

## REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, October 16, 1911.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, October 16, 1911, at 7:30 o'clock, in regular session, President John Blumberg in the chair.

Present: The Hon. John Blumberg, President of the Common Council, and 7 members, viz: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen and Troy.

Absent, 1, viz.: Mr. Stilz.

## MINUTES CORRECTED.

Mr. Owen moved that the minutes of the last regular meeting be corrected to show that the motion made to take up General Ordinance No. 44, 1911, as shown on page 482 of the printed proceedings be made to read as follows:

MR. PRESIDENT: I move that the rules be suspended and General Ordinance No. 44, 1911, be returned to the Council in the same position that it was when it was stricken from the files, for the further consideration of the Council.

FRED OWEN.

Which motion carried.

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

## COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., October 4, 1911.

*To the President and Members of the Common Council:*

GENTLEMEN: I return herewith with my approval General Ordinance No. 52, 1911, same being an ordinance approving and authorizing the sale of certain personal property by the Board of Public Works of the City of Indianapolis, Ind.

I have the honor to remain,

Very truly yours,

S. L. SHANK,  
*Mayor City of Indianapolis.*

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., October 4, 1911.

*To the President and Members of the Common Council:*

GENTLEMEN: I return herewith without my approval, General Ordinance No. 67, 1910. My reason for vetoing this ordinance is because, while personally I am in favor of a city garage the plan of establishing one is not feasible unless the city buys ground and erects a building. I have investigated this matter thoroughly and find the rent for a suitable building and the cost of equipment for the same would be too great. I do not deem it advisable to put this additional burden upon the taxpayers of the city.

I have the honor to remain,

Very truly yours,

S. L. SHANK,  
*Mayor City of Indianapolis.*

Mr. Denny moved that General Ordinance No. 67, 1910, be passed over the veto of the Mayor.

The roll was called and the motion failed to carry for want of a two-thirds vote of the Council:

Ayes, 4, viz.: Messrs. Johnson, Rubens, Denny and Troy.

Noes, 4, viz.: Messrs. McCarthy, Copeland, Owen and President John Blumberg.

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., October 9, 1911.

*To the President and Members of the Common Council:*

GENTLEMEN: I return herewith with my approval the following ordinances:

Appropriation Ordinance No. 75, 1911, being an ordinance appropriating moneys for the purpose of defraying current expenses of the city government of the City of Indianapolis, Indiana, and for the use of the several executive departments thereof, for the fiscal year beginning January 1, 1912, and ending December, 1912, including all outstanding claims and obligations, and fixing a time when the same shall take effect.

Appropriation Ordinance No. 76, 1911, being an ordinance appropriating the sum of \$250.00 to and for the use of the Department of Public Works and fixing a time when the same shall take effect.

Appropriation Ordinance No. 78, 1911, being an ordinance appropriating the sum of \$4,000.00 to and for the use of the Department of Public Works, and fixing a time when the same shall take effect.

Appropriation Ordinance No. 79, 1911, being an ordinance appropriating the sum of \$1,200.00 to and for the use of the Department of Public Works and fixing a time when the same shall take effect.

General Ordinance No. 53, 1911, being an ordinance providing for the transfer of \$500.00 from a certain fund to a certain fund in and for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

General Ordinance No. 54, 1911, being an ordinance providing for the transfer of \$1,800 from a certain fund to a certain fund in and for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

General Ordinance No. 55, 1911, being an ordinance ordering and directing the levy of an annual tax and fixing the rate of levy, or levies, and taxation for the City of Indianapolis, for the year 1912, and fixing the time when the same shall take effect.

I have the honor to remain,

Very truly yours,

S. L. SHANK,  
*Mayor City of Indianapolis.*

REPORTS FROM CITY OFFICERS.

From City Clerk:

CITY OF INDIANAPOLIS,  
OFFICE OF THE CITY CLERK.  
INDIANAPOLIS, IND., October 16, 1911.

*To the President and Members of the Common Council of the City of Indianapolis.*

GENTLEMEN: I hereby submit for your information the following requests for opinions from the Legal Department, together with the

opinions received from the Legal Department on General Ordinance No. 55, and Appropriation Ordinance No. 75, which were up for consideration and final action at the last regular meeting held on Monday, October 2, 1911.

In accordance with these opinions I have presented said Ordinances to the Mayor as provided by law.

Yours respectfully,

EDWARD A. RAMSAY,  
*City Clerk.*

INDIANAPOLIS, IND., October 4, 1911.

*Joseph B. Keating, Corporation Counsel, City:*

DEAR SIR: Please give me an opinion as to the amount of the levies for general purposes, and Park fund, in General Ordinance No. 55, as finally amended and passed by the Common Council at the regular meeting Monday evening, October 2, 1911.

Yours respectfully,

EDWARD A. RAMSAY,  
*City Clerk.*

DEPARTMENT OF LAW,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., October 5, 1911.

*Hon. Edward A. Ramsay, City Clerk:*

DEAR SIR: YOUR communication with reference to General Ordinance No. 55, fixing the tax levy for the ensuing year, received. Upon examination of the certified copy of the Council proceedings of the regular meeting of Monday, October 2, 1911, furnished to me by you, I beg leave to advise that in my opinion General Ordinance No. 55, as amended by substituting 72c for 74c for general purposes, and 7c for 5c for park levy, was legally passed by the Council, and that the levy for general purposes is 72c and for the Park Board 7c. The tax levy for the ensuing year, according to the proceedings of the Common Council, will be as follows:

General city purposes.....	72c
Track elevation .....	6c
Sinking fund .....	5c
Park Board fund.....	7c
School health fund.....	½c
Firemen pension fund.....	1c
Police pension fund.....	1c
Recreation fund .....	½c

Respectfully yours,

JOSEPH B. KEALING,  
*Corporation Counsel.*

INDIANAPOLIS, IND., October 4, 1911.

*Joseph B. Keating, Corporation Counsel, City:*

DEAR SIR: Please give me an opinion as to the present status and my duties regarding Appropriation Ordinance No. 75 (The Budget)

which was up for consideration and final action by the Common Council of the City of Indianapolis at the regular meeting Monday evening, October 2, 1911.

Yours respectfully,

EDWARD A. RAMSAY,  
*City Clerk.*

DEPARTMENT OF LAW,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., October 5, 1911.

*Hon. Edward A. Ramsay, City Clerk:*

DEAR SIR: With reference to your communication concerning Appropriation Ordinance No. 75, known as the budget, I beg leave to advise you, from an examination of the certified copy of the proceedings of the Common Council of October 2, 1911, which copy was furnished me by you, that Appropriation Ordinance No. 75, as it was amended by the minority report of the Committee on Finance, was legally passed, and said ordinance as amended is now the budget for the fiscal year beginning January 1, 1912.

Respectfully yours,

JOSEPH B. KEALING,  
*Corporation Counsel.*

Mr. Denny\* moved that the opinion of the Corporation Counsel be received and incorporated in the minutes. Carried.

At 8:10 P. M. Mr. Stilz entered the Council Chamber and took his seat.

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., October 16, 1911.

*To the President and Members of the Common Council:*

GENTLEMEN: I submit herewith a communication from the Department of Public Works requesting me to recommend an appropriation of \$500.00 to the "Incidental Fund."

I submit herewith an ordinance providing for \$100.00 and recommend its passage.

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., October 16, 1911.

*Mr. Harry R. Wallace, City Controller:*

DEAR SIR: As the Board of Public Works' Incidental Fund is about exhausted and as the Board wishes to visit Cleveland, Ohio, and possibly other cities, to make investigation of the methods of disposing of garbage, we would respectfully request that you recommend to the Common Council the passage of an ordinance appropriating the sum of \$500.00 to the Incidental Fund to cover the expense of this investigation and any other expense that might be incurred in this department during the balance of the year.

Yours truly,  
C. A. SCHRADER,  
CHARLES L. HUTCHINSON,  
*Board of Public Works.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., October 16, 1911.

*To the President and Members of the Common Council:*

GENTLEMEN: I submit herewith a communication from the Department of Public Works requesting me to recommend an appropriation of \$3,500.00 to the fund "Street Repairs, Asphalt, Salaries and Wages." I submit herewith an ordinance providing for the amount of the appropriation requested and recommend its passage.

Respectfully submitted,  
HARRY R. WALLACE,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., October 16, 1911.

*Mr. Harry R. Wallace, City Controller:*

DEAR SIR: You are hereby respectfully requested to recommend to the Common Council the passage of an ordinance appropriating the sum of \$3,500.00 to the fund, "Street Repairs, Asphalt, Salaries and Wages."

Respectfully,  
C. A. SCHRADER,  
CHARLES L. HUTCHINSON,  
*Board of Public Works.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., October 16, 1911.

*To the President and Members of the Common Council:*

GENTLEMEN: I submit herewith a communication from the Depart-

ment of Public Safety, requesting me to recommend the following transfer of funds in the Fire Force Accounts:

\$1,000 from the fund "Gas and Electric Lights" to "Repairs to Apparatus."

\$500 from the fund "Horse Feed," to "Horseshoeing."

\$300 from the fund, "Horses, purchase of," to "Repairs to Buildings."

\$200 from the fund, "Repairs to Cisterns," to "Hose."

I submit herewith an ordinance providing for the amount of the transfers requested and recommend their passage.

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*

DEPARTMENT OF PUBLIC SAFETY,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., October 12, 1911.

*Mr. Harry R. Wallace, City Controller:*

DEAR SIR: At a meeting of the Board of Public Safety, held October 11th, it was decided to request you to please ask the Common Council to make the following transfer of funds in the Fire Force Accounts:

\$1,000.00 from the fund, "Gas and Electric Lights," to "Repairs to Apparatus."

\$500.00 from the fund, "Horse Feed," to "Horseshoeing."

\$300.00 from the fund, "Horses, purchase of," to "Repairs to Buildings."

\$200.00 from the fund, "Repairs to Cisterns," to "Hose."

Respectfully yours,

BOARD OF PUBLIC SAFETY,  
WM. E. DAVIS, *President.*

From City Controller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY CONTROLLER.  
INDIANAPOLIS, IND., October 16, 1911.

*To the President and Members of the Common Council:*

GENTLEMEN: I submit herewith a communication from the Department of Public Works requesting me to recommend an appropriation of \$800.00 to pay for the installation of heating radiators at the street intersections for the service of policemen where corner policemen are stationed.

I submit herewith an ordinance providing for \$700.00 and recommend its passage.

Respectfully submitted,

HARRY R. WALLACE,  
*City Controller.*

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., October 13, 1911.

*Mr. Harry R. Wallace, City Controller:*

DEAR SIR: You are hereby requested to recommend to the Common Council the passage of an ordinance appropriating the sum of \$800.00 to pay for the installation of heating radiators at the street intersections for the service of policemen where corner policemen are stationed.

Respectfully,

C. A. SCHRADER,  
CHARLES L. HUTCHINSON,  
*Board of Public Works.*

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,  
OFFICE OF THE BOARD.  
INDIANAPOLIS, IND., October 16, 1911.

*To the President and Members of the Common Council:*

GENTLEMEN: I am directed by the Board of Public Works to submit to you for your consideration and action thereon, the attached ordinance granting to the International Metal Polish Company the right to lay and maintain a sidetrack or switch from Belt Railroad across Quill street.

Respectfully,

N. A. HILL,  
*Asst. Clerk Board of Public Works.*

#### REPORTS FROM STANDING COMMITTEES.

From the Committee on Public Improvements:

INDIANAPOLIS, IND., October 16, 1911.

*To the President and Members of the Common Council:*

GENTLEMEN: We, your Committee on Public Improvements, to whom was referred General Ordinance No. 50, 1911, being "An ordinance authorizing the alienation and conveyance of the following described real estate, situated in Marion County, State of Indiana, to-wit:

"A part of lot nine (9), in square sixty-five (65), in the City of Indianapolis, Marion County, Indiana, more particularly described as follows: Beginning at the southwest corner of said lot nine (9), running thence north eighty (80) feet along the west line of said lot nine (9); thence east thirty-three and nine-twelfths (33 9/12) feet; thence south eighty (80) feet; thence west along the south line of said lot nine (9), thirty-three and nine-twelfths (33 9/12) feet, to the place of beginning.

"Said real estate belonging to the City of Indianapolis, now being used by the City of Indianapolis for public and governmental pur-



poses, requesting the Judge of the Circuit Court to appoint appraisers for such property and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration and would recommend that the same do pass.

Respectfully submitted,

WILLIAM H. JOHNSON,  
JAMES E. TROY,  
CHARLES B. STILZ.

Not concurring:

CHARLES F. COPELAND,  
FRANK E. MCCARTHY.

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

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

Ayes, 4, viz.: Messrs. Johnson, Denny, Stilz and Troy.

Noes, 5, viz.: Messrs. McCarthy, Copeland, Rubens, Owen and President John Blumberg.

### From the Committee on Public Improvements:

INDIANAPOLIS, IND., October 16, 1911.

*To the President and Members of the Common Council:*

GENTLEMEN: We, your Committee on Public Improvements, to whom was referred General Ordinance No. 88, 1910, being "An ordinance authorizing the alienation and conveyance of the following described real estate, situated in Marion County, State of Indiana, to-wit:

"Lot numbered (13), in the second section of Osgood's Forest Park addition to the City of Indianapolis, Marion County, Indiana.

"Lots one (1) and two (2), in Yandes & Wilkins' subdivision of square sixty-two (62), in the City of Indianapolis, Marion County, Indiana, and thirty-two (32) feet of ground east of and adjoining said lot one (1), said ground being the alley vacated.

"A part of lot nine (9), in square sixty-five (65), in the City of Indianapolis, Marion County, Indiana, more particularly described as follows: Beginning at the southwest corner of said lot nine (9), running thence north eighty (80), feet along the west line of said lot nine (9); thence east thirty-three and nine-twelfths (33 9-12) feet, thence south eighty (80) feet; thence west along the south line of said lot nine (9), thirty-three and nine-twelfths (33 9-12) feet, to the place of beginning.

"Lot numbered two hundred and fifty (250), in E. T. Fletcher's second addition to the Town of Brightwood (now a part of the City of Indianapolis), in Marion County, Indiana, and

"One hundred and fifty-eight and one-half (158½), feet off of the north end of the north half (n-½) of lot numbered one (1), in Hoefgen heirs' addition to the City of Indianapolis, Marion County, Indiana.

"One hundred and fifty-eight and one-half (158½) feet off of the north half (n-½) of lot numbered one (1), in Hoefgen heirs' second addition to the City of Indianapolis, Marion County, Indiana.

"All said real estate belonging to the City of Indianapolis, now being used by the City of Indianapolis for public and governmental purposes, requesting the Judge of the Circuit Court to appoint appraisers for such property, and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration and would recommend that the same be amended by striking out of the title and Section 1, the words and figures "Lot numbered thirteen (13), in the second section of Osgood's Forest Park addition to the City of Indianapolis, Marion County, Indiana," and when said ordinance is so amended we would respectfully recommend the same do pass.

Respectfully submitted,

FRANK E. MCCARTHY,  
WILLIAM H. JOHNSON,  
JAMES E. TROY,  
CHARLES F. COPELAND,  
CHARLES B. STILZ.

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

#### From the Committee on Public Improvements:

INDIANAPOLIS, IND., October 16, 1911.

*To the President and Members of the Common Council:*

GENTLEMEN: We, your Committee on Public Improvements, to whom was referred General Ordinance No. 87, 1910, being "An ordinance authorizing the alienation and conveyance of lot numbered four (4), of Siter, Price and Company's subdivision of lots numbered one (1), two (2), and three (3), of square numbered thirty-seven (37), in the original town plat of the City of Indianapolis, Marion County, State of Indiana, belonging to the City of Indianapolis, now being used by the City of Indianapolis for public and governmental purposes, requesting the Judge of the Circuit Court to appoint appraisers for such property, and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration and would recommend that the same do pass.

Respectfully submitted,

FRANK E. MCCARTHY,  
WILLIAM H. JOHNSON,  
JAMES E. TROY,  
CHARLES F. COPELAND,  
CHARLES B. STILZ.

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

## From the Committee on Ordinances:

INDIANAPOLIS, IND., October 16, 1911.

*To the President and Members of the Common Council:*

Your Committee on Ordinances, to which was referred General Ordinance No. 68, 1911, entitled "An ordinance for the protection of pedestrians; providing for the erection and maintenance of enclosed passage-ways about buildings and other structures to be erected and excavations to be made abutting upon, or adjacent to public streets; regulating the maintenance of same; providing penalties for the violation thereof and fixing the time when the same shall take effect," beg leave to report that we have had said ordinance under consideration and would recommend that the same be amended by adding the following, after Section 7: "Section 8. All ordinances and parts of ordinances in conflict herewith are hereby repealed," and by renumbering Section 8 to be Section 9.

And we would recommend that when the same shall be so amended that the same do pass.

Respectfully submitted,

GEORGE L. DENNY,  
FRED C. OWEN,  
FRANK E. MCCARTHY,  
CHARLES F. COPELAND,  
CHARLES B. STILZ.

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

## From the Committee on Ordinances:

INDIANAPOLIS, IND., October 16, 1911.

*To the President and Members of the Common Council:*

GENTLEMEN: Your Committee on Ordinances, to which has been referred General Ordinance No. 64, 1911, entitled "An ordinance prohibiting the use of boulevard sidewalk lights for advertising purposes, providing penalties for the violation thereof and fixing the time when the same shall take effect," beg leave to report we have had said ordinance under consideration and would recommend that the same do pass.

GEORGE L. DENNY,  
FRED C. OWEN,  
FRANK E. MCCARTHY,  
CHARLES F. COPELAND,  
CHARLES B. STILZ.

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

## INTRODUCTION OF APPROPRIATION ORDINANCES.

## By City Controller:

Appropriation Ordinance No. 81—1911: An ordinance appropriating the sum of \$700.00 to and for the use 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 the sum of seven hundred dollars (\$700.00), be, and is hereby appropriated out of any moneys in the City Treasury, not otherwise appropriated, to and for the use of the Department of Public Works, the amount appropriated herein to be known as the fund for "Radiators for Corner Policemen."

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

Which was read a first time.

Mr. Copeland moved that the rules be suspended and Appropriation Ordinance No. 81, 1911, be placed upon its passage, which motion failed to carry for want of an unanimous vote as follows:

Ayes, 7, viz.: Messrs. McCarthy, Copeland, Rubens, Denny, Owen, Troy and President John Blumberg.

Noes, 2, viz.: Messrs. Johnson and Stilz.

Appropriation Ordinance No. 81, 1911, was thereupon referred to the Committee on Finance.

## By City Controller:

Appropriation Ordinance No. 82—1911: An ordinance appropriating the sum of \$3,500.00 to and for the use 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 the sum of thirty-five hundred dollars (\$3,500.00) be, and is hereby appropriated out of any moneys in the City Treasury, not otherwise appropriated, to and for the use of the Department of Public Works, the amount appropriated herein to be

added to and form a part of the fund known as "Street Repairs, Asphalt, Salaries and Wages."

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

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

By City Controller:

Appropriation Ordinance No. 83—1911: An ordinance appropriating the sum of \$100.00 to and for the use 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 the sum of one hundred dollars (\$100.00) be, and is hereby appropriated out of any moneys in the City Treasury, not otherwise appropriated, to and for the use of the Department of Public Works, the amount appropriated herein to be added to and form a part of the fund known as "Incidental."

SECTION 2. This ordinance shall take effect and be in force 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. 70—1911: An ordinance providing for the transfer of \$2,000.00 from certain funds to certain funds in and for the use of the Department of Public Safety 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 the sum of two thousand dollars (\$2,000.00) be, and the same is hereby transferred from certain funds to certain funds as follows, to-wit:

From the Gas and Electric Light Fund	to Repairs to Apparatus	\$1,000.00
From the Horse Feed Fund	to Horseshoeing Fund	500.00
From the Horses, purchase of, Fund,	to Repairs to Buildings	300.00
From the Repairs to Cisterns Fund	to Hose Fund	200.00

All to and for the use of the Department of Public Safety.

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

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

By Board of Public Works:

General Ordinance No. 71—1911: An ordinance approving a certain contract granting the International Metal Polish Company the right to lay and maintain a sidetrack or switch from the Belt Railroad across Quill Street, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, Heretofore, to-wit: on the 16th day of October, 1911,—— 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 petition your Honorable Body for the right to cross Quill street between Van Buren and Naomi streets, with a sidetrack to be used in handling cars from Belt Railroad to the proposed new plant of the undersigned to be located on Quill street immediately north of the Belt Railroad.

NOW, THEREFORE, This agreement, made and entered into this 16th day of October, 1911, by and between the International Metal Polish Company of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a right of way for a sidetrack or switch from the Belt Railroad crossing Quill street in the City of Indianapolis, which is more specifically described as follows: Beginning in the east line of Quill street sixty-one feet north of the north line of Van Buren street, thence crossing said Quill street in a northwesterly direction and intersecting the west line of said Quill street at a point seventy-three feet two inches north of the north line of Van Buren street, hereby covenants and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it 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 Quill 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 itself 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 Quill 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 sixteenth day of October, 1911.

INTERNATIONAL METAL POLISH Co., INC.  
E. BLACKBURN, *President*.  
Party of the First Part.  
CITY OF INDIANAPOLIS,  
By C. A. SCHRADER, *President*,  
CHARLES L. HUTCHINSON,  
*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 Service.

By Mr. Denny:

General Ordinance No. 72—1911: An ordinance to amend General Ordinance No. 32, 1907, entitled "An ordinance concerning the compensation of all officers, heads of departments, clerks, assistants and employes of the City of Indianapolis, Indiana, and repealing all ordinances in conflict herewith" approved May 16, 1907, as to the salary of the chief clerk of the Department of Public Safety.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis that the second paragraph of Clause A, Section 6, under the title of the Department of Public Safety, of General Ordinance No. 32, entitled, "An ordinance concerning the compensation of all officers, heads of departments, clerks, assistants and employes of the City of Indianapolis, Indiana, and repealing all ordinances in conflict herewith," approved May 16, 1907, be amended to read as follows: The chief clerk of the Board of Public Safety shall receive a salary at the rate of fifteen hundred dollars (\$1500) per annum.

SECTION 2. This ordinance shall take effect from and after its passage.

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

By Mr. Johnson (by request):

General Ordinance No. 73—1911: An Ordinance amending Sections 273, 274 and 275, of part XXX of General Ordinance No. 34, 1904, being "An Ordinance providing for all matters concerning, affecting, or relating to the construction, alteration, repair or removal of buildings, structures and appurtenances thereof erected or to be erected in the City of Indianapolis, Indiana," 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 Sections 273, 274 and 275, of part XXX of General Ordinance No. 34, 1904, being "An Ordinance providing for all matters concerning, affecting, or relating to the construction, alteration,



repair or removal of buildings, structures and appurtenances thereof erected or to be erected in the City of Indianapolis, Indiana," be and the same are hereby amended to read as follows:

"Section 275. (a) There is hereby established a Smoke Commission consisting of not fewer than five or more than nine members, to be appointed by the Mayor and Board of Safety, without regard to political affiliations. They shall serve without pay and shall advise with and assist the Mayor and Board of Safety in carrying out the laws and ordinances regarding the abatement of smoke.

"(b) There shall be an officer known as Smoke Inspector, who shall be appointed by the Board of Safety upon the recommendation of the Smoke Commission and Mayor.

"(c) The Smoke Inspector shall be a mechanical engineer qualified by technical training and experience in the theory and practice of the construction and operation of steam boilers and furnaces and also in the theory and practice of smoke abatement and prevention. His salary shall be at the rate of twenty-five hundred (\$2,500) dollars per annum. Before taking office, he shall take an oath, to faithfully perform his duties as such officer and file a bond conditioned upon such faithful performance, to the City of Indianapolis, in the sum of three thousand (\$3,000) dollars.

"(d) There shall be an officer known as Chief Assistant Smoke Inspector, to be appointed by the Smoke Inspector from a list of eligibles who have passed an examination, on matters pertaining to smoke prevention, held under the direction of the Smoke Commission. The salary of said assistant shall be at the rate of fifteen hundred (\$1,500) dollars per annum.

"(e) There shall be two deputies appointed in the same manner as the Chief Assistant Smoke Inspector, each of whom shall receive a salary at the rate of twelve hundred (\$1,200) dollars per annum.

"(f) There shall be one Stenographer appointed by the Smoke Inspector who shall receive a salary at the rate of seven hundred and twenty (\$720) dollars per annum."

"Section 274. The Smoke Inspector shall have authority to inspect, supervise and require all steam boilers or furnaces, either stationary or locomotive, and all other furnaces within the corporate limits of the City of Indianapolis, to be so constructed, or if already constructed, to be so altered or have attached thereto such efficient smoke preventives as to prevent the production and emission of such dense black and gray smoke therefrom, and he shall further have authority to supervise the igniting, stoking, feeding and attending such steam boiler or other furnace fire, and he, or his duly appointed assistant, if any, shall have authority to enter any steam boiler or engine room, or any building not occupied exclusively as a private residence, and any person or persons hindering or obstructing him in the performance of such duty shall be deemed guilty of violating the provisions of this ordinance."

"Section 275. When any person shall be desirous of constructing or altering any steam boiler, locomotive or furnace within the corporate limits of the City of Indianapolis, he or they shall make application at the office of the Smoke Inspector for a certificate for that purpose, and shall furnish a written statement giving the style and dimensions of such boiler and furnace, together with the height and size of stack or chimney, and method of device to be adopted for preventing the emission of such dense black or gray smoke therefrom. If, in the opinion of the Inspector, it shall appear necessary, drawings of the above apparatus may be required.

"If in the opinion of the Smoke Inspector the plans as shown will

not prevent the emission of illegal smoke he shall direct such changes in such plans and construction as in his opinion will enable the plant to be operated without the emission of such illegal smoke, and no permit shall be granted until his said directions shall have been complied with.

"After a plant shall have been constructed and before its operation an inspection shall be made of the structure to ascertain if in its construction the approved plans and directions have been complied with.

"The fees to be charged and collected for inspections and permits shall be as follows:

"For inspecting plans of new plants and plants about to be reconstructed, two (\$2.00) dollars.

"For inspecting plans for repairs and alterations, one (\$1.00) dollar.

"For examining a plant after its erection, reconstruction, or alteration, and before its operation, for furnaces of 100 horse power or less, two dollars (\$2.00); for a furnace of over 100 horse power, three dollars (\$3.00).

"The fee paid for the inspection or examination shall include the issuing of a permit or certificate, in case such permit or certificate is granted."

SECTION 2. This ordinance shall be in full force and effect from and after its passage and publication once a week for two consecutive weeks in the Indianapolis Commercial, of Indianapolis, Indiana.

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

#### ORDINANCES ON SECOND READING.

M. Owen called up Appropriation Ordinance No. 80, 1911, which had been read a second time at the special meeting held on Friday, October 6, 1911.

Mr. Owen moved that Appropriation Ordinance No. 80, 1911, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 80, 1911, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. McCarthy, Copeland, Rubens, Denny, Owen and Troy.

Noes, 3, viz.: Messrs. Johnson, Stilz and President John Blumberg.

Mr. McCarthy called for General Ordinance No. 87, 1910, for second reading. It was read a second time.

Mr. McCarthy moved that General Ordinance No. 87, 1910, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 87, 1910, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stilz, Troy and President John Blumberg.

Noes, none.

Mr. McCarthy called for General Ordinance No. 88, 1910, for second reading. It was read a second time.

Mr. McCarthy moved that General Ordinance No. 88, 1910, be amended as recommended by the committee. Carried.

Mr. McCarthy moved that General Ordinance No. 88, 1910, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 88, 1910, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stilz, Troy and President John Blumberg.

Noes, none.

Mr. Denny called for General Ordinance No. 68, 1911, for second reading. It was read a second time.

Mr. Denny moved that General Ordinance No. 68, 1911, be amended as recommended by the committee. Carried.

Mr. Denny moved that General Ordinance No. 68, 1911, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 68, 1911, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stilz, Troy and President John Blumberg.

Noes, none.

Mr. Denny called for General Ordinance No. 64, 1911, for second reading. It was read a second time.

Mr. Denny moved that General Ordinance No. 64, 1911, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 64, 1911, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stilz, Troy and President John Blumberg.

Noes, none.

Mr. Denny called for General Ordinance No. 37, 1911, for second reading. It was read a second time.

Mr. Denny moved that General Ordinance No. 37, 1911, be stricken from the files. Carried.

Mr. Copeland moved to adjourn.

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

Ayes, 3, viz.: Messrs. McCarthy, Copeland and Owen.

Noes, 6, viz.: Messrs. Johnson, Rubens, Denny, Stilz, Troy and President John Blumberg.

Mr. Denny called for General Ordinance No. 40, 1911, for second reading. It was read a second time.

Mr. Denny moved that General Ordinance No. 40, 1911, be stricken from the files.

The roll was called and General Ordinance No. 40, 1911, was stricken from the files by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stilz, Troy and President John Blumberg.

Noes, none.

Mr. Denny called for General Ordinance No. 41, 1911, for second reading. It was read a second time.

Mr. Denny moved that General Ordinance No. 41, 1911, be stricken from the files.

The roll was called and General Ordinance No. 41, 1911, was stricken from the files by the following vote:

Ayes, 9, viz.: Messrs. Johnson, McCarthy, Copeland, Rubens, Denny, Owen, Stilz, Troy and President John Blumberg.

Noes, none.

On motion of Mr. McCarthy, the Common Council, at 9:25 o'clock P. M., adjourned.

*John Blumberg*  
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*President.*

ATTEST:

*Edward A. Ramsay*  
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*City Clerk.*

