOLIS, IND., May 21, 1917.

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

GENTLEMEN—We, your Committee on City's Welfare, to whom was referred General Ordinance No. 47, 1917, entitled "An ordinance amending Section 748 of General Ordinance No. 12, 1917, so far as said section relates to licenses required for theatres or concert halls," beg leave to report

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

E. R. MILLER,
EDWARD P. BARRY,
JOHN F. CONNOR,
ED MCGUFF.

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

From the Committee on City's Welfare:

INDIANAPOLIS, IND., May 21, 1917.

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

GENTLEMEN—We, your Committee on City's Welfare, to whom was referred a communication from the Corporation Counsel, in reply to one from this body in reference to the extension of street car service in College Avenue, beg leave to report that we have had said communication under consideration, and recommend the adoption of the attached resolution.

E. R. MILLER,
EDWARD P. BARRY,
THOMAS C. LEE,
ED MCGUFF,
J. F. CONNOR.

Resolution No. 5, 1917.

WHEREAS, Upon evidence and information coming to this Council and following investigations made by various members of this body, it is the conclusion that there is a great public necessity for the extension of the service of the Indianapolis Traction and Terminal Company in College Avenue northward from Fairfield Avenue to at least as far north as Fiftieth Street; and,

WHEREAS, The Corporation Counsel has submitted to us his opinion to the effect that the city through its Board of Public Works has ample power to compel the Indianapolis Traction and Terminal Company to operate its cars over the tracks of the Union Traction Company of Indiana lying in that part of College Avenue above referred to and to compel said Union Traction Company to permit such use; and the further power to remove the tracks of the said Union Traction Company and order the physical extension of the tracks of the Indianapolis Traction and Terminal Company in said College Avenue; now, therefore, be it

RESOLVED, That the Board of Public Works hereby is formally requested to take such action as will bring about at the earliest date possible either the extension of the service of the Indianapolis Traction and Terminal Company over the tracks of the Union Traction Company, or the extension of its physical tracks in College Avenue between the points indicated above; and be it further

RESOLVED, That this Council stands ready to pass any ordinance that may be necessary to aid in securing such extension.

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

Mr. Miller moved that Resolution No. 5, 1917, be adopted.

The roll was called and Resolution No. 5, 1917, was adopted by the following vote:

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By City Controller:

General Ordinance No. 48, 1917. An ordinance transferring funds of the Department of Public Works and reappropriating the same.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the sum of seventeen hundred dollars (\$1,700) be and is hereby transferred from the Street Intersections Fund of the Department of Public Works and reappropriated to the Assessments Bureau Salaries Fund of the said department.

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. 49, 1917. An ordinance authorizing the sale of four (4) bonds of one thousand dollars (\$1,000) each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, for the purpose of procuring money to be used for the lengthening of the West New York Street bridge over White River in the flood prevention work thereunto appertaining, and providing for the time and manner of advertising, sales of bonds and the receipt of bids for the same, together with the mode and terms of sale, levying a tax for the payment of said bonds and coupons thereof, and fixing a time when the same shall take effect.

WHEREAS, The General Assembly of Indiana by act of March 6, 1915 has made provision for flood prevention by the City of Indianapolis, and

WHEREAS, There is not now, and will not be, sufficient funds in the treasury of the City of Indianapolis with which to meet the aforesaid expenditures for such public welfare, and it being necessary for the City of In-

dianapolis to borrow the sum of four thousand dollars (\$4,000) in order to procure such a fund to be devoted to such purposes, and to issue and sell its bonds in such an amount, payable from the general revenues and funds of said city, or from the sinking fund, or as may be required by law; therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the City Controller of said city be and is hereby authorized, for the purpose of procuring money to be used for the purpose of lengthening the West New York Street bridge over White River in connection with flood prevention for the City of Indianapolis, to prepare and sell four new bonds of the City of Indianapolis, Marion County, Indiana, the said bonds being for the sum of one thousand dollars (\$1,000) each, which bonds shall bear date of June 1, 1917, and shall be numbered from one (1) to four (4), both inclusive; shall be designated as "Flood Prevention Bonds of 1917, Bridge Extension"; said bonds shall mature January 1, 1919, and shall bear interest at four and one-half (4½%) per cent. per annum, payable semi-annually, and said installments of interest shall be evidenced by interest coupons attached to said bonds, and the first coupon attached to each bond shall be for the interest of said bond from date of issue until the first day of January, 1918. Said bonds and interest coupons attached shall be negotiable and payable at the Merchants National Bank, Indianapolis, Indiana. Said bonds shall be signed by the Mayor and City Controller of said City of Indianapolis, and attested by the City Clerk, who shall affix the seal of said city to each of said bonds and the interest coupons attached to said bonds shall be authenticated by a lithographic fac-simile of the signatures of the Mayor and City Controller of said city, engraven thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof. Said bonds shall be prepared by the City Controller in due form irrevocably pledging the faith and credit of the City of Indianapolis to the payment of the principal and interest stipulated therein respectively.

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

No.-----

\$1,000.00

UNITED STATES OF AMERICA, CITY OF INDIANAPOLIS,
MARION COUNTY, STATE OF INDIANA.
FLOOD PREVENTION BONDS, 1917.
BRIDGE EXTENSION.

For value received the City of Indianapolis, in Marion County, in the State of Indiana, hereby promises to pay to the bearer, without any relief from valuation or appraisal laws, on January 1, 1919, at the Merchants National Bank, Indianapolis, Indiana, four thousand dollars (\$4,000) in lawful money of the United States of America, together with the interest thereon at the rate of four and one-half (4½%) per cent. per annum from date until paid, the first interest payable on the first day of January, 1918, and the interest thereafter payable semi-annually, on the first day of January and July, respectively, upon the presentation and surrender of the

proper interest coupons hereunto attached, and which are made a part of this bond.

This bond is one of an issue of four (4) bonds for one thousand dollars (\$1,000) each, numbered from one (1) to four (4), both inclusive, of date June 1, 1917, issued by said City of Indianapolis, pursuant to an ordinance passed by the Common Council of the City on-----, and an act of the General Assembly of the State of Indiana entitled "An act providing for the construction of works for flood prevention," etc., approved March 6, 1915.

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

In Witness Whereof, The Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and the City Controller, and attested by the City Clerk, and the corporate seal of said city to be hereunto affixed this, the-----day of-----

Mayor.

City Controller.

Attest:

City Clerk.

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

SECTION 3. Each and every bid and proposal shall be presented to the City Controller sealed, and shall be accompanied by a duly certified check upon some responsible bank of the City of Indianapolis, Indiana, payable to the order of the City Treasurer, for the sum of money which shall equal two and one-half (2½) per centum of the face or par value of the bonds bid for, or proposed to be purchased. The City Controller shall continue to receive bids or proposals therefor at the office of the City Controller until 12 o'clock noon on the day fixed by the City Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between the said hour and 2 p. m. of said day he shall open said bids or proposals. The City Controller shall award said bonds, or, if he shall see fit, a part or any number thereof, to the highest and best

bidder therefor, but said City Controller shall have the right to accept a part of any bid, and to award upon any bid the whole or a less number of bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also, in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply to the case of reoffering and readvertising of said bonds as hereinafter provided.

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

SECTION 5. In case any bid or proposal shall not be accepted, and there shall be no award of bonds thereon by the City Controller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the City Controller shall award the whole or any part of bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment of the bonds so awarded. If for any reason said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of the contract for the purchase of said bonds upon the part of the purchaser, and the City, in that event, shall have the right to readvertise said bonds for sale at once, and shall, in such event, retain said check, and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the City. In case any successful bidder shall fail to complete the purchase of the bonds so awarded and to pay for the same within the time and manner herein required, or which may be prescribed by the City Controller, as herein provided, the proceeds of such certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or, at the option of the City Controller, at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

SECTION 6. Delivery of any bonds sold shall be made at the office of the City Treasurer of the City of Indianapolis, Indiana, upon such day or days as may be specified in the advertisement or readvertisement for proposals, or within such time thereafter as may be fixed by the City Controller, or at such time or times as may be agreed upon by the City Controller and the purchaser or purchasers, and the City Controller may extend the time for such delivery not more than ten days after the day or days specified or agreed upon as above provided; and the successful bidder or bidders shall take the bonds awarded to him or them and pay for the same at such place and times, and his or her refusal, neglect or omission to

do so shall be a breach of the contract of his bid or proposal, on account of which damages shall be retained or recovered as liquidated and provided in this ordinance.

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

SECTION 8. For the purpose of redeeming said bonds, and the interest coupons thereto attached, there is hereby levied a tax of one-sixth of one cent on each \$100 of taxable property of said city which shall be added to the city tax levy of 1917, and the proceeds of said tax shall constitute a special sinking fund to be used only for such bond redemption and coupons, as provided by the said State law.

SECTION 9. The proceeds of said bonds are hereby appropriated to the Department of Public Works, for flood prevention, and work thereunto appertaining, and shall constitute a continuing appropriation until the completion of said work.

SECTION 10. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By City Controller :

General Ordinance No. 50, 1917. An ordinance authorizing the sale of twenty-two (22) bonds of one thousand dollars (\$1,000) each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, from the sinking fund of said city, or as may be required by law, for the purpose of procuring money to be used in the erection and completion of a bridge over Pogue's Run at East Michigan Street and new abutment at north end of bridge over Pleasant Run at Madison Avenue and work thereunto appertaining, and providing for the time and manner of advertising, sale of bonds and the receipt of bids for the same, together with the mode and terms of sale, appropriating the proceeds of said sale to the Department of Public Works, and fixing a time when the same shall take effect.

WHEREAS, It is necessary to the safety and convenience of the public that a bridge be constructed over Pogue's Run at East Michigan Street and a new abutment be constructed at the north end of a bridge over Pleasant Run at Madison Avenue, and

WHEREAS, There is not now, and will not be, sufficient funds in the treasury of the City of Indianapolis with which to meet the aforesaid expenditures for such public welfare, and it being necessary for the City of Indianapolis to borrow the sum of twenty-two thousand dollars (\$22,000) in order to procure such a fund to be devoted to such purposes, and to issue and sell its bonds in such an amount, payable from the general revenues and funds of said city, or from the sinking fund, or as may be required by law; therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the City Controller of said city be and is hereby authorized, for the purpose of procuring money to be used for the purpose

of erecting and completing a bridge over Pogue's Run at East Michigan Street and new abutment at north end of a bridge over Pleasant Run at Madison Avenue, to prepare and sell twenty-two (22) new bonds of the City of Indianapolis, Marion County, Indiana, of the sum of one thousand dollars (\$1,000) each, which bonds shall bear the date of June 1, 1917, and shall be numbered from one (1) to twenty-two (22), both inclusive; and shall be designated as "Bridge Bonds of 1917, Second Series". Bonds numbered 1 and 2 respectively shall mature January 1, 1919; bonds 3 and 4 shall mature January 1, 1920; bonds 5 and 6 shall mature January 1, 1921; bonds 7 and 8 shall mature January 1, 1922; bonds 9 and 10 shall mature January 1, 1923; bonds 11 and 12 shall mature January 1, 1924; bonds 13 and 14 shall mature January 1, 1925; bonds 15 and 16 shall mature January 1, 1926; bonds 17 and 18 shall mature January 1, 1927; bonds 19 and 20 shall mature January 1, 1928; bonds 21 and 22 shall mature January 1, 1929, and shall bear interest at four and one-half per cent. (4½%) per annum, payable semi-annually, and said installments of interest shall be evidenced by interest coupons attached to said bonds, and the first coupon attached to each bond shall be for the interest of said bond from the date of issue until the first day of January, 1918. Said bonds and interest coupons shall be negotiable and payable at The Union Trust Company of Indianapolis, Indianapolis, Indiana. Said bonds shall be signed by the Mayor and City Controller of the City of Indianapolis and attested by the City Clerk, who shall affix the seal of said city to each of said bonds, and the interest coupons attached to said bonds shall be authenticated by a lithographic fac-simile of the signatures of the Mayor and City Controller of said city engraven thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof. Said bonds shall be prepared by the City Controller in due form, irrevocably pledging the faith and credit of the City of Indianapolis to the payment of the principal and interest stipulated therein respectively.

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

No.----- \$1,000.00

UNITED STATES OF AMERICA, CITY OF INDIANAPOLIS,

MARION COUNTY, STATE OF INDIANA.

BRIDGE BONDS OF 1917, SECOND SERIES.

For value received, the City of Indianapolis, in Marion County, in the State of Indiana, hereby promises to pay to the bearer, without any relief from valuation and appraisal laws, on January 1, 19____, at The Union Trust Company of Indianapolis, Indianapolis, Indiana, one thousand dollars (\$1,000) in lawful money of the United States of America, together with the interest thereon at the rate of four and one-half per cent. (4½%) per annum from date until paid, the first interest payable on the first day of January, 1918, and the interest thereafter payable semi-annually on the first day of July and January, respectively, upon the presentation and surrender of the proper interest coupons hereunto attached, and which are made a part of this bond.

This bond is one of an issue of twenty-two (22) bonds of one thousand dollars (\$1,000) each, numbered from one (1) to twenty-two (22), both inclusive, of date of June 1, 1917, issued by said City of Indianapolis pursuant to an ordinance passed by the Common Council of said city on -----, and an act of the General Assembly of the State of Indiana entitled "An act concerning municipal corporations", approved March 6, 1905, and all acts supplemental therto and amendatory thereof.

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

In Witness Whereof, The Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and the City Controller, and attested by the City Clerk, and the corporate seal of said city to be hereunto affixed this, the-----day of-----

Mayor.

City Controller.

Attest:

City Clerk.

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

SECTION 3. Each and every bid or proposal shall be presented to the City Controller sealed, and shall be accompanied by a duly certified check upon some responsible bank of the City of Indianapolis, Indiana, payable to the order of the City Treasurer, for the sum of money which shall equal two and one-half (2½) per centum of the face or par value of the bonds bid for, or proposed to be purchased. The City Controller shall continue to receive bids or proposals therefor at the office of the City Controller until 12 o'clock noon on the day fixed by the City Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between the said hour and 2 p. m. of said day he shall open said bids or proposals. The City Controller shall award said bonds, or if he shall see fit, a part or any number thereof, to the highest and best bidder therefor, but said City Controller shall have full right to reject any and all such bids or proposals, or any part thereof, and shall have the rig...

to accept a part of any bid, and to award upon any bid the whole or a less number of bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply to the case of reoffering and readvertising of said bonds as hereinafter provided.

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

SECTION 5. In case any bid or proposal shall not be accepted and there shall be no award of bonds thereon by the City Controller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the City Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same, and shall hold the proceeds collected thereon until the completion of the purchase and the payment of the bonds so awarded. If for any reason said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of the contract for the purchase of said bonds upon the part of the purchaser, and the city, in that event shall have the right to readvertise said bonds for sale at once, and shall, in such event, retain said check, and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the city. In case any successful bidder shall fail to complete the purchase of the bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the City Controller, as herein provided, the proceeds of such certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or, at the option of the City Controller, at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

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

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

SECTION 8. The proceeds of the sale of said bonds is hereby appropriated to the Department of Public Works for the erection and repair of said bridges.

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

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

By Mr. Shea (by request) :

General Ordinance No. 51, 1917. An ordinance to amend Sub-division (f) of Section 983 of General Ordinance No. 12, 1917, passed February 28, 1917, and approved March 3, 1917.

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

SECTION 1. That sub-division (f) of Section 983 of General Ordinance No. 12, 1917, passed February 28, 1917, and approved March 3, 1917, be amended to read as follows :

“(f) For the Street Cleaning Department :

Superintendent—Twenty-one hundred dollars per year.

Assistant Superintendent—Twelve hundred dollars per year.

Clerk—Twelve hundred dollars per year.

Six Inspectors, each—One thousand dollars per year.

Six Stablemen, each—Seven hundred and twenty dollars per year.

One Stable Foreman—Eighteen dollars per week.

Three Blacksmiths, each—Three dollars and fifty cents per day.

Two Blacksmiths' Helpers, each—Thirty cents per hour.

One Harness Maker—Thirty cents per hour.

One Broom Maker, Two Painters, Laborers and Teamsters, each—Thirty cents per hour.

Janitor—Nine dollars per week.

SECTION 2. This ordinance shall be in force from and after its passage and publication once each week for two consecutive weeks in the Indiana Daily Times, a newspaper of general circulation printed and published in the city of Indianapolis, Marion County, Indiana.

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

By Mr. Barry (by request) :

General Ordinance No. 52, 1917. An ordinance to amend section one (1) of an ordinance entitled "An ordinance concerning the compensation of teamsters employed by the City of Indianapolis, repealing all ordinances in conflict therewith, and fixing a time when the same shall take effect," approved April 7, 1917.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that section one (1) of the above entitled ordinance be amended so as to read as follows: Section 1. That all teamsters furnishing wagons and teams for the City of Indianapolis shall receive compensation for the services of themselves and their teams at a rate not exceeding seventy cents per hour, payable weekly.

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 Mr. Shea (by request) :

Special Ordinance No. 9, 1917. An ordinance changing the name of Vigo Street to Lawton Street, repealing all ordinances or parts of ordinances in conflict therewith and fixing the time the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the name of Vigo Street be and the same is hereby changed to Lawton Street.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

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

By the Board of Public Works :

Special Ordinance No. 10, 1917.

WHEREAS, The Board of Public Works has in its care and custody certain personal property belonging to the City of Indianapolis, to-wit: about 20,000 pounds of scrap iron collected from various parts of the city and stored at the city asphalt plant; and

WHEREAS, It appears to the Common Council that such property is of the value of less than two hundred dollars; therefore,

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

SECTION 1. That the Board of Public Works is hereby authorized to sell for cash, at public or private sale, upon such notice as it may determine, the above described personal property.

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

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

INTRODUCTION OF MISCELLANEOUS BUSINESS.

From residents of Vigo Street :

INDIANAPOLIS, IND., May 21, 1917.

To the Honorable Common Council, City of Indianapolis:

GENTLEMEN—We, the undersigned residents of Vigo Street, respectfully petition your honorable body to change the name of Vigo Street to "Lawton Street." The city having honored the South Side by having the statue of General Lawton placed in Garfield Park, we desire that we may name our street after this brave and illustrious American.

Respectfully submitted,

HARRY B. DYNES, 1514 Vigo Street.

JOHN J. LOGAN, 1513 Vigo Street.

WM. W. RAY, 1513 Vigo Street.

A. L. YOUNG, 1538 Vigo Street.

E. A. DICKS, 1521 Vigo Street.

GEORGE B. KENNEY, 1446 Vigo Street.

ENIS G. REID, 1440 Vigo Street.

OMER BRAMMILL, 1446 Vigo Street.

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

ORDINANCES ON SECOND READING.

Mr. Porter called for General Ordinance No. 38, 1917, for second reading. It was read a second time.

Mr. Porter moved that General Ordinance No. 38, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 38, 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 General Ordinance No. 39, 1917, for second reading. It was a second time.

Mr. Porter moved that General Ordinance No. 39, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 39, 1917, was read a third time and passed 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.

Mr. Lee called for General Ordinance No. 42, 1917, for second reading. It was read a second time.

Mr. Lee moved that General Ordinance No. 42, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 42, 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. Connor called for Special Ordinance No. 3, 1917, for second reading. It was read a second time.

Mr. Connor moved that Special Ordinance No. 3, 1917, be stricken from the files.

The roll was called and Special Ordinance No. 3, 1917, was stricken from the files by the following vote:

Ayes, 7, viz.: Messrs. Barry, Young, Miller, Porter, Lee, Connor and President Michael J. Shea.

Noes, 2, viz.: Messrs. McGuff and Graham.

Mr. Connor called for General Ordinance No. 34, 1917, for second reading. It was read a second time.

Mr. Connor moved that General Ordinance No. 34, 1917, be stricken from the files.

The roll was called and General Ordinance No. 34, 1917, was stricken from the files by the following vote:

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

Noes, 1, viz.: Mr. Lee.

Mr. Connor called for Special Ordinance No. 8, 1917, for second reading. It was read a second time.

Mr. Connor moved that Special Ordinance No. 8, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 8, 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. Connor called for General Ordinance No. 43, 1917, for second reading. It was read a second time.

Mr. Connor moved that further action on General Ordinance No. 43, 1917, be postponed until a public hearing is had.

Seconded by Mr. Young. Carried.

Mr. Miller called for General Ordinance No. 47, 1917, for second reading. It was read a second time.

Mr. Miller moved that General Ordinance No. 47, 1917, be ordered engrossed, read a third time and placed upon its passage.

Seconded by Mr. Porter.

Mr. Young moved as a substitute to defer action on General Ordinance No. 47, 1917, until a public hearing is had.

Seconded by Mr. Barry.

The roll was called and Mr. Young's motion carried by the following vote:

Ayes, 6, viz.: Messrs. Barry, Young, McGuff, Lee, Graham and President Michael J. Shea.

Noes, 3, viz.: Messrs. Miller, Porter and Connor.

Mr. Miller called for General Ordinance No. 40, 1917, for second reading. It was read a second time.

Mr. Miller moved that General Ordinance No. 40, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 40, 1917, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Barry, McGuff, Miller, Lee, Graham and President Michael J. Shea.

Noes, 3, viz.: Messrs. Young, Porter and Connor.

On motion of Mr. Miller the Common Council, at 9:30 o'clock P. M., adjourned.

Michael J. Shea

.....
President.

ATTEST:

Thomas A. Riley

.....
City Clerk.

