

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.,

MONDAY, December 3, 1917.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, December 3, 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 6 members, viz.: Messrs. Young, McGuff, Miller, Porter, Connor and Graham.

Absent, 2, viz.: Messrs. Barry and Lee.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,

CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., December 1, 1917.

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

GENTLEMEN—I return herewith without my approval General Ordinance No. 97, 1917, the same being an ordinance increasing the pay of the members of the Police Department of this city.

This ordinance makes an increase of 20 per cent. in the salaries of the members of the department, which will amount to an increase of about \$110,000.00.

This administration will end at noon, January 7th, 1918, and a new administration will come into control of the affairs of the city at that time. On account of the great increased cost of expenses in operating the city government which has come by reason of the increased cost of everything the city is compelled to buy, the limited revenues of the city will not provide for the payment of the increase caused by this ordinance.

During the present year there has been a shrinkage in the revenues of the city caused by the decrease of the liquor licenses. From this source alone the revenues of the city for the year 1917 have lost about \$150,000.00. The next administration will lose all of the revenues to be derived from liquor licenses because the Prohibitory Act passed by the last General Assembly closes the saloons upon April 2nd, 1918.

Therefore in the year 1918 the city will lose the liquor license revenue, which amounts to about \$300,000.00 a year.

With a loss of \$300,000.00 in the city's income, and an increase provided by this ordinance of \$110 000.00, it makes a practical shortage of the revenues for the coming year of \$400,000.00.

The city's income is limited by statute to a levy of 75 cents upon each one hundred dollars. We are now up to that limit, and therefore the city will have no way to provide for making up this loss of revenue and this increase of salaries.

Some time ago your Honorable Body passed an ordinance increasing the salaries of the members of the Fire Department to the extent of more than \$80,000.00 per year, which is not to take effect until January 1st, 1918.

It seems to me that an ordinance should not be passed providing for an increase of salaries, unless at the same time your Honorable Body will pass an ordinance which will provide revenues to meet this increase. Where an ordinance is passed providing for additional expenditures without providing a means of obtaining money with which to meet this increase, the hands of the administration are completely tied unless they go into the market and borrow money to pay salaries. This policy would be a most disastrous one and would not be adopted by any private institution.

The ordinance concerning the increase of salaries in the Fire Department provides for an increase of a little more than-----\$ 80,000.00

The present Police ordinance provides for an increase of----- 110,000.00

A loss of revenue from liquor licenses will amount to more than ----- 300,000.00

Therefore the next administration will be called upon to meet a deficit of almost a half million dollars caused by increase of salaries and a loss of license revenues.

In view of the fact that these salary increases are to take effect in the next administration, I believe it is only fair that the question should be left to that administration to deal with as it may see fit.

We should not embarrass the incoming administration by providing burdens that we do not furnish a means of overcoming.

I therefore return the ordinance without my approval.

Yours very truly,

J. E. BELL,

Mayor.

By Mr. Porter: ..

INDIANAPOLIS, IND., December 3, 1917.

MR. PRESIDENT:

I respectfully move that General Ordinance No. 97, 1917, be passed over the veto of the Mayor.

A. D. PORTER.

Seconded by Mr. Miller.

The roll was called and General Ordinance No. 97, 1917, was passed over the veto of the Mayor by the following vote:

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

Noes, none.

At 8:05 o'clock P. M. Mr. Lee entered the Council Chamber and took his seat.

EXECUTIVE DEPARTMENT,

CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., December 1, 1917.

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

GENTLEMEN—I return herewith General Ordinance No. 94, 1917, without my approval.

A short time ago your Honorable Body passed an ordinance prohibiting smoking in theatres and moving picture shows operated in this city. It was an ordinance intended to secure the safety of the people who patronize these places of amusement. It was an ordinance that did not inconvenience any one except some individual who desired to indulge in the pleasure of smoking no matter whether it was offensive to those around him or not.

It was also an ordinance which added to the comfort and health of the crowds who gather in these places of amusement because where smoking is indulged in the atmosphere in many cases becomes so dense with smoke as to result in great discomfort to those present on account of having to breathe the smoky atmosphere.

Every one who has visited a theatre where smoking is permitted is made to realize not only the danger that might result from this practice but also the inconvenience attending the same.

It is a fact known to all who have observed the theatres in this city that there is a tendency to overcrowd many of these show houses. This overcrowding has been indulged in until in some instances the police have been compelled to take action concerning the same.

If upon these crowded occasions smoking should be indulged in and a fire should be started either from a lighted match or from casting aside a burning cigar, no one can foresee what might be the serious consequences that would result from such a fire.

If a fire should start it is certain that a stampede would follow which would be sure to result in the serious injury of many persons, if not the death of some.

It would seem that gentlemen ought to be able to forego the habit of smoking long enough to attend a performance given at a theatre.

At practically every theatre there is an intermission and if the habit of smoking is so great with some that they cannot forego the pleasure they could during these intermissions retire from the theatre and indulge in that habit.

I do not understand that smoking in theatres is asked or demanded generally by the managers of these places of amusement. Only one or two are so unmindful of the general safety of the public as to desire this practice indulged in.

However, if once smoking is permitted in the theatres of the city it would soon become a general practice and on account of the general crowded and congested condition of many of our places of amusement,

especially moving picture houses, I feel that at some time a fire is sure to be caused by this practice of smoking.

I do not wish to be held responsible for the serious consequences that might result in injury or death in case a fire should be started in one of the theatres of the city; and I feel that no member of the Council who seriously thinks of what might be the consequences of the passage of this ordinance would want to assume that responsibility.

I therefore return this ordinance without my signature, and earnestly hope that the members of the Common Council of this city will not disagree with me in this regard.

Yours very truly,

J. E. BELL,

Mayor.

EXECUTIVE DEPARTMENT,

CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., November 24, 1917.

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

GENTLEMEN—I hand you herewith ordinance presented to me by the Rev. M. C. Pearson, representing the State Council of Defense.

This ordinance is intended to suppress the immoral traffic that is engaged in by certain taxi and jitney drivers. This evil has grown up in all large cities within the past few months and in this city there is no law or ordinance which gives the Police Department power to deal with the situation.

If this ordinance is passed by your Honorable Body it will be a great help to the Police Department in dealing with this situation.

I therefore earnestly recommend its passage.

Yours very truly,

J. E. BELL,

Mayor.

EXECUTIVE DEPARTMENT,

CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., November 23, 1917.

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

GENTLEMEN—I have approved and signed the following ordinances:

1. General Ordinance No. 98, 1917, the same being an ordinance 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."

2. Appropriation Ordinance No. 22, 1917, the same being an ordinance entitled "An ordinance making an appropriation to the Department of Law to pay awards made by the State Industrial Board."

3. Appropriation Ordinance No. 23, 1917, the same being an ordinance

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."

4. Appropriation Ordinance No. 24, 1917, the same being an ordinance entitled "An ordinance appropriating twenty-four (\$24.00) to the Department of Public Safety to pay Patrolman Asa Stonehouse, and fixing a time when the same shall take effect."

5. Special Ordinance No. 6, 1917, the same being an ordinance entitled "An ordinance changing the names of certain streets, avenues, drives, roads, courts and alleys."

6. Special Ordinance No. 9, 1917, the same being an ordinance entitled "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."

7. Special Ordinance No. 21, 1917, the same being an ordinance entitled "An ordinance changing the name of Pine Street, from Fifteenth Street to the first alley south of Nineteenth Street, to Garfield Place."

8. Special Ordinance No. 22, 1917, the same being an ordinance entitled "An ordinance to annex to the City of Indianapolis, State of Indiana, certain territory contiguous thereto."

Yours very truly,

J. E. BELL,

Mayor.

EXECUTIVE DEPARTMENT,

CITY OF INDIANAPOLIS,

INDIANAPOLIS, IND., November 20, 1917.

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

GENTLEMEN—I have approved and signed General Ordinance No. 100, 1917, the same being an ordinance entitled "An ordinance transferring funds of the Department of Public Works to funds of the same department, reappropriating the same, and fixing a time when the same shall take effect."

I return the said ordinance herewith.

Yours very truly,

J. E. BELL,

Mayor.

EXECUTIVE DEPARTMENT,

CITY OF INDIANAPOLIS,

INDIANAPOLIS, IND., December 1, 1917.

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

GENTLEMEN—I have signed Resolution No. 11, 1917, pertaining to the petition of the Indianapolis Traction & Terminal Company filed with the Public Service Commission, asking an increase in the fare to be charged for passengers riding upon the lines of said Company in Indianapolis.

I have also signed Resolution No. 12, 1917, pertaining to a petition of the Union Traction Company of Indiana, filed with the Public Service

Commission, asking an increase of fare to be charged passengers riding upon the lines of said Company north of Fairfield Avenue.

I return the said resolutions herewith.

Yours very truly,

J. E. BELL,

Mayor.

REPORTS FROM CITY OFFICERS.

From City Controller :

CITY OF INDIANAPOLIS.

FINANCE DEPARTMENT,

INDIANAPOLIS, IND., December 3, 1917.

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

GENTLEMEN—I enclose herewith letter from the Board of Public Works requesting a bond issue of \$7,000 for the building of a concrete retaining wall at the Northeast corner of the Meridian Street bridge over Fall Creek. I am informed by Mr. Jeup that it is not only desirable but necessary to build this wall in order that the bridge may be protected at this point against flood waters, as there is a gap in the wall at this spot. I enclose an ordinance for a bond issue of \$7,000 and recommend the same.

I also enclose letter from the Board of Public Works asking that \$700 be appropriated to the fund of Street Repair, Permanently Improved, Except Asphalt, Salaries and Wages, and \$350 to the fund of Street Repairing, Permanently Improved, Except Asphalt, Accounts. The sum of \$1,050 has already been paid into the City Treasury by R. A. Henry for certain work on Brookside Avenue, and the Engineer's department is anxious that this appropriation be made in order that the money so appropriated and which has already been paid into the treasury by Mr. Henry can be expended for the purposes for which such money was received by the city. I enclose ordinance covering the same.

I also enclose letter from the Department of Law requesting an appropriation of \$100 to the Changes of Venue expense of said department, and \$100 to the Workmen's Compensation fund. As you will see by Mr. Picken's letter, both appropriations are absolutely necessary. The appropriation to Workmen's Compensation fund is to pay weekly sums during December, 1917, awarded by the Industrial Board to persons in the employment of the city who have been injured. The appropriation for the Changes of Venue fund is largely to be used in defraying expenses of taking witnesses to Noblesville in an important case. I enclose an ordinance covering this matter, and recommend that you suspend the rules in order that the money may be immediately available.

Yours respectfully,

R. H. SULLIVAN,

City Controller.

DEPARTMENT OF LAW,

CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., December 3, 1917.

Honorable Reginald H. Sullivan, City Controller, City Hall, City:

DEAR SIR—I have to request that you secure an appropriation of \$100 to this department for the payment of Change of Venue expense. We

have a trial set at Noblesville in which we are compelled to take some witnesses there whose expenses we are required to pay in advance, and without this appropriation we shall not have enough funds to cover the expenses. I have to request, also, an appropriation of \$100 to this department for the payment of workmen's compensation claims, the fund in this being known as Workmen's Compensation Fund. We secured an appropriation a short time ago in the sum of \$500 for this purpose but it is not quite sufficient to take care of the weekly payments that will mature during the month of December. As the claimants to this fund are all in indigent circumstances, they should be taken care of promptly, if possible. In order to serve the purpose, these appropriations should be made at the meeting of the council tonight if unanimous consent can be secured.

Yours truly,

WM. A. PICKENS,
Corporation Counsel.

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., November 21, 1917.

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

DEAR SIR—The Board of Public Works has had plans prepared, under the provisions of Miscellaneous Resolution No. 229, for the construction of a concrete retaining wall, with Bedford stone facing, at the Northeast corner of the Meridian Street bridge.

Bids were received on the 5th inst. for this work under specifications prepared by the City Civil Engineer, the American Construction Company being the low bidder, agreeing to do the work as planned for the sum of \$6,806.65.

The Board desires to award this contract as soon as the necessary funds are provided, and directs me to request that you recommend to the Common Council the passage of an ordinance authorizing a bond issue of \$7,000, money derived from the sale of such bonds to be expended in constructing this retaining wall.

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

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., November 19, 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 \$700 from the Cistern fund and \$500 from the City Civil Engineer's Inspectors' Salaries fund to the fund for Payment of Appraisers.

The fund for payment of appraisers is practically exhausted, and in order to meet the obligations of the city under this account the above sum will be required.

I am also directed to request that you recommend the passage of an ordinance appropriating \$700 to the fund for Street Repairing, Permanently Improved, Except Asphalt, Salaries and Wages, and \$350 to the fund for Street Repairing, Permanently Improved, Except Asphalt, Accounts. This sum of money has been paid into the city treasury by R. A. Henry, assignee of the guaranty fund held on the brick roadway of Brookside Avenue, from Tenth to Rural Street, and under the terms of the settlement made this money is to be expended under the supervision of the Street Commissioner in making necessary repairs to the roadway.

The Board instructs me to request that these funds be made available for the purposes indicated as soon as possible.

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., December 3, 1917.

To the Honorable Common Council, City of Indianapolis:

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

An ordinance authorizing the Board of Public Works to proceed in the matter of resurfacing the roadway of South Street from a point 98.30 feet east of east property line of Capitol Avenue to southwest property line of Virginia Avenue, as provided for under Improvement Resolution No. 9059; and

An ordinance approving a certain contract granting Edgar H. Evans the right to lay and maintain two sidetracks or switches from the C. C. C. & St. L. Railroad south of the north line of Wabash Street, one sidetrack crossing Blake Street south of Wabash Street and the other crossing Blake Street near the center of Wabash Street and extending in Wabash Street to a point 62 feet west of Blake Street.

This latter ordinance is submitted in triplicate together with blue prints showing in detail location of the proposed additional tracks.

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

REPORTS FROM STANDING COMMITTEES.

From the Committee on Public Works:

INDIANAPOLIS, IND., December 3, 1917.

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

GENTLEMEN—We, your Committee on Public Works, to whom was referred General Ordinance No. 102, 1917, entitled "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 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, Ind.," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

Respectfully submitted,

JOHN F. CONNOR,
W. TODD YOUNG,
E. R. MILLER,
A. D. PORTER.

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

From the Committee on City's Welfare:

INDIANAPOLIS, IND., December 3, 1917.

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

GENTLEMEN—We, your Committee on City's Welfare, to whom was referred General Ordinance No. 101, 1917, entitled, "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 feet east of the east line of Voorhees Street, according to blue print attached, 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.

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

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

INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller:

Appropriation Ordinance No. 25, 1917. An ordinance making appropriations to various funds of the Department of Law of the City of Indianapolis, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be and hereby is appropriated to the Workmen's Compensation Fund of the Department of Law of the City of Indianapolis, the sum of One Hundred (\$100) Dollars, and that there be and is hereby appropriated to the fund for the payment of Changes of Venue

expense of the same department, the sum of One Hundred (\$100) Dollars.

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 :

Appropriation Ordinance No. 26, 1917. An ordinance making appropriation to various funds of the Department of Public Works, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be and hereby is appropriated the sum of Seven Hundred (\$700) Dollars to the fund for Street Repairing, Permanently Improved, Except Asphalt, Salaries and Wages, of the Department of Public Works, and that the sum of Three Hundred and Fifty (\$350) Dollars be and is hereby appropriated to the fund for Street Repairing, Permanently Improved, Except Asphalt, Accounts, of the same 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.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By City Controller :

General Ordinance No. 105, 1917. An ordinance authorizing the sale of seven (7) bonds of One Thousand (\$1,000) Dollars 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 in payment of a concrete retaining wall at the northeast corner of the Meridian Street bridge over Fall Creek in the City of Indianapolis, 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, and fixing a time when the same shall take effect.

WHEREAS, The Board of Public Works has had plans prepared for the construction of a concrete retaining wall at the northeast corner of the Meridian Street bridge over Fall Creek, and

WHEREAS, There is not now and will not be sufficient funds in the treasury of the City of Indianapolis with which to defray the aforesaid expenditures for such public welfare, and it being necessary for the City of Indianapolis to borrow the sum of Seven Thousand (\$7,000) Dollars 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 erection of said concrete retaining wall and work incident and necessary thereto, to prepare and sell seven (7) new bonds of the City of Indianapolis, Marion County, Indiana, for the sum of One Thousand (\$1,000) Dollars each, which bonds shall bear date of January 1, 1918, and shall be numbered from one (1) to seven (7), both inclusive, and shall be designated as "Meridian Street Retaining Wall Bonds." Bonds one (1) and two (2) shall mature January 1, 1920; bonds three (3) and four (4) shall mature January 1, 1921; bonds five (5), six (6) and seven (7) shall mature January 1, 1922. All of said bonds shall bear interest at 5 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 July, 1918. Said bonds and interest coupons attached shall be negotiable and payable at The Union Trust Company, 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 for 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,

MERIDIAN STREET RETAINING

WALL BONDS.

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, 1920, at the Union Trust Company, Indianapolis, Indiana, One Thousand (\$1,000) Dollars in lawful money of the United States of America, together with interest thereon at the rate of 5 per cent. (5%) per annum from date until paid, the first interest payable on the first day of July, 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 seven (7) bonds, of One Thousand (\$1,000) Dollars each, numbered from one (1) to seven (7), both inclusive, of date of January 1, 1918, issued by said City of Indianapolis, pur-

suant 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 concerning municipal corporations," approved March 6, 1905, and all acts supplemental thereto 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 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 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 the said city to be hereunto affixed this, as of the 1st day of January, 1918.

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 full right to reject any and all such bids or proposals, or any part thereof, and 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 dis-

cretion, award a part of said bonds to one bidder and a part to another. The 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 same 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 the purchasers to take up and pay for the binds 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 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 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 Meridian Street Retaining Wall.

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. Connor:

General Ordinance No. 106, 1917. An ordinance relating to resistance to arrest or following arrest.

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

SECTION 1. Any person whose arrest is being attempted by any person or officer having authority to make such arrest resists such person or officer in his attempt to make such arrest, shall be fined any sum not more than fifty dollars, to which may be added imprisonment for not longer than thirty days.

SECTION 2. Any person who having been arrested by any person or officer having authority to make such arrest shall resist the person or officer making his arrest or any person or officer in whose custody he has been lawfully placed after such arrest, shall be fined in any sum not more than fifty dollars, to which may be added imprisonment for a period not longer than thirty days.

SECTION 3. Whoever by force or otherwise shall interfere with any officer or other person lawfully authorized to make an arrest, in attempting to arrest any person, knowing such attempt to arrest is being made, on conviction shall be fined not more than (\$100) one hundred dollars to which may be added imprisonment for a period not longer than sixty days.

SECTION 4. 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.

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

By the Board of Public Works:

General Ordinance No. 107, 1917. An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve South Street from a point 98.30 feet east of east property line of Capitol Avenue to southwest property line of Virginia Avenue, except space of 18.08 feet in center of street occupied by street car tracks, and a space of 260 feet for the track elevation of Pennsylvania Railroad tracks beginning at a point 70 feet west of Delaware Street and extending west 260 feet; also crossing of Meridian Street, with wooden block, asphalt, bituminous concrete, brick or granite block, as provided for under Improvement Resolution No. 9059, adopted October 19, 1917.

WHEREAS, The Board of Public Works of the City of Indianapolis, did on the 19th day of October, 1917, adopt Improvement Resolution No. 9059, for the improvement of South Street from a point 98.30 feet east of east property line of Capitol Avenue to southwest property line of Virginia Avenue, except space of 18.08 feet in center of street occupied by street car tracks, and a space of 260 feet for the elevation of the Pennsylvania Railroad tracks beginning at a point 70 feet west of Delaware Street and extending west 260 feet, also crossing of Meridian Street, by resurfacing the roadway with wooden block, asphalt, bituminous concrete, brick or granite block; and

WHEREAS, The said Board of Public Works did at the same time fix November 9, 1917, at 10 o'clock a. m. as the time to hear all persons interested, or whose property is affected by said improvement; and the notice of the passage of said resolution and of the said time for hearing was published on the 22nd and 29th days of October, 1917, in the Indiana Daily Times, a daily newspaper of general circulation, printed and published in the City of Indianapolis, and notices by mail duly forwarded as provided by law; and

WHEREAS, On the 9th day of November, 1917, the Board having met in regular session, and after hearing all interested persons who appeared, continued said hearing until the 23rd day of November, 1917, and

WHEREAS, On the 23rd day of November, 1917, the Board having met in regular session, took final action on said improvement resolution, the same being confirmed without modification; and

WHEREAS, On the 23rd day of November, 1917, a written remonstrance of nine (9) out of the twelve (12) resident property owners was filed with the Board of Public Works against said improvement; and

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

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, that the Board of Public Works of the City of Indianapolis be and is hereby ordered to improve South Street from a point 98.30 feet east of east property line of Capitol Avenue to southwest property line of Virginia Avenue except space of 18.08 feet in center of street occupied by street car tracks, and a space of 260 feet for the elevation of the Pennsylvania Railroad tracks beginning at a point 70 feet west of Delaware Street and extending west 260 feet; also crossing of Meridian Street, by resurfacing the roadway with wooden block, asphalt, bituminous concrete, brick or granite block, as provided for under Improvement Resolution No. 9059, adopted by the Board of Public Works on the 19th day of October, 1917.

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

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

By the Board of Public Works:

SWITCH CONTRACT.

General Ordinance No. 108, 1917. An ordinance approving a certain contract granting Edgar H. Evans the right to lay and maintain two side-

tracks or switches from C., C., C. & St. L. R. R. south of north line of Wabash Street, one sidetrack crossing Blake Street south of Wabash Street and the other crossing Blake Street near the center of Wabash Street and extending in Wabash Street to a point 62 feet west of Blake Street, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, Heretofore, to-wit: on the 28th day of November, 1917, Edgar H. Evans filed his petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION.

November 28th, 1917.

To the Board of Public Works, City of Indianapolis:

GENTLEMEN—I request the permission to construct two switches or sidetracks across Blake Street, near Wabash Street, as shown on the accompanying blue print. Said switches to serve the property located south of Wabash and west of Blackford Streets.

Yours very truly,

(Signed) EDGAR H. EVANS.

NOW, THEREFORE, This agreement, made and entered into this 3d day of December, 1917, by and between Edgar H. Evans, 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 two sidetracks or switches from C., C., C. & St. L. Railroad south of north line of Wabash Street, one sidetrack crossing Blake Street south of Wabash Street and the other crossing Blake Street near the center of Wabash Street and extending in Wabash Street to a point 62 feet west of Blake Street, in the City of Indianapolis, which is more specifically described as follows:

First Switch: Beginning at a point in the east side of Blake Street at a point 16 feet south of the south line of Wabash Street; thence on a curve to the right crossing the west line of Blake Street 42 feet south of the south line of Wabash Street.

Second Switch: Beginning at the east line of Blake Street at a point 26 feet north of the south line of Wabash Street, thence curving to the left crossing Blake Street and intersecting the west line of Blake Street 15 feet north of the south line of Wabash Street; thence continuing in a curve to the left, crossing the south line of Wabash Street 62 feet west of the west line of Blake 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 Blake 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 Blake Street 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 27th day of November, 1917.

EDGAR H. EVANS,
Party of the First Part.
CITY OF INDIANAPOLIS,
By E. L. ZIEGLER, 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 the Mayor :

General Ordinance No. 109, 1917. An ordinance prohibiting the use of taxicabs, jitney busses and other vehicles for immoral purposes and providing penalties against owners and drivers of all such vehicles for using or permitting the same to be used for such purposes.

SECTION 1. Be it ordained by the common Council of the City of Indianapolis, Indiana, that any owner, driver or chauffeur of any taxicab, jitney buss, or other kind of vehicle who shall knowingly use the same, or permit the same to be used as a means of aiding or promoting prostitution or illicit sexual intercourse, or aid in any way in bringing males or females together for the purpose of prostitution or illicit sexual intercourse, shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

SECTION 2. This ordinance shall take effect and be in force from and after its passage and publication, once each week, for two consecutive weeks, in a newspaper of general circulation printed in the City of Indianapolis, Indiana.

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

By President Shea (by request) :

Special Ordinance No. 24, 1917. An ordinance disannexing certain territory from the City of Indianapolis, defining a part of the boundary line of said City, and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the boundary line of the City of Indianapolis be, and the same are, hereby changed and contracted so as to exclude the following described contiguous territory now constituting and forming the City of Indianapolis, in Marion County, Indiana, and shall no longer constitute a part thereof, to-wit :

Beginning at a point at the intersection of the north line of English Avenue and the west line of Grace Street; thence south along the west line of Grace Street extended south to the south line of Pleasant Street extended west; thence east along the south line of Pleasant Street and the south line of Pleasant Street extended west to the east line of the right-of-way of the Belt Railroad Company; thence north with the east line of the right-

of-way of the Belt Railroad Company to the south line of English Avenue; thence east along the south line of English Avenue to the center line of Emerson Avenue; thence north along the center line of Emerson Avenue to the north line of the Brookville Free Gravel Road; thence northwest along the north line of the Brookville Free Gravel Road to the east line of Worcester Avenue extended north; thence north along the east line of Worcester Avenue extended north to the south line of the right-of-way of the Chicago, Indianapolis and Western Railroad Company; thence north and west along the south line of said right-of-way of said Chicago, Indianapolis and Western Railroad Company to the east line of Sherman Drive; thence south along the east line of Sherman Drive to the north bank of Pleasant Run; thence west with the north bank of Pleasant Run to the west line of Sherman Drive; thence south with the west line of Sherman Drive to the north line of English Avenue; thence west along the north line of English Avenue to the west line of Grace Street, the place of beginning.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in the *Indiana Daily Times*, a daily newspaper of general circulation, printed and published in said City of Indianapolis.

To the Mayor and Common Council of the City of Indianapolis, Indiana:

GENTLEMEN—The undersigned owners of real estate in the following described territory now in and constituting a part of the City of Indianapolis, Indiana, to-wit:

Beginning at a point at the intersection of the north line of English Avenue and the west line of Grace Street; thence south along the west line of Grace Street extended south to the south line of Pleasant Street extended west; thence east along the south line of Pleasant Street and the south line of Pleasant Street extended west to the east line of the right-of-way of the Belt Railroad Company; thence north with the east line of the right-of-way of the Belt Railroad Company to the south line of English Avenue; thence east along the south line of English Avenue to the center line of Emerson Avenue; thence north along the center line of Emerson Avenue to the north line of the Brookville Free Gravel Road; thence northwest along the north line of the Brookville Free Gravel Road to the east line of Worcester Avenue extended north; thence north along the east line of Worcester Avenue extended north to the south line of the right-of-way of the Chicago, Indianapolis and Western Railroad Company; thence north and west along the south line of the said right-of-way of said Chicago, Indianapolis and Western Railroad Company to the east line of Sherman Drive; thence south along the east line of Sherman Drive to the north bank of Pleasant Run; thence west with the north bank of Pleasant Run to the west line of Sherman Drive; thence south with the west line of Sherman Drive to the north line of English Avenue; thence west along the north line of English Avenue to the west line of Grace Street, the place of beginning; respectfully ask that said territory be disannexed from and thrown out of the City of Indianapolis.

GEORGE Q. BRUCE,
W. F. CHRISTIAN, SR.
GRACE C. WHARTON,
W. F. CHRISTIAN, JR.
WILLIAM BADER,
HERBERT F. BADER,
ELIZABETH BADER,
N. R. SHIMER.

Which was read a first time.

Mr. Porter moved that the rules be suspended and Special Ordinance No. 24, 1917, be placed upon its passage.

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

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

Noes, none.

Mr. Porter called for Special Ordinance No. 24, 1917, for second reading. It was read a second time.

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

Special Ordinance No. 24, 1917, was read a third time and passed by the following vote :

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

Noes, none.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

By Mr. Miller :

Resolution No. 13, 1917.

WHEREAS, It is the duty of the Common Council of the City of Indianapolis, Indiana, to fix the compensation of the Board of Canvassers of the City of Indianapolis, for canvassing the vote of the City election held in said City on November 6th, 1917; and to fix the compensation of the appointive members of the City Board of Registration Commissioners of the City of Indianapolis, Indiana, for registering the voters of said City for the election held in said City on November 6th, 1917; therefore, be it

RESOLVED, By the Common Council of the City of Indianapolis, Indiana, that the compensation for the Board of Canvassers composed of William H. Thompson, William W. Spencer and Thomas A. Riley, for services rendered as a canvassing board at the City election held in said City on the 6th day of November, 1917, be fixed at two hundred and fifty dollars (\$250.00) each; and that the compensation of William H. Thompson and William W. Spencer, the appointive members of the City Board of Registration Commissioners of the City of Indianapolis, Indiana, for services rendered by them as such members in registering the voters of said city for the City election held in said City on the 6th day of November, 1917, be

fixed at eight hundred dollars (\$800.00) each, and that the City Controller be and he is hereby instructed to pay the same out of the moneys appropriated for election purposes.

Which was read a first time.

Mr. Miller moved that the rules be suspended and Resolution No. 13, 1917, be placed upon its passage.

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

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

Noes, none.

Mr. Miller moved that Resolution No. 13, 1917, be adopted.

The roll was called and Resolution No. 13, 1917, was adopted by the following vote:

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

Noes, none.

By President Shea:

INDIANAPOLIS, IND., November 20, 1917.

Hon. Michael J. Shea, President of the Common Council, City Hall, City:

DEAR SIR—On November 25, 1917, under the auspices of the West Side Improvement Organization, the people of Haughville will give a big jubilee to celebrate the completion of the West Tenth Street car line, the paving of West Michigan Street, the flood prevention wall on White River and the West Tenth Street sewer.

There will be a big parade starting at Tibbs Avenue and Michigan Street, followed by speaking by the Honorable Joseph E. Bell and Charles W. Jewett at 2:30 p. m. at Centennial and Tenth Streets.

This event will be extensively advertised and if the weather is favorable we expect a large number of people. In case of bad weather a hall has been arranged for the speaking. It is our desire to have all departments of the city administration present.

The parade will be headed by a band and Mayor Bell has promised us the full support of the Police Department in the parade. Automobile service will be furnished and everything is being arranged to make this affair a grand success.

We cordially invite the members of the Common Council to be present and take part with us.

The intention is to arouse the people of this community to a realization of the great good derived by the great amount of public improvements which has been given this end of the city and to show our appreciation of the same to those to whom the credit is due.

Trusting we may have the honor of your presence in this meeting, I remain,

Very truly yours,

WEST SIDE IMPROVEMENT ORGANIZATION,

By J. L. DUVALL,

Chairman Reception Committee.

ORDINANCES ON SECOND READING.

Mr. Connor called for General Ordinance No. 102, 1917, for second reading. It was read a second time.

Mr. Connor moved that General Ordinance No. 102, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 102, 1917, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Miller called for General Ordinance No. 101, 1917, for second reading. It was read a second time.

Mr. Miller moved that General Ordinance No. 101, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 101, 1917, was read a third time and passed by the following vote:

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

Noes, none.

December 3, 1917]

CITY OF INDIANAPOLIS, IND.

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On motion of Mr. Porter, the Common Council, at 8:45 o'clock
P. M., adjourned.

Michael J. Hrea

.....
President.

ATTEST:

Thomas A. Riley

.....
City Clerk.

