

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, September 1, 1919.

The Common Council of the City of Indianapolis met in the Council Chamber Monday evening, September 1, 1919, at 7:30 o'clock in regular session, President Wm. B. Peake in the chair.

Present: The Hon. Wm. B. Peake, President of the Common Council, and eight (8) members, viz.: Messrs. Kirsch, Wilson, Miller, Schmidt, Furniss, Pettijohn, Brown and Carnefix.

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

COMMUNICATIONS FROM THE MAYOR.

Office of the Mayor, August 20, 1919.

To the President and Members of the Common Council.

Gentlemen:—I have this day signed and delivered to Mr. Geo. O. Hutsell, City Clerk, General Ordinance number sixty-nine (69).

Yours truly,

CHARLES W. JEWETT.

Office of the Mayor, August 22, 1919.

To the President and Members of the Common Council.

Gentlemen:—I have this day signed and delivered to Mr. Geo. O. Hutsell, City Clerk, General Ordinance number sixty-six (66) and Appropriation Ordinance number twenty-six (26).

Yours very truly,

CHARLES W. JEWETT.

Office of the Mayor, August 27, 1919.

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

Gentlemen:—I return herewith General Ordinance No. 64, 1919, being an ordinance to amend lines seven, eight and twenty-three of

Clause "D," Section 3, under the heading Police Department of the ordinance entitled, "An ordinance authorizing certain officers and positions in the city of Indianapolis, fixing the salaries and compensation thereof, repealing ordinances in conflict therewith, and declaring a time when same shall take effect, being General Ordinance No. 56, 1919, approved March 12, 1919, without my signature.

General Ordinance No. 64 increases the salaries of first year patrolmen from \$3.30 per day to \$3.60 per day, and patrolmen after first year from \$3.60 per day to \$4.00 per day, and each turnkey from \$3.60 per day to \$4.00 per day. I assume that the purpose of this ordinance is to increase the lower paid men of the Police Department to an amount which will give them a fair living wage under present conditions.

The question of adjusting salaries in the Police Department has been given careful consideration by the administration, and the budget for 1920 provides for such increases as are deemed necessary to insure the men of each department a fair living wage under existing conditions.

I realize that patrolmen in the Police Department and the privates in the Fire Department are confronted with an emergency which necessitates relief before the budget for the coming year will be effective. General Ordinance No. 64 does not include patrolmen assigned to plain clothes men, nor police-women who rank as patrolmen. Neither does the ordinance provide relief for the privates of the Fire Department. The same emergency confronts the members of the Fire Department and the other branches of the service receiving the same pay as patrolmen in the Police Department. I believe in justice to other members of the Police Department who are now receiving the pay of patrolmen and who are doing the same class of work, and in justice to members of the Fire Department an ordinance should be passed which gives relief to the members of each department.

Therefore, I submit for your consideration an ordinance amending Clause "D," Section 3, under the heading "Police Department," and Clause "E," Section 3, under the heading "Fire Force," which gives to all members of the Police Department ranking as patrolmen, and all members of the Fire Department ranking as privates, the increase provided in the budget for 1920, to be effective September 11, 1919.

If this ordinance is passed, it will give to patrolmen and firemen practically the same increase as General Ordinance No. 64 gives to patrolmen only.

In order that this relief may be immediate to both firemen and policemen, and that it may be effective September 11th, I recommend that the rules be suspended and the ordinance be placed upon its passage at once.

Respectfully submitted,
CHARLES W. JEWETT, Mayor.

Mr. Carnefix moved that General Ordinance No. 64, 1919, be passed over the veto of the Mayor.

Mr. Willson raised the point of order that, this not being the first meeting of the Common Council held after the ten days in which the Mayor had to approve or to veto General Ordinance No. 64, 1919, the Council could not pass said ordinance over his veto.

The President decided Mr. Willson's point of order was well taken and that Mr. Carnefix's motion was out of order.

REPORTS FROM CITY OFFICERS.

From City Controller:

Office of Finance Department, August 30, 1919.

Hon. President and Members of the Common Council, City of Indianapolis.

Gentlemen:—I hand you herewith a request from the Board of Public Safety asking for the passage of an ordinance creating the position of hostler under the Department of Public Safety and appropriating the sum of six hundred dollars (\$600.00) to the Police Barns Fund, of the Department of Public Safety, for salaries of two hostlers to take the place of two patrolmen now assigned to this work.

I submit you also, herewith, an ordinance calling for the above and recommend its passage.

Very truly yours,

ROBT. H. BRYSON,
City Controller.

Office of Board of Public Safety, August 30, 1919.

Robert H. Bryson, City Controller, City.

Dear Sir:—You are hereby requested to recommend to the Common Council, the passage of an ordinance creating the position of

hostler under the Department of Public Safety and appropriating the sum of \$600.00 to the Police Barns Fund of the Department of Public Safety for salaries of two hostlers to take the place of two patrolmen now assigned to this work.

Very truly yours,

A. L. TAGGART,
President Board of Public Safety.

Office of Board of Public Safety, August 30, 1919.

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

Gentlemen:—The Board of Public Safety has caused to be presented to your honorable body an ordinance creating the position of hostler under the Department of Public Safety and appropriating funds for salaries of same.

The purpose of this ordinance is to empower the Board of Public Safety to employ two hostlers at the Police Barns at an annual salary of \$900.00 each, thereby relieving two patrolmen who are now assigned to this work and who are very much needed for active duty on the police force. Also, it will be a saving of \$1,120.00 annually for the performance of this duty.

Therefore, the Board of Public Safety requests that your honorable body give this ordinance favorable consideration and pass the same.

Yours very truly,

GEO. W. WILLIAMS,
Clerk Board of Public Safety.

Office of Finance Department, Sept. 1, 1919.

Honorable President and Members of the Common Council.

Gentlemen:—I herewith hand you Appropriation Ordinance for the Department of Finance, appropriating the sum of one hundred ten dollars and ninety-seven cents (\$110.97) in favor of Mr. F. Weisenberger, on account of a refund regarding his license.

The ordinance is self-explanatory. I recommend the passage of this ordinance.

ROBT. H. BRYSON,
City Controller.

Office of Finance Department, August 30, 1919.

To the Honorable President and Members of the Common Council.

Gentlemen:—I hand you herewith a request from the Board of Health, asking for the passage of an ordinance, appropriating the sum of eight thousand dollars (\$8,000), to the Board of Health, for

the purpose of carrying out the provisions of General Ordinance No. 48, 1918. Owing to the conditions of the city treasury at this time, this money can not be paid until some time in October.

With this understanding, I recommend the passage of this ordinance, which is submitted herewith.

Yours very truly,

ROBT. H. BRYSON,
City Controller.

From the Board of Public Works:

Office of Board of Public Works, August 22, 1919.

Mr. Wm. B. Peake, President Common Council, Indianapolis, Ind.

Dear Sir:—I am directed by the Board of Public Works to submit for your consideration the accompanying switch contract approved by the members of the Board on August 20, 1919.

This contract is one executed by McCoy and Garten, et al, for switches across Henry, Kimball and Willard streets.

Yours truly,

W. F. CLEARY,
Clerk Board of Works.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

Indianapolis, Ind., Sept. 1, 1919.

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. 27, 1919, entitled An Ordinance appropriating the sum of fifty thousand, eight hundred eighty-one dollars and seventy-five cents (\$50,881.75) to certain funds under the Department of Public Works, 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.

LOUIS W. CARNEFIX.
RUSSELL WILLSON.
G. G. SCHMIDT.
S. A. FURNISS.

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

From the Committee on Finance:

Indianapolis, Ind., Sept. 1, 1919.

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. 28, 1919, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

LOUIS W. CARNEFIX.
RUSSELL WILLSON.
S. A. FURNISS.

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

From the Committee on Finance:

Indianapolis, Ind., Sept. 1, 1919.

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. 70, 1919, entitled An Ordinance transferring certain funds in the Department of Public Works to certain funds in the Department of Public Works, reappropriating 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.

LOUIS W. CARNEFIX.
RUSSELL WILLSON.
G. G. SCHMIDT.
S. A. FURNISS.

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

From the Committee on Finance:

Indianapolis, Ind., Sept. 1, 1919.

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

Gentlemen:—We, your Committee on Finance, to whom was re-

ferred General Ordinance No. 77, 1919, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

LOUIS W. CARNEFIX.
RUSSELL WILLSON.
G. G. SCHMIDT.
S. A. FURNISS.

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

From the Committee on Finance :

Minority Report.

Indianapolis, Ind., Sept. 1, 1919.

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. 75, 1919, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

RUSSELL WILLSON.
S. A. FURNISS.

Mr. Willson moved that the minority report of the committee be concurred in.

The Clerk called the roll and the Common Council failed to concur in the minority report of the committee by the following vote :

Ayes: 4, viz.: Messrs. Brown, Furniss, Miller and Willson.

Noes: 5, viz.: Messrs. Carnefix, Kirsch, Pettijohn, Schmidt and President Wm. B. Peake.

From the Committee on Finance :

Majority Report.

Indianapolis, Ind., Sept. 1, 1919.

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

Gentlemen:—We, your Committee on Finance, to whom was re-

ferred General Ordinance No. 75, 1919, beg leave to report that we have had said ordinance under consideration, and recommend that the same do not pass.

LOUIS W. CARNEFIX.

G. G. SCHMIDT.

O. B. PETTIJOHN.

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

The Clerk called the roll and the motion to concur in the majority report of the committee carried by the following vote:

Ayes, 5, viz.: Messrs. Carnefix, Kirsch, Pettijohn, Schmidt and President Wm. B. Peake.

Noes: 4, viz.: Messrs. Brown, Furniss, Miller and Willson.
From the Committee on Public Safety:

Indianapolis, Ind., Sept. 1, 1919.

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

Gentlemen:—We, your Committee on Public Safety, to whom was referred General Ordinance No. 67, 1919, entitled an ordinance regulating the installation, construction, alteration, maintenance and inspection of elevators and their appurtenances and enclosures within the city of Indianapolis and operators thereof, prescribing certain penalties and providing 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.

S. A. FURNISS.

J. P. BROWN.

J. E. MILLER.

LEE J. KIRSCH.

LOUIS W. CARNEFIX.

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

From the Committee on Law and Judiciary:

Indianapolis, Ind., Sept. 1, 1919.

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 General Ordinance No. 65, 1919, entitled an ordinance to amend Section 349 of General Ordinance No. 12, passed by the Common Council of the City of Indianapolis, February 23, 1917, and approved by the Mayor March 3, 1917, entitled "An Ordinance concerning the government of the City of Indianapolis, providing penalties for its violation, and with stated exceptions, repealing all former ordinances," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. E. MILLER.
J. P. BROWN.
RUSSELL WILLSON.
S. A. FURNISS.
LEE J. KIRSCH.

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

INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller:

APPROPRIATION ORDINANCE NO. 29, 1919.

An Ordinance appropriating the sum of one hundred ten dollars and ninety-seven cents (\$110.97) to the Department of Finance for the purpose of refunding the same to F. Weisenberger on account of a certain retail liquor license, and declaring a time when the same shall take effect.

Whereas, On the 5th day of February, 1917, F. Weisenberger filed an application for renewal of a retail liquor dealer's license with the county commissioners of Marion county to operate a saloon at No. 1214 East Michigan street, in the city of Indianapolis, Indiana, and, whereas a remonstrance was filed against the granting of said license, which said remonstrance was on the 5th day of February, 1917, by said county commissioners held to be invalid and said board did then and there grant said Weisenberger a renewal of said license. And, whereas, the remonstrators took an appeal from the granting of said license to the Marion Superior Court, which appeal was venued to the Johnson County Circuit Court, which said last court on the 14th day of November, 1917, reversed the decision of said county com-

missioners of Marion county and held said remonstrance to be valid and, whereas, on the 16th day of November, 1917, said Weisenberger ceased to operate his said saloon under said license and whereas, there were eighty one days remaining under said license, which said Weisenberger had paid for on February 5th, 1917, Now therefore be it ordained by the common council of the city of Indianapolis, Indiana.

Section 1. That there be and is hereby appropriated to the Department of Finance the sums of One Hundred ten dollars ninety seven cents (\$110.97), for the purpose of paying to F. Weisenberger, said amount on account of said unexpired eighty one days under said liquor license as set forth heretofore in this Ordinance.

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. 30, 1919.

An Ordinance, appropriating the sum of Eight Thousand Dollars (\$8,000.00) to the Department of Public Health and Charities of the City of Indianapolis for the purpose of carrying out the provisions of General Ordinance No. 48, 1918, and fixing a time when the same shall take effect.

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

Section 1. That there be and is hereby appropriated the sum of Eight Thousand Dollars (\$8,000.00) to the Department of Public Health and Charities of the City of Indianapolis for the purpose of carrying out the provisions of General Ordinance No. 48, 1918.

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

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By City Controller:

GENERAL ORDINANCE NO. 78, 1919.

An Ordinance, Creating the position of hostler under the Department of Public Safety, fixing the salary thereof, appropriating the sum of Six Hundred Dollars (\$600.00), to the Police Barns Fund

of the Department of Public Safety and declaring a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be and is hereby created the position of hostler under the Department of Public Safety of the City of Indianapolis, Indiana; the Board of Public Safety is hereby authorized to employ two such hostlers; such hostlers shall be employed by the Department of Public Safety for services at the police barn of the Police Department in the City of Indianapolis. The salary of such hostlers shall be and is hereby fixed at the rate of Seventy-five Dollars per month each.

Section 2. That there be and is hereby appropriated to the Police Barns Fund of the Department of Public Safety the sum of Six Hundred Dollars (\$600.00).

Section 3. This ordinance shall be in full force and effect from and after its passage.

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

By Board of Public Works:

SWITCH CONTRACT.

Whereas, heretofore, to-wit: on the 23rd day of July, 1919, McCoy & Garten, Frank M. Talbot, E. C. Atkins & Co., by its treasurer, Samuel Falender, Julius Falender, Harry A. Kahn, Edward A. Kahn, Nathan A. Kahn, Harry Epstein and William Epstein, filed his petition before the Board of Public Works of the City of Indianapolis, as follows:

General Ordinance No. 79, 1919. An ordinance approving a certain contract granting the right to lay and maintain a sidetrack or switch from according to blue print attached, in the City of Indianapolis, Indiana,

PETITION.

To Board of Public Works, City of Indianapolis.

Gentlemen—We petition your Honorable Board to grant us the right to lay and maintain side tracks or switches on, over and across the following streets and alleys in the City of Indianapolis, Indiana: First, the alley extending south from Henry Street to Merrill Street and lying between Capitol Avenue and Willard Street; Second, Willard Street; Third, Henry Street; Fourth, Empire Street; and, Fifth, the alley extending south from South Street to Henry Street and lying between Capitol Avenue and Willard Street; and which said

side tracks or switches are more fully described and set out as follows:

Track No. 1. Beginning at end of an existing track on west side of Capitol Avenue approximately 143 feet north of north line of Merrill Street, and continuing on a twenty three (23) degree and twenty (20) minute curve to the left one hundred ten (110) feet thence on tangent to above curve forty three (43) feet crossing east line of alley between Merrill and Henry Streets at a point approximately one hundred seventy three (173) feet south of south line of Henry Street, and crossing the west line of same alley at a point approximately one hundred sixty six (166) feet south of south line of Henry Street; thence on a twenty four (24) degree curve to the right two hundred (200) feet; thence on tangent to last described curve four hundred eighteen (418) feet crossing Henry and Empire Streets at a point approximately one hundred ninety eight (198) feet west of west line of Capitol Avenue.

Track No. 2. Beginning on track No. 1 as described above at a point nineteen (19) feet north of north line of Henry Street and continuing on a sixteen (16) degree and fifty four (54) minute curve to the left ninety three (93) feet crossing east line of alley between Henry and South Streets at a point approximately seventy four (74) feet north of North line of Henry Street; thence on a sixteen (16) degree and fifty four (54) minute curve to the right ninety three (93) feet crossing alley between Henry and South Streets at a point twenty-three (23) feet south of south line of Empire Street and crossing Empire Street approximately five (5) feet west of west line of above alley; thence on tangent to last described curve one hundred eighty-four (184) feet.

Track No. 3. Beginning on track No. 2 as described above at a point two (2) feet north of north line of Empire Street and extending in a southerly direction parallel to Willard Street, five hundred fifty (550) feet; across Empire and Henry Streets at points approximately six (6) feet west of west line of alley between Henry and South streets and extending along Willard Street at a distance of eight (8) feet from west line of said street to the north line of Merrill Street.

Track No. 4. Beginning on track No. 1 as described above at a point ten (10) feet north of south line of Henry Street; thence extending southward in Willard Street parallel to and at a distance of seven (7) feet from east line of Willard Street four hundred nineteen (419) feet to the north line of Merrill Street.

Track N. 5. A crossover in Willard Street between tracks Nos. 3 and 4 as described above, beginning in track No. 4 at a point fifty

(50) feet south of south line of Henry Street and ending in track No. 3 at a point two hundred twenty-three (223) feet south of south line of Henry Street.

The blue prints hereto attached are hereby made a part of this description.

McCOY & GARTEN.
• FRANK M. TALBOTT.
E. C. ATKINS & CO.
by F. C. GARDNER, Treas.
SAMUEL FALENDER.
JULIUS FALENDER.
HARRY A. KAHN.
EDWARD A. KAHN.
NATHAN A. KAHN.
HARRY EPSTEIN.
WM. EPSTEIN.

Now, Therefore, This agreement made and entered into this day of 191 , by and between McCoy & Garten, Frank M. Talbot, E. C. Atkins & Co, Samuel Falender, Julius Falender, Harry A. Kahn, Edward A. Kahn, Nathan A. Kahn, Harry Epstein and William Epstein, all 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, on, over and across (1) alley extending from Henry St. to Merrill St. and lying between Capitol Ave. and Willard St.; (2) Willard Street; (3) Henry Street; (4) Empire Street; and (5) alley extending from South St. to Henry Street and lying between Capitol Avenue and Willard Street, in the City of Indianapolis, which is more specifically described as follows:

Track No. 1. Beginning at end of an existing track on west side of Capitol Avenue approximately 143 feet north of north line of Merrill Street, and continuing on a twenty-three (23) degree and twenty (20) minute curve to the left one hundred ten (110) feet, thence on tangent to above curve forty-three (43) feet crossing east line of alley between Merrill and Henry Streets at a point approximately one hundred seventy-three (173) feet south of south line of Henry Street, and crossing the west line of same alley at a point approximately one hundred sixty-six (166) feet south of south line of Henry Street; thence on a twenty-four (24) degree curve to the right two hundred (200) feet; thence on tangent to last described curve four hundred eighteen (418) feet crossing Henry and Empire Streets at a point

approximately one hundred ninety eight (198) feet west of west line of Capitol Avenue.

Track No. 2. Beginning on track No. 1 as described above at a point nineteen (19) feet north of north line of Henry Street and continuing on a sixteen (16) degree and fifty-four (54) minute curve to the left ninety-three (93) feet crossing east line of alley between Henry and South Streets at a point approximately seventy-four (74) feet north of North line of Henry Street; thence on a sixteen (16) degree and fifty-four (54) minute curve to the right ninety-three (93) feet crossing alley between Henry and South Streets at a point twenty-three (23) feet south of south line of Empire Street and crossing Empire Street approximately five (5) feet west of west line of above alley; thence on tangent to last described curve one hundred eighty-four (184) feet.

Track No. 3. Beginning on track No. 2 as described above at a point two (2) feet north of north line of Empire Street and extending in a southerly direction parallel to Willard Street, five hundred fifty (550) feet; across Empire and Henry Streets at points approximately six (6) feet west of west line of alley between Henry and South Streets and extending along Willard Street at a distance of eight (8) feet from west line of said street to the north line of Merrill Street.

Track No. 4. Beginning on track No. 1 as described above at a point ten (10) feet north of south line of Henry Street; thence extending southward in Willard Street parallel to and at a distance of seven (7) feet from east line of Willard Street four hundred nineteen (419) feet to the north line of Merrill Street.

Track No. 5. A crossover in Willard Street between tracks Nos. 3 and 4 as described above, beginning in track No. 4 at a point fifty (50) feet south of south line of Henry Street and ending in track No. 3 at a point two hundred twenty-three (223) feet south of south line of Henry Street.

The blue prints hereto attached are hereby made a part of this description.

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: (1a) That said tracks will be constructed and completed within one year from the date of this contract.

(1) They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all

times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

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

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

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

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

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

to pay all necessary expenses that may be incurred by said city in defending against any such claims.

(7) Any 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 sidetack or switch across (1) Alley from Henry Street to Merrill Street between Capitol Ave. and Willard Street; (2) Willard Street; (3) Henry Street; (4) Empire Street; and (5) alley from South Street to Henry St. between Capitol Ave. and Willard St. 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 23rd day of July, 1919,

HARRY EPSTEIN.
 WM. EPSTEIN.
 MCCOY & GARTEN.
 HARRY A. KAHN.
 EDWARD KAHN.
 NATHAN KAHN.
 E. C. ATKINS & CO.
 W. F. C. GARDNER, Treas.
 SAMUEL FALENDER.
 JULIUS FALENDER.
 F. M. TALBOT.

CITY OF INDIANAPOLIS,

MARK H. MILLER.
 THOMAS A. RILEY.
 Board of Public Works,
 Party of the Second Part.

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

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

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. Carnefix:

GENERAL ORDINANCE NO. 80, 1919.

An Ordinance, Amending parts of Section 3 of General Ordinance No. 56, for the year 1919, and providing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that subdivision (d), Police Department, of Section 3 of General Ordinance No. 56, for the year 1919, be and the same is hereby amended to read as follows:

(d) Police Department.

Chief of Police—Four Thousand dollars per year.

Secretary to the Chief—Fifteen hundred dollars per year.

Each Captain—Two Thousand Eighty-eight dollars per year.

Each Lieutenant—Eighteen Hundred dollars per year.

Each Sergeant—One Thousand Five Hundred Eighty-four dollars per year.

Each Patrolman, first year—One Thousand Three Hundred and Fourteen dollars per year.

Each Patrolman, after first year—One Thousand Four Hundred and sixty dollars per year.

Each City Prison Matron—Thirteen Hundred and Twenty dollars per year.

Each Police Matron, first year—One Thousand Three Hundred fourteen dollars per year.

Each Police Matron, after first year—One Thousand Four Hundred sixty dollars per year.

Each Bicycle Policeman—Four dollars and Twenty cents per day.

Each Plain Clothes Man—One Thousand Four Hundred Sixty dollars per year.

Each Traffic Man—Four dollars and Twenty cents per day.

Police Officer Assigned to Board of Children's Guardians—Seven Hundred Ninety-two dollars per year.

Each Humane Officer—One Thousand Five Hundred Eighty-four dollars per year.

Bertillion Clerk—One Thousand Five Hundred Eighty-four dollars per year.

Each Turnkey—One Thousand Four Hundred sixty dollars per year.

Custodian Police Station—Four dollars and Twenty cents per day.

Each Janitor at Police Station—Seventy dollars per month.

Each Gamewell Operator at Police Station—Three dollars and sixty cents per day.

Each Desk Sergeant at Police Station—One Thousand Five Hundred Eighty-four dollars per year.

Surgeon, Police and Fire Departments—One Thousand Four Hundred Forty dollars per year.

Assistant Surgeon, Police and Fire Departments—Eight Hundred Sixty-four dollars per year.

Each Wagonman and Chauffeur at Police Station—Fifteen Hundred dollars per year.

Bailiff of the City Court—Eleven Hundred Eighty-four dollars per year.

Each Safety Zone Repair Man—Three dollars per day.

Each Painter, Safety Zone—Three dollars per day.

Section 2. That subdivision (e), Fire Force, of Section 3 of General Ordinance No. 56, for the year 1919, be and the same is hereby amended to read as follows:

(e) Fire Force.

Chief of the Fire Force—Three Thousand Eight Hundred Forty dollars per year.

First Assistant Chief—Two Thousand Five Hundred Twenty dollars per year.

Each Battalion Chief—Two Thousand Eighty-eight dollars (\$2,088.00) per year.

Chief Clerk—One Thousand Five Hundred dollars per year.

Superintendent of Fire Alarm Telegraph—Two Thousand dollars per year.

Assistant Superintendent of Fire Alarm Telegraph—One Thousand Six Hundred Forty-two dollars and fifty cents per year.

Captains and Fire Inspectors, each—One Thousand Five Hundred and eighty-four dollars per year.

Lieutenants, Engineers, Chauffers, Electricians—Four dollars and two cents per day.

Fireman, first grade, after serving one year from regular appointment as a private—One Thousand Four hundred and sixty dollars per year.

Firemen, second grade, for first year after appointment as a private One thousand three hundred fourteen dollars per year.

Substitute firemen, each—Twelve hundred dollars per year.

Cable Splicer—Four dollars and twenty cents per day.

Veterinary Surgeon—Seventy-two dollars per month.

Section 3. The City Controller and City Treasurer of the City of Indianapolis are hereby authorized to apply to the payment of salaries to the persons and at the rates named in sections one and two of this ordinance, the unexpended balances of appropriations heretofore made and now available for the payment of salaries of such persons.

Section 4. This ordinance shall be in full force and effect on and after the 11th day of September, 1919, and until and including the thirty-first day of December, 1919.

Which was read a first time.

Mr. Carnefix moved that the rules be suspended and General Ordinance No. 80, 1919, be placed upon its passage.

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

Ayes, 8, viz.: Messrs. Carnefix, Furniss, Kirsch, Miller, Pettijohn, Schmidt, Willson and President Wm. B. Peake.

Noes, 1, viz.: Mr. Brown.

President Peake referred General Ordinance No. 80, 1919, to the Finance Committee.

By Mr. Furniss:

GENERAL ORDINANCE NO. 81, 1919.

An ordinance to amend clause 1 of section 5 of "An ordinance regulating vehicle traffic, providing for the rate of speed of street cars, establishing certain rules and regulations for vehicles, street cars and the operators thereof, and pedestrians, providing certain penalties for the violation thereof, and declaring a time when the same shall take effect," known as the "Traffic Ordinance."

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

Section 1. That clause 1 of section 5 of an ordinance regulating vehicle traffic, providing for the rate of speed of street cars, establishing certain rules and regulations for vehicles, street cars and the operators thereof, and pedestrians, providing certain penalties for the violation thereof, and declaring a time when the same shall take effect, approved August 8, 1919, being General Ordinance number 37, 1919, known as the "Traffic Ordinance," be and the same is hereby amended by adding at the end of said clause 1 the following: "except that on both sides of Capitol Avenue between the South line of New York Street and

the North line of Walnut Street all vehicles shall be parked at an angle of thirty degrees (30°) to the curb" so that said clause 1 of section 5 of said ordinance shall read as follows:

"(1) All vehicles within such city outside the congested district shall be parked flat against the right-hand curb within six (6) inches thereof unless otherwise herein provided, except that on both sides of Capitol Avenue between the South line of New York Street and the North line of Walnut Street all vehicles shall be parked at an angle of thirty degrees (30°) to the curb."

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

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

ORDINANCES ON SECOND READING.

Mr. Carnefix called for General Ordinance No. 70, 1919, for second reading. It was read a second time.

Mr. Carnefix moved that General Ordinance No. 70, 1919, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 70, 1919, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Pettijohn, Schmidt, Willson and President Wm. B. Peake.

Mr. Carnefix called for General Ordinance No. 77, 1919, for second reading. It was read a second time.

Mr. Carnefix moved that General Ordinance No. 77, 1919, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 77, 1919, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Pettijohn, Schmidt, Willson and President Wm. B. Peake.

Mr. Carnefix called for General Ordinance No. 75, 1919, for second reading. It was read a second time.

Mr. Carnefix moved that General Ordinance No. 75, 1919, be stricken from the files.

The roll was called and General Ordinance No. 75, 1919, was stricken from the files by the following vote:

Ayes, 6, viz.: Messrs. Brown, Carnefix, Kirsch, Pettijohn, Schmidt and President Wm. B. Peake.

Noes, 3, viz.: Messrs. Furniss, Miller and Willson.

Mr. Carnefix called for Appropriation Ordinance No. 27, 1919, for second reading. It was read a second time.

Mr. Carnefix moved that Appropriation Ordinance No. 27, 1919, be ordered engrossed, read a third time, and placed upon its passage. Carried.

Appropriation Ordinance No. 27, 1919, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Pettijohn, Schmidt, Willson and President Wm. B. Peake.

Mr. Carnefix called for Appropriation Ordinance No. 28, 1919, for second reading. It was read a second time.

Mr. Carnefix moved that Appropriation Ordinance No. 28, 1919, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 28, 1919, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Pettijohn, Schmidt, Willson and President Wm. B. Peake.

Mr. Furniss called for General Ordinance No. 67, 1919, for second reading. It was read a second time.

Mr. Furniss moved that General Ordinance No. 67, 1919, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 67, 1919, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Pettijohn, Schmidt, Willson and President Wm. B. Peake.

Mr. Miller called for General Ordinance No. 65, 1919, for second reading. It was read a second time.

Mr. Miller moved that General Ordinance No. 65, 1919, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 65, 1919, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Pettijohn, Schmidt, Willson and President Wm. B. Peake.

By unanimous consent the Council referred back to Introduction of Appropriation Ordinances.

Mr. Schmidt moved that the rules be suspended and Appropriation Ordinance No. 30, 1919, be placed upon its passage.

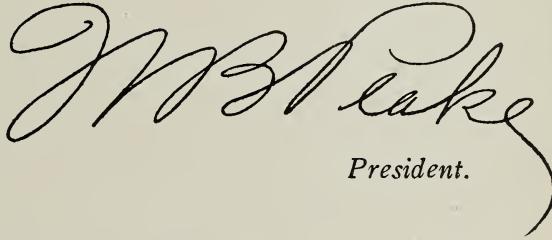
The roll was called and the motion to suspend the rules failed to carry by the following vote:

Ayes, 8, viz.: Messrs. Carnefix, Furniss, Kirsch, Miller, Pettijohn, Schmidt, Willson and President Wm. B. Peake.

Noes, 1, viz.: Mr. Brown.

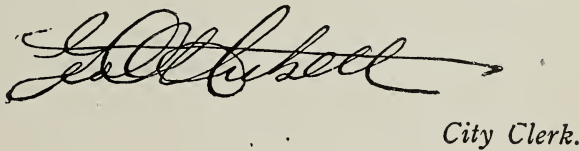
President Peake announced that he would call a special meeting of the Common Council, to be held Tuesday, September 2, 1919, at 2 o'clock p. m., for further consideration of General Ordinance No. 80, 1919, and Appropriation Ordinance No. 30, 1919.

On motion of Mr. Furniss the Common Council at 9:50 o'clock p. m., adjourned.



W. B. Peake
President.

Attest:



[Signature]
City Clerk.