

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.,

MONDAY, November 19, 1917.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 19, 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. Miller moved that the reading of the Journal be dispensed with. Carried.

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., November 9, 1917.

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

GENTLEMEN—I have approved and signed the following ordinance and resolutions:

1. General Ordinance No. 99, 1917, the same being an ordinance entitled "An ordinance transferring Twenty-five Hundred (\$2,500) Dollars from certain funds of the Department of Public Safety to certain funds of the Department of Public Safety, reappropriating the same, and fixing a time when the same shall take effect."

2. Resolution No. 9, 1917, the same being a resolution appointing inspectors in several precincts in place of the inspectors previously appointed.

3. Resolution No. 10, 1917, the same being a resolution appointing inspectors in several precincts in place of the inspectors previously appointed.

I return the said ordinance and resolutions herewith.

Yours very truly,

J. E. BELL,

Mayor.

REPORTS FROM CITY OFFICERS.

From the Board of Public Works :

DEPARTMENT OF PUBLIC WORKS,

OFFICE OF THE BOARD.

INDIANAPOLIS, IND., November 19, 1917.

To the Honorable Common Council, City of Indianapolis:

GENTLEMEN—I am directed to submit for your consideration and approval ordinances ratifying and approving the following switch contracts entered into by the Board of Public Works :

An ordinance granting Thomas Taggart the right to lay and maintain a sidetrack or switch in Regent Street, from the Illinois Central Railroad (Belt connection) in Regent Street to a point 80.68 feet east of the east line of Voorhees Street; and

An ordinance granting the Belt Elevator and Feed Company the right to lay and maintain a sidetrack or switch from the Belt Railroad division of the Indianapolis Union Railway Company to the Belt Elevator and Feed Company across West Market Street and West Court Street.

These ordinances are submitted in triplicate, with accompanying blue prints, showing in detail the location of the proposed additional tracks or switches.

Yours very truly,

JOSEPH P. TURK,

Clerk, Board of Public Works.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance :

INDIANAPOLIS, IND., November 19, 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 Appropriation Ordinance No. 22, 1917, entitled "An ordinance making an appropriation to the Department of Law to pay awards made by the State Industrial Board," 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,

THOMAS C. LEE,

JOHN F. CONNOR,

FRANK GRAHAM.

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

From the Committee on Finance :

INDIANAPOLIS, IND., November 19, 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 Appropriation Ordinance No. 23, 1917, entitled "An ordinance appropriating the sum of twenty-four and 55/100 (\$24.55) dollars to the Department of Finance to pay for costs taxed against Thomas A. Riley, City Clerk, in Cause No. 22769 in the Supreme Court of Indiana, 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,
THOMAS C. LEE,
JOHN F. CONNOR,
FRANK GRAHAM.

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

From the Committee on Finance :

INDIANAPOLIS, IND., November 19, 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 Appropriation Ordinance No. 24, 1917, entitled "An ordinance appropriating twenty-four (\$24) dollars to the Department of Public Safety to pay Patrolman Asa Stonehouse, 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,
THOMAS C. LEE,
JOHN F. CONNOR,
FRANK GRAHAM.

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

From the Committee on Finance :

INDIANAPOLIS, IND., November 19, 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. 98, 1917, entitled "An ordinance authorizing the City Controller to make a temporary loan for the Department of Public Sanitation of the City of Indianapolis in anticipation of certain revenues of said department and payable out of the same, 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,
THOMAS C. LEE,
JOHN F. CONNOR,
FRANK GRAHAM.

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

From the Committee on Finance :

INDIANAPOLIS, IND., November 19, 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. 97, 1917, entitled "An ordinance amending Clause (G) of Section 983 of General Ordinance No. 12, 1917, pertaining to the compensation of members of the Police Department," 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,
THOMAS C. LEE,
JOHN F. CONNOR,
FRANK GRAHAM.

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

From the Committee on Parks:

INDIANAPOLIS, IND., October 22, 1917.

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

GENTLEMEN—We, your Committee on Parks, to whom was referred Special Ordinance No. 21, 1917, entitled "An ordinance changing the name of Pine Street from Fifteenth Street to the first alley south of Nineteenth Street to Garfield Place," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

Respectfully submitted,

FRANK GRAHAM,

W. TODD YOUNG,

E. R. MILLER.

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

From the Committee on Law and Judiciary:

INDIANAPOLIS, IND., November 19, 1917.

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

GENTLEMEN—We, your Committee on Law and Judiciary, to whom was referred Special Ordinance No. 6, 1917, entitled "An ordinance changing the names of certain streets, avenues, drives, roads, courts and alleys," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

W. TODD YOUNG,

ED MCGUFF,

THOMAS C. LEE,

EDWARD P. BARRY,

JOHN F. CONNOR.

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

From the Committee on City's Welfare:

INDIANAPOLIS, IND., November 15, 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 Special Ordinance No. 22, 1917, entitled "An ordinance to annex to

the City of Indianapolis, State of Indiana, certain territory contiguous thereto," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

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

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By the Board of Public Works:

SWITCH CONTRACT.

General Ordinance No. 101, 1917. An ordinance approving a certain contract granting Thomas Taggart the right to lay and maintain a sidetrack or switch in Regent Street from the Illinois Central Railroad, Belt Connection, in Regent Street to a point 80.68 ft. east of the east line of Voorhees Street, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, Heretofore, to-wit: on the 19th day of November, 1917, Thomas Taggart filed his petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION.

INDIANAPOLIS, IND., November 12, 1917.

To the Honorable Board of Public Works, City of Indianapolis, Ind.:

GENTLEMEN—The undersigned respectfully petitions for permission to construct a switch track in Regent Street from Illinois Central Railroad, Belt Connection, to a point crossing the north line of Regent Street 80.68 ft. east of the east line of Voorhees Street.

Yours very truly,

THOMAS TAGGART.

Now, THEREFORE, This agreement, made and entered into this 19th day of November, 1917, by and between Thomas Taggart of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part,

WITNESSETH, That the party of the first part, being desirous of securing a right of way for a sidetrack or switch from the Belt Railroad connection of the Illinois Central Railroad west of Brooker Street and extending in

Regent Street to a point 80.68 feet east of the east line of Voorhees Street, in the City of Indianapolis, which is more specifically described as follows:

Beginning on the south line of Regent Street at a point 86.3 feet west of the northwest corner of lot 43 of the Second Section of Thomas Taggarts Second Addition, recorded in Plat Book 12, page 29, Marion County Recorder's Office, and extending in a north-easterly direction along the arc of a 16 degrees 15 minutes curve for a distance of 133.8 feet to the center of Regent Street; thence east along the center of Regent Street 768.80 feet to the extension of the west line of Voorhees Street; thence on a curve of 16 degrees 15 minutes to the left for a distance of 133.8 feet to the north line of Regent Street at a point 80.68 feet east of the extension of the east line of Regent Street.

hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privilege and authority herein given, he will lay, construct and maintain said track upon the terms and conditions hereinafter set forth, to-wit:

(1) They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said track and switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said track shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said tracks.

(3) The track in Regent Street and the crossing where said track intersects Voorhees Street shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, upon the written order of said Board, made for any good cause affecting the interest of the City or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to pave between said track to the entire satisfaction of the second party, and in case said tracks shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification in writing of ten (10) days, said Board shall do or cause the same to be done at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds himself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending against any such claims.

(7) Any violations of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated by said Board, as hereinbefore set forth.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain an additional sidetrack or switch across-----, in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

IN WITNESS WHEREOF, We have hereunto set our hands this 19th day of November, 1917.

THOMAS TAGGART,

Party of the First Part.

WITNESS: Paul M. Swartz.

CITY OF INDIANAPOLIS,

November 19, 1917,

By J. A. RINK, *President*,

E. L. ZIEGLER,

GEORGE B. GASTON,

Board of Public Works.

Party of the Second Part.

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

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that such contract above set forth be, and the same is hereby in all things confirmed and approved.

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

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

By the Board of Public Works:

SWITCH CONTRACT.

General Ordinance No. 102, 1917. An ordinance approving a certain contract granting Belt Elevator and Feed Company the right to lay and maintain a sidetrack or switch from the Belt Railroad Division of the Indianapolis Union Railway Company to the Belt Elevator and Feed Company, across West Market Street and West Court Street, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, Heretofore, to-wit: on the 22nd day of October, 1917, ----- filed his petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION.

INDIANAPOLIS, IND., October 3, 1917.

To the Board of Public Works, City of Indianapolis, Ind.:

GENTLEMEN—The undersigned hereby petitions your honorable body for permit to construct a side track (1) across West Market Street about two hundred twenty-two and one-half ($222\frac{1}{2}$) feet west of the west line of Richland Street, and (2) a continuation of said side track across West Court Street about two hundred and fifteen (215) feet west of the west line of Richland Street, for the purpose of providing a side track connection with the Belt Railroad Division of the Indianapolis Union Railway Company as shown on blue print attached, marked "Exhibit A."

BELT ELEVATOR AND FEED COMPANY,

By (Signed) LEW HILL.

NOW, THEREFORE, This agreement, made and entered into this 22nd day of October, 1917, by and between Belt Elevator and Feed Company of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part,

WITNESSETH, That the party of the first part, being desirous of securing a right of way for a sidetrack or switch from the Belt Railroad Division of the Indianapolis Union Railway Company to the Belt Elevator and Feed Company, in the City of Indianapolis, which is more specifically described as follows:

Beginning in the west track of the Belt Railroad Division of the Indianapolis Union Railway Company at a point ten (10) feet north of the north line of West Market Street; then southwardly curving to the right and lying to the west of said track to a point in the north line of West Market Street, said point in the north line of West Market Street being two hundred and twenty-three (223) feet west of the west line of Richland Street; thence continuing southwardly on said curve to a point in the south line of West Market Street, said point in the south line of West Market Street being two hundred and twenty-two (222) feet west of the west line of Richland Street; thence continuing southwardly on lot number seventy (70) of the McCormick Heirs Subdivision in the City of Indianapolis to a point in the north line of West Court Street, said point in the north line of West Court Street, being two hundred and sixteen (216) feet west of the west line of Richland Street; thence continuing southwardly

on a straight line to the south line of West Court Street, said point in the south line of West Court Street being two hundred and fourteen (214) feet west of the west line of Richland Street.

hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, he will lay, construct and maintain said track upon the terms and conditions hereinafter set forth, to-wit:

(1) They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said track and switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said track shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said tracks.

(3) The crossing where said track intersects Market Street and Court Street shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, upon the written order of said Board, made for any good cause affecting the interest of the City or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to pave between said track to the entire satisfaction of the second party, and in case said tracks shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification in writing of ten (10) days, said Board shall do or cause the same to be done at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds himself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending against any such claims.

(7) Any violations of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the

privileges and authority given or granted by this contract, provided, however, that the same may be terminated by said Board, as hereinbefore set forth.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain an additional sidetrack or switch across-----, in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

IN WITNESS WHEREOF, We have hereunto set our hands this 22nd day of October, 1917.

BELT ELEVATOR AND FEED Co,
Per LEE HILL,
Party of the First Part.

CITY OF INDIANAPOLIS,
October 22, 1917.

By J. A. RINK, *President*,
GEO. B. GASTON,
Board of Public Works,
Party of the Second Part.

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

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that such contract above set forth be, and the same is hereby in all things confirmed and approved.

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

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

By Mr. Shea :

General Ordinance No. 103, 1917. An ordinance amending the fourth paragraph of Section 949 of General Ordinance No. 12, 1917.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, that the fourth paragraph of Section 949 of General Ordinance No. 12, 1917, be and the same is hereby amended to read as follows :

Such company shall install, maintain and operate signal bells at the intersections of the railroad tracks, owned or operated by it, constituting a part of what is known as its St. Louis Division with each of the following streets: Hancock, Harris Avenue, Holmes Avenue, and Warman Avenue, which bells shall be operated twenty-four hours per day each day in the

year. Such company shall establish and maintain a flagman at the intersection of the last above mentioned railroad tracks with Addison Street, such flagman to be on duty from six o'clock A. M. to six o'clock P. M. each day in the year. Such company shall establish and maintain a flagman at the intersection of the last above mentioned railroad tracks with Belmont Avenue and Harding Street, such flagman to be on duty twenty-four hours per day each day in the year.

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

Which was read a first time.

Mr. Connor moved that the rules be suspended and General Ordinance No. 103, 1917, be placed upon its passage.

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

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

Mr. Connor called for General Ordinance No. 103, 1917, for second reading. It was read a second time.

Mr. Connor moved that General Ordinance No. 103, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 103, 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.

By Mr. McGuff:

General Ordinance No. 104, 1917. An ordinance permitting the use of interior illuminated signs composed of metal and glass.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, that it shall be lawful hereafter for any individual, firm or corporation to use interior illuminated signs composed of metal and glass, provided all glass used for the lettering or characters is covered and protected by sheet metal, except that portion of the glass forming the actual strokes of the letters or characters, and provided that the edges of the glass are not less than one-half ($\frac{1}{2}$) inch from the nearest opening in the

sheet metal. The total amount of glass exposed to view in a face or side of a sign must not exceed thirty (30) per cent. of the total area of that face. In case a picture, face or fancy device is to be illuminated and no lettering is shown on the same sheet of glass, an exception to the above can be made provided the edges of the glass are covered by not less than one-half ($\frac{1}{2}$) inch of metal and provided the area of glass in the transparency does not exceed forty-eight (48) square inches in area between such metal.

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

Passed in Council _____, 1917.

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

INTRODUCTION OF MISCELLANEOUS BUSINESS.

By Mr. Barry:

Resolution No. 11, 1917.

WHEREAS, The Indianapolis Traction & Terminal Company has filed a petition before the public service commission of Indiana by which it seeks to have that commission change and modify the terms of the franchise under which said company is operating in this city, so that it may charge a straight 5 cent fare, and be relieved of the necessity of selling tickets at the present rate of six for 25 cents and 25 for a dollar; and

WHEREAS, The Indianapolis Traction & Terminal Company in its petition represents that such an increase in its revenues will result from its permission to collect a straight 5 cent fare as will enable it to continue giving the efficient service its franchise requires and at least reduce the present, and perhaps prevent a prospective deficiency in its earnings caused by the alleged increase in the cost of operating its lines.

THEREFORE, Be it resolved, by this Common Council, that protest and objection be and hereby are made by it in behalf of the City of Indianapolis to the public service commission, against the granting of the prayer of the petition of the Indianapolis Traction & Terminal Company and against any modification in the franchise held by it from the City of Indianapolis on the following grounds:

First. The franchise granted that company by the city, and which will not expire until 1933, is a contract of such character as in our judgment ought to be, and is, binding on both parties until the expiration of its term. The danger of increase in the cost of operation was one of the possibilities that the Traction Company assumed when it secured the franchise and it is a burden that should not be put upon the citizens, whose streets are in what amounts to the exclusive possession of the company for a long term of years to come.

We challenge the right of any existing body to change or modify a contract of this kind upon request of but one party thereto and against the objections of the entire citizenship of Indianapolis.

Second. The Indianapolis Traction & Terminal Company is not now and has not been for many years rendering the service stipulated in its franchise. It has delayed, failed and refused to make extensions of its lines and service. Even now, it is refusing to make the extension of its line in North Illinois Street except the expense of the grade of its track be borne by the city. It has delayed paving between its tracks to the annoyance and danger of the public. It has furnished cold and dangerous cars of a type and condition that would not be tolerated in other cities. It has compelled our people to permit themselves to be indecently herded into cars much after the fashion of cattle in live stock trains, because of its failure to supply the necessary number of cars.

Any loss of patronage accruing to it by reason of the operation of jitney busses, the company certainly deserves.

Its attitude, at all times, has been one of defiance of the public, with repeated threats of litigation, if any attempt should be made to assert the rights of the public.

It has been a huge millstone about the neck of the city, retarding its legitimate and natural growth. It deserves not an increase in its passenger fares, but the loss of its franchise.

Third. The ownership by the Indianapolis Traction & Terminal Company of a part of the system of a street car line in the city and that of the Indianapolis Street Railway Company of another part, and the capitalization and financing of both, are matters that should be gone into exhaustively by any court or commission passing upon the present petition. Likewise the financial slavery under which the Indianapolis Traction & Terminal Company is working for the Terre Haute, Indianapolis & Eastern Traction Company should be investigated to see if the patrons of the local street car lines are not contributing to the support of interurban properties that are not self-supporting. The many rumors of the system of high finance that was adopted at the time the local company was connected up with the capitalization of the interurban companies, certainly had some foundation in fact. We urge that if a legitimate investigation discloses a connection that is working to the detriment of the citizens of Indianapolis and resulting in an inefficient service, steps be taken to relieve the local company from its incubus.

BE IT FURTHER RESOLVED, That copy of this resolution be filed with the public service commission of Indiana in the proceeding in which the petition of the Indianapolis Traction & Terminal Company as above described has been filed.

Which was read a first time.

Mr. Barry moved that the rules be suspended and Resolution No. 11, 1917, be placed upon its passage.

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

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

Mr. Barry moved that Resolution No. 11, 1917, be adopted as read.

The roll was called and Resolution No. 11, 1917, was adopted by the following vote:

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

By Mr. Barry:

Resolution No. 12, 1917.

WHEREAS, The Union Traction Company of Indiana, has filed a petition before the public service commission of Indiana, by which it seeks to have the commission grant it permission to charge a 7 cent fare to any point on its line north of Fairfield Avenue, from any point south of that avenue, and a similar fare from any point north of Fairfield Avenue to any point south thereof, instead of 5 cent fare as now charged by it; the ground for such petition being that the increase in the cost of operating its cars has caused it to meet a loss and deficiency.

THEREFORE, Be it resolved, by this Common Council that protest and objection by, and hereby are made by it in behalf of the City of Indianapolis to the public service commission against the granting of the petition of such Traction Company on the following grounds:

First. The franchise under which the Union Traction Company of Indiana is operating requires it to carry passengers between any two points in the city for 5 cents. That contract is of such a character as in our judgment ought to be binding on both parties until the expiration of its term. The increase in the cost of operating should not be put upon our citizens whose streets have been given over to the use of the Traction Company without compensation. Such a contract ought to be as sacred as that between two individuals in private life.

The residents of this city have a vested right to have the transportation system maintained in at least as good condition as stipulated in the contract. We challenge the right of any court or commission to change the terms of the contract without the consent of the city.

Second. The Union Traction Company of Indiana is occupying that part of College Avenue from Fairfield Avenue, north to the city limits at 52nd Street with no franchise rights as against the city. It is bound to carry passengers, however, over this or any other track within the city limits at a five cent fare, but it should be given no rights to keep the street as against the city, except as the city may grant such right.

BE IT FURTHER RESOLVED, That copy of this resolution be filed with the public service commission of Indiana in the proceeding in which the petition of the Union Traction Company of Indiana, as above described, has been filed.

Which was read a first time.

Mr. Barry moved that the rules be suspended and Resolution No. 12, 1917, be placed upon its passage.

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

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

Mr. Barry moved that Resolution No. 12, 1917, be adopted.

The roll was called and Resolution No. 12, 1917, was adopted by the following vote :

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

By Mr. Barry :

MR. PRESIDENT :

I move that Woodburn Masson be authorized to represent the Common Council before the Public Service Commission of Indiana on this subject without pay.
E. P. BARRY.

Seconded by Mr. Porter.

Carried by the following vote :

Ayes, 8, viz. : Messrs. Barry, Young, McGuff, Miller, Porter, Lee, Connor and Graham.

Noes, 1, viz. : President Michael J. Shea.

By President Shea :

STATE BOARD OF ACCOUNTS OF INDIANA.

GILBERT H. HENDREN, STATE EXAMINER.

INDIANAPOLIS, IND., November 1, 1917.

Pres. City Council, Indianapolis, Ind. :

DEAR SIR—In pursuance of the requirements of section one, Chapter 115, Acts 1917, p. 347, concerning accounting and reporting and supervision of public offices, a verified report of an examination, made, as provided by law, by Field Examiners Thos. D. Barr and Wm. A. Marsh, of the accounts and financial affairs of the office of city treasurer of the civil city of In-

Indianapolis, Marion county, Indiana, for the year 1916, is herewith transmitted to you for filing as an official document, subject to public inspection.

Your attention is respectfully directed to the matters therein set out.

Yours truly,

G. H. HENDREN,

State Examiner.

Mr. Miller moved that the report be filed in the office of the City Clerk.

Carried by the following vote:

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

Mr. Porter moved that the following bills contracted by the City Board of Registration Commissions and presented to the Council for audit be approved by the Council. Carried.

UNDERWOOD TYPEWRITER CO.

July 20, 1917, Typewriter rental machine No. 757162 7/20 to 8/20	\$ 4.00
July 23, 1917, Typewriter rental machine No. 424845 7/23 to 8/23	3.50
Aug. 31, 1917, Typewriter rental machine No. 607776 6/14 to 7/14	3.50
Oct. 19, 1917, Typewriter ribbons	3.75

REMINGTON TYPEWRITER CO.

Oct. 17, 1917, Typewriter ribbons	.75
Nov. 1, 1917, Typewriter rental machine No. 276156 5/5 to 10/30	18.00
Nov. 1, 1917, Typewriter rental machine No. 307173 5/5 to 10/30	18.00

WM. B. BURFORD.

Aug. 1, 1917, Supplies as per itemized bill	3.00
Aug. 10, 1917, Supplies as per itemized bill	5.45
Aug. 23, 1917, Supplies as per itemized bill	6.25
Aug. 29, 1917, Supplies as per itemized bill	12.50
Sept. 6, 1917, Supplies as per itemized bill	12.30
Sept. 7, 1917, Supplies as per itemized bill	2.50
Sept. 8, 1917, Supplies as per itemized bill	24.25
Sept. 14, 1917, Supplies as per itemized bill	11.45

Sept. 17, 1917, Supplies as per itemized bill.....	4.45
Sept. 20, 1917, Supplies as per itemized bill.....	5.80
Sept. 25, 1917, Supplies as per itemized bill.....	3.00
Sept. 29, 1917, Supplies as per itemized bill.....	13.45
Oct. 1, 1917, Supplies as per itemized bill.....	.60
Oct. 2, 1917, Supplies as per itemized bill.....	.90
Oct. 5, 1917, Supplies as per itemized bill.....	7.40
Oct. 6, 1917, Supplies as per itemized bill.....	.90
Oct. 12, 1917, Supplies as per itemized bill.....	11.65
Oct. 16, 1917, Supplies as per itemized bill.....	7.70
Oct. 18, 1917, Supplies as per itemized bill.....	1.75
Oct. 20, 1917, Supplies as per itemized bill.....	13.40
Oct. 30, 1917, Supplies as per itemized bill, less credit.....	.10
Nov. 6, 1917, Supplies as per itemized bill.....	.35

GEO. J. MAYER & Co.

Supplies as per itemized bill G. J. M. No. 2939.....	7.25
Aug. 25, 1917, Supplies as per itemized bill G. J. M. No. 1673.....	.50
Aug. 28, 1917, Supplies as per itemized bill G. J. M. No. 2123.....	.50
Sept. 5, 1917, Supplies as per itemized bill G. J. M. No. 2938.....	.35
Sept. 10, 1917, Supplies as per itemized bill G. J. M. No. 28349.....	1.50
Sept. 20, 1917, Supplies as per itemized bill G. J. M. No. 28405.....	1.50
Sept. 24, 1917, Supplies as per itemized bill G. J. M. No. 5192.....	.15
Oct. 31, 1917, Supplies as per itemized bill G. J. M. No. 28675.....	1.00

SANDER & RECKER FURNITURE Co.

Sept. 6, 1917, Invoice itemized	6.00
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VONNEGUT HARDWARE Co.

Sept. 7, 1917, Invoice itemized	4.83
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BUDDENBAUM LUMBER Co.

Sept. 11, 1917, Invoice itemized	10.13
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INDIANAPOLIS TENT & AWNING Co.

Sept. 12, 1917, Invoice	1.50
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CENTENNIAL PRESS.

Sept. 12, 1917, Invoice	-----	\$ 32.50
Sept. 15, 1917, Invoice	-----	3.00
Sept. 29, 1917, Invoice	-----	913.00
Oct. 1, 1917, Statement	-----	948.50
Oct. 22, 1917, Invoice	-----	3.50

E. L. HANNAN TRANSFER CO.

Sept. 24, 1917, Drayage	-----	2.00
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ABRAM SIMMONS.

Sept. 26, 1917, Transcript Knight v. Board of Election Commissioners	-----	10.50
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W. R. BEARD & Co.

Oct. 1, 1917, Invoice	-----	2.75
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RECEIVERS CENTRAL UNION TELEPHONE CO.

Oct. 1, 1917, Telephone rent for September and October, 1917	-----	9.00
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By Mr. Graham:

DEPARTMENT OF BUILDINGS,
INDIANAPOLIS.

INDIANAPOLIS, IND., November 15, 1917.

Mr. Frank Graham, Chairman Committee on Parks, City:

DEAR SIR—It is understood by the writer that General Ordinance No. 93, 1917, submitted to the Common Council at their regular session, October 1, 1917, concerning the construction, alteration and repairing of buildings, has been submitted to your committee.

This ordinance is purely a class legislation as you can readily see when reading the section "that all frame structures shall be lined with $\frac{7}{8}$ inch sheeting on the outside or in lieu thereof they may be lined with $\frac{7}{8}$ inch dove tailed lath, suitable for plastering on the inside or welded sheeting may be used, provided wires are arranged longitudinally and not more than eight inches apart with transfer wires not more than three inches apart on opposite sides of a sheet of tarred felt and welded together through small holes previously punched in the felt at each intersection, the wires being U. S. gauge No. 13."

I call your attention to the last part of this revised section which starts to read "or welded," etc. This provides for only a patented article and would not be constitutional. Also the fact that if frame buildings should not be lined with $\frac{7}{8}$ inch sheeting, or as otherwise provided for in the present code, then they should be eliminated entirely and allow the cheap construction of buildings by placing weatherboard immediately upon the studding and using common lath on the inside. It is the opinion of the

writer that the City of Indianapolis should retain its high standard of building construction and any changes of any character, even if not of class legislation, should be thoroughly investigated before same is made.

Also wish to call your attention to the fact that General Ordinance No. 72, 1913, has been repealed and the original section No. 98 would now be section No. 350 of General Ordinance No. 12, 1917.

I trust that your committee will agree with me and refuse to make the changes in the ordinance.

Yours truly,

JACOB H. HILKENE,

Commissioner of Buildings.

ORDINANCES ON SECOND READING.

Mr. Porter called for Appropriation Ordinance No. 22, 1917, for second reading. It was read a second time.

Mr. Porter moved that Appropriation Ordinance No. 22, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 22, 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. 23, 1917, for second reading. It was read a second time.

Mr. Porter moved that Appropriation Ordinance No. 23, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 23, 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. 24, 1917, for second reading. It was read a second time.

Mr. Porter moved that Appropriation Ordinance No. 24, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 24, 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. 98, 1917, for second reading. It was read a second time.

Mr. Porter moved that General Ordinance No. 98, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 98, 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. 97; 1917, for second reading. It was read a second time.

By Mr. Lee:

INDIANAPOLIS, IND., November 19, 1917.

MR. PRESIDENT:

I move that General Ordinance No. 97, 1917, be amended by striking out the words eighty-five in line 19 of said ordinance and substituting the words one hundred and two (102) instead.

THOMAS C. LEE.

Seconded by Mr. Barry.

Carried by the following vote:

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

Mr. Porter moved that General Ordinance No. 97, 1917, be ordered engrossed, as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 97, 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 moved that General Ordinance No. 100, 1917, be read a third time and placed upon its passage. Carried.

General Ordinance No. 100, 1917, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Barry, Miller, Porter, Lee, Connor and President Michael J. Shea.

Noes, 3, viz.: Messrs. Young, McGuff and Graham.

On motion of Mr. Porter the Common Council referred back to the order of business.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Mr. Porter:

Special Ordinance No. 23, 1917. An ordinance changing and defining a part of the boundary line of the corporate limits of the City of Indianapolis, Indiana, extending the same, and annexing to the City of Indianapolis certain territory, providing for the publication and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that a part of the south boundary line of the corporate limits of the City of Indianapolis, Indiana, shall be extended and altered as follows:

Beginning at the intersection of Southern Avenue and the east line of the right-of-way of the P., C., C. & St. L. Ry. Co., Louisville Division, and running southeastwardly with said east line to Berwin Street, thence east to Camden Street, thence south to the township line or Dalton Street, thence east on the said township line to the west side of Shelby Street, thence south with the west line of Shelby Street to Martain Street, thence east to the Shelbyville Road, thence northwestwardly with the east line of the Shelbyville Road to the south line of Lot number 1 of H. P. Barton's Addition, thence east to the east line of said Lot number 1, thence north to the township line or Dalton Street or Royal Avenue, as it is sometimes called, thence east to Boyd Avenue, thence north to the south line of Holliday's Garfield Park Addition, thence west with the south line of said addition to the east line of McCord and Wheatley's Addition, thence south with the east line of said addition to the south line thereof, thence west with the south line thereof to Shelby Street, thence north to Southern Avenue.

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

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

Mr. Graham called for General Ordinance No. 93, 1917, for second reading. It was read a second time.

Mr. Graham moved that General Ordinance No. 93, 1917, be stricken from the files.

The roll was called and General Ordinance No. 93, 1917, was stricken from the files by the following vote:

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

Noes, 1, viz.: Mr. McGuff.

Mr. Graham called for Special Ordinance No. 9, 1917, for second reading. It was read a second time.

Mr. Graham moved that Special Ordinance No. 9, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 9, 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. Graham called for Special Ordinance No. 21, 1917, for second reading. It was read a second time.

Mr. Graham moved that Special Ordinance No. 21, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 21, 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 Special Ordinance No. 22, 1917, for second reading. It was read a second time.

Mr. Miller moved that Special Ordinance No. 22, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 22, 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. Young called for General Ordinance No. 94, 1917, for second reading. It was read a second time.

Mr. Young moved that General Ordinance No. 94, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 94, 1917, was read a third time and passed by the following vote:

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

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

Mr. Young called for Special Ordinance No. 6, 1917, for second reading. It was read a second time.

Mr. Young moved that Special Ordinance No. 6, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 6, 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

On motion of Mr. Porter, the Common Council at 9:05 o'clock P. M., adjourned.

Michael J. Shea

.....
President.

ATTEST:

Thomas A. O'Leary

.....
City Clerk.