

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.,

MONDAY, October 16, 1916.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, October 16, 1916, at 7:30 o'clock in regular session, President Edward P. Barry in the chair.

Present: The Hon. Edward P. Barry, President of the Common Council, and 7 members, viz.: Messrs. Young, Miller, Porter, Lee, Connor, Graham and Shea.

Absent, 1, viz.: Mr. McGuff.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., October 6, 1916.

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

GENTLEMEN—I have approved and signed the following ordinances:

1. Appropriation Ordinance No. 31, 1916, the same being an ordinance entitled, "An ordinance appropriating the sum of five hundred and one (\$501) dollars to and for the use of the Department of Finance, to be paid by them to Charles H. Lepper."

2. Appropriation Ordinance No. 32, 1916, the same being an ordinance entitled, "An ordinance appropriating three thousand five hundred and eighty-eight and 75/100 (\$3,588.75) dollars to the Department of Public Works for paving of West Washington Street bridge, and fixing a time when the same shall take effect."

3. General Ordinance No. 53, 1916, the same being an ordinance entitled, "An ordinance providing for the employment of two lawyers to act in conjunction with the Department of Law in preparing bills to be presented to the next Indiana General Assembly, and appropriating money to pay said lawyers."

4. General Ordinance No. 56, 1916, the same being an ordinance entitled, "An ordinance transferring funds of the Department of Public

Works, re-appropriating the same, and fixing a time when this ordinance shall take effect."

I return the said ordinances herewith.

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

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., October 6, 1916.

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

GENTLEMEN—I have approved and signed General Ordinance No. 51, 1916, the same being an ordinance entitled, "An ordinance approving a certain contract granting the right to lay and maintain a sidetrack or switch across the first alley southeast of Ludlow Avenue, according to blue print attached, in the City of Indianapolis, Indiana."

I return the said ordinance herewith.

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

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., October 11, 1916.

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

GENTLEMEN—I have approved and signed General Ordinance No. 61, 1916, the same being an ordinance entitled, "An ordinance authorizing the City Controller to make a temporary loan of one hundred thousand (\$100,000) dollars in anticipation of current revenues, appropriating one hundred and one thousand (\$101,000) dollars for payment of same, and fixing the time when the same shall take effect."

I return the said ordinance herewith.

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

REPORTS FROM CITY OFFICERS.

From the Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., October 16, 1916.

To the Honorable Common Council, City of Indianapolis:

GENTLEMEN—I am directed by the Board of Public Works to submit for your consideration and approval the following ordinances:

An ordinance approving a certain contract granting to John Hohn the right to lay and maintain a sidetrack or switch from westward main track of Belt Railroad of Indianapolis Union Railway Company across Brightwood Avenue, between Eleventh and Thirteenth Streets, as more fully shown in accompanying blue print;

An ordinance authorizing the permanent improvement of the roadway of Terrace Avenue, from the east property line of East Street to the west property line of Wright Street, as provided for under Improvement Resolution No. 8644; and

An ordinance authorizing the widening and permanent improvement of the roadway of Meridian Street, from the north curb line of St. Clair Street to a point eight feet north of the north property line of Tenth Street, as provided for under Improvement Resolution No. 8640.

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

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

INDIANAPOLIS, IND., October 16, 1916.

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

GENTLEMEN—We, your Committee on Finance, to whom was referred General Ordinance No. 57, 1916, entitled "An ordinance transferring funds of the Department of Public Works, re-appropriating the same, and fixing a time when this ordinance shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

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

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

From the Committee on Finance:

INDIANAPOLIS, IND., October 16, 1916.

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

GENTLEMEN—We, your Committee on Finance, to whom was referred General Ordinance No. 58, 1916, entitled "An ordinance transferring funds of the Department of Public Safety, re-appropriating the same, and fixing

a time when this ordinance shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

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

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

From the Committee on Public Works:

INDIANAPOLIS, IND., October 16, 1916.

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. 52, 1916, entitled "An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Southern Avenue from east property line of Shelby Street to west property line of Boyd Avenue, by grading and graveling the roadway and grading the walks, as provided for under Improvement Resolution No. 8583, adopted August 2, 1916," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

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

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

From the Committee on Public Works:

INDIANAPOLIS, IND., October 13, 1916.

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. 60, 1916, entitled "An ordinance making it unlawful to sell goods, wares or merchandise through the use of coupons, without a license," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

JOHN F. CONNOR,
FRANK GRAHAM,
W. T. YOUNG,
THOMAS C. LEE,

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

From the Committee on Public Works:

INDIANAPOLIS, IND., October 13, 1916.

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 Special Ordinance No. 12, 1916, entitled "An ordinance changing the name of Kensington Street to Ridgeview Drive," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

JOHN F. CONNOR,
FRANK GRAHAM,
W. T. YOUNG,
THOMAS C. LEE,

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

From the Committee on Public Works:

INDIANAPOLIS, IND., October 13, 1916.

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 Special Ordinance No. 13, 1916, entitled "An ordinance changing the name of Eldridge Street to Kenmore Road," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

JOHN F. CONNOR,
FRANK GRAHAM,
W. T. YOUNG,
THOMAS C. LEE,

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

From the Committee on Public Safety:

INDIANAPOLIS, IND., October 13, 1916.

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

GENTLEMEN—We, your Committee on Public Safety, to whom was referred General Ordinance No. 59, 1916, entitled "An ordinance providing

for the destruction of confiscated weights and measures, and for the sale of the junk obtained from such weights and measures by the Chief Inspector of Weights and Measures," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

THOMAS C. LEE,
ED MCGUFF,
FRANK GRAHAM,
JOHN F. CONNOR,

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By the Board of Public Works:

SWITCH CONTRACT.

General Ordinance No. 62, 1916: An ordinance approving a certain contract granting to John Hohn the right to lay and maintain a sidetrack or switch from westward main track of Belt Railroad of Indianapolis Union Railway Co. across Brightwood Avenue to his property between 11th and 13th Sts., according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: on the-----day of -----, 191---, John Hohn filed his petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION.

To the Board of Public Works, City of Indianapolis:

GENTLEMEN—The undersigned respectfully petitions the Board of Public Works to grant permission to lay and maintain a side track or switch from the western main track to the Belt Railroad of the Indianapolis Union Railway Company across Brightwood Avenue, between 11th and 13th Streets, as shown in plat herewith attached.

JOHN HOHN.

NOW, THEREFORE, This agreement, made and entered into this 16th day of October, 1916, by and between John Hohn, of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

WITNESSETH, That the party of the first part, being desirous of securing a right of way for a sidetrack or switch from the westward main track of the Belt Railroad of the Indianapolis Union Railway Company across Brightwood Avenue to his property between Eleventh and Thirteenth Streets, in the City of Indianapolis, which is more specifically described as follows: Said track to leave the westward main track of the Belt Railroad at a point about two hundred (200) feet north of the north line of East Tenth Street and thence running in a northerly and westerly direction across Brightwood Avenue and onto lots 22 to 32, inclusive, Haas' East Tenth Street Addition to the City of Indianapolis as shown on blue print hereto attached, 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 Brightwood Avenue 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 side-track or switch across Brightwood Avenue, 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-----
day of-----, 191---

JOHN HOHN,
Party of the First Part.

Witness :
CHAS. A. BROWN.

CITY OF INDIANAPOLIS.
By-----President
E. L. ZIEGLER,
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 Board of Public Works :

General Ordinance No. 63, 1916. An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Meridian Street from the north curb line of St. Clair Street to a point 8 feet north of north property line of Tenth Street by paving the roadway with wooden block, asphalt, bituminous concrete or brick, and curbing same, as provided for under Improvement Resolution No. 8640, adopted on the 1st day of September, 1916.

WHEREAS, The Board of Public Works of the City of Indianapolis, did on the 1st day of September, 1916, adopt Improvement Resolution No. 8640, for the improvement of Meridian Street from the north curb line of St. Clair Street to a point 8 feet north of north property line of Tenth Street, by paving the roadway with wooden block, asphalt, bituminous concrete or brick, and curbing same; and

WHEREAS, The said Board of Public Works did at the same time fix September 25, 1916, 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 6th day of September, 1916, and the 13th day of September, 1916, 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 25th day of September, the board having met in regular session, took final action on said improvement resolution, the same being confirmed without modification; and

WHEREAS, On the 4th day of October, 1916, a written remonstrance of a majority of the resident property owners was filed with the Board of Public Works against said improvement, being signed by 8 out of 11 resident property owners; and

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

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, that the Board of Public Works of the City of Indianapolis be and are hereby ordered to improve Meridian Street from the north curb line of St. Clair Street to a point 8 feet north of north property line of Tenth Street by paving the roadway with wooden block, asphalt, bituminous concrete or brick, and curbing same, under Improvement Resolution No. 8640, adopted by the Board of Public Works on the 1st day of September, 1916.

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 Board of Public Works:

General Ordinance No. 64, 1916. An ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Terrace Avenue from the east property line of East Street to the west property line of Wright Street by paving the roadway with wooden block, asphalt, bituminous concrete or brick, as provided for under Improvement Resolution No. 8644, adopted by the Board on September 1, 1916.

WHEREAS, The Board of Public Works of the City of Indianapolis, did on the 1st day of September, 1916, adopt Improvement Resolution No. 8644, for the improvement of Terrace Avenue from the east property line of East Street to the west property line of Wright Street by paving the roadway with wooden block, asphalt, bituminous concrete or brick; and

WHEREAS, The said Board of Public Works did at the same time fix September 25, 1916, 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 6th day of September and on the 13th day of September, 1916, 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 25th day of September, 1916, the Board having met in regular session, took final action on said resolution, the same being confirmed without modification; and

WHEREAS, On the 3rd day of October, 1916, a written remonstrance of a majority of the resident property owners was filed with the Board of Public Works against said improvement, there being 43 resident property owners, 27 of whom signed the remonstrance; and

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

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, that the Board of Public Works of the City of Indianapolis be and are hereby ordered to improve Terrace Avenue from the east property line of East Street to the west property line of Wright Street by paving the roadway with wooden block, asphalt, bituminous concrete or brick, under Improvement Resolution No. 8644, adopted by the Board of Public Works on the 1st day of September, 1916.

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.

ORDINANCES ON SECOND READING.

Mr. Porter called for General Ordinance No. 57, 1916, for second reading. It was read a second time.

Mr. Porter moved that General Ordinance No. 57, 1916, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 57, 1916, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Porter called for General Ordinance No. 58, 1916, for second reading. It was read a second time.

Mr. Porter moved that General Ordinance No. 58, 1916, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 58, 1916, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Connor called for Special Ordinance No. 12, 1916, for second reading. It was read a second time.

Mr. Connor moved that Special Ordinance No. 12, 1916, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 12, 1916, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Connor called for Special Ordinance No. 13, 1916, for second reading. It was read a second time.

Mr. Connor moved that Special Ordinance No. 13, 1916, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 13, 1916, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Connor called for General Ordinance No. 52, 1916, for second reading. It was read a second time.

Mr. Connor moved that General Ordinance No. 52, 1916, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 52, 1916, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Connor called for General Ordinance No. 60, 1916, for second reading. It was read a second time.

Mr. Connor moved that General Ordinance No. 60, 1916, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 60, 1916, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Lee called for General Ordinance No. 59, 1916, for second reading. It was read a second time.

Mr. Lee moved that General Ordinance No. 59, 1916, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 59, 1916, was read a third time and passed by the following vote:

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

Noes, none.

Mr. Connor moved that the Common Council form a committee of the whole Council to consider the codification ordinance. Carried.

On motion of Mr. Porter, the Common Council, at 8:30 o'clock P. M., adjourned.

.....
Edward P. Barry
President.

ATTEST: *Thomas A. Wiley*
.....
City Clerk.

