

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

March 29, 1921.

The Common Council of the City of Indianapolis met in the Council Chamber, March 29, 1921, at 7:30 o'clock p. m., in special session, President Russell Willson in the chair, pursuant to the following call:

March 28, 1921.

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

You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Tuesday, March 29, 1921, at 7:30 p. m., the purpose of such meeting being to receive communications from the Mayor or City Controller of said city for the introduction and consideration of ordinances providing for the division of the City of Indianapolis into election precincts, defining the boundaries thereof, repealing all ordinances or parts of ordinances in conflict therewith, and fixing a time when the same shall take effect, and for the division of the City of Indianapolis into six Councilmanic Districts, and fixing a time when the same shall take effect.

Respectfully,

RUSSELL WILLSON,

President.

I, George O. Hutsell, Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting pursuant to the rules.

GEORGE O. HUTSELL,

City Clerk.

(SEAL.)

Which was read.

The Clerk called the roll.

Present: The Hon. Russell Willson, President of the

Common Council, and seven (7) members, viz.: Messrs. Brown, Carnefix, Kirsch, Furniss, Peake, Miller and Schmidt.

Absent: Mr. Pettijohn.

From the Corporation Counsel:

March 29, 1921.

Mr. Russell Willson, President, and Members of the Common Council, City of Indianapolis:

Gentlemen—At the request of President Willson, I reduce my verbal opinion given to him concerning the duty of the Council to pass a new ordinance dividing the city into precincts and also a new ordinance dividing the city into councilmanic districts to writing.

Section 8885, Burns' Revised Statutes (1914) provides:

"In city and town elections, except as provided in sections ten, eleven and twelve for the first town election, the voting precincts shall, so far as applicable, be those established by the county commissioners, and the elections shall be conducted under the laws in force for general elections."

Section 6883, Burns' Revised Statutes (1914) reads as follows:

"The board of commissioners of any county may change the boundaries of any precinct within such county, or divide any precinct into two or more precincts, or consolidate two or more precincts into one, or change any place<sup>o</sup> of holding elections whenever public convenience or the public good may require it: Provided, That no such change, division or consolidation shall be made after the June term of such commissioners' court next preceding an election: And, provided further, That no such change, division or consolidation shall be valid without giving due notice, at least one month before any election, by one publication in two newspapers published in said county, representing the two political parties which cast the highest number of votes in the state at the last general election, and by posters put up in four of the most public places in each precinct: And, provided further, That no precinct shall be enlarged so as to contain more than two hundred and fifty electors."

There is a general provision of the law which provides that in city elections, the city clerk shall perform the duties of the county clerk and the common council shall perform the duties of the board of county commissioners.

At the special session of 1920 an Act was passed concerning change of precincts (Special Acts 1920), page 42, on account of the fact that women were given the right to vote. This act provides that the precincts shall be so arranged that a precinct will contain approximately five hundred voters, if voting therein is to be by the Australian Ballot System and one thousand voters in case voting is to be by machine.

Section 2 of this Act also provides for the giving of immediate notice of such change by one publication in two newspapers of the opposite political parties.

The city precincts as now established were established by General Ordinance No. 10, 1917, adopted February 15, 1917. Since that time there was a general county and state election in 1918 and also in 1920. Changes in the election precincts were made in 1918 and also in 1920 by the board of county commissioners. It is the duty of the Council under the law now to pass a new ordinance and follow so far as practicable, the precincts established by the county in 1920.

Since the passage of the Precinct Ordinance of 1917, there has been a great deal of territory both annexed and disannexed. It is only necessary to call your attention to a part of this—for instance, that territory south of Southern Avenue and north of Martin Street is new territory and was brought in by annexation and is not now a part of any precinct. This applies to various other annexations around the city, such as Warleigh and territory recently annexed up in the Blue Ridge Addition and the territory annexed south of the Crawfordsville Road in the Fifteenth Ward and elsewhere. There have also been annexations in the First Ward and several ordinances disannexing territory which was a part of the city in 1917 and included in different precincts at that time; so, under the facts as they exist, unless a new ordinance is passed, there would be no provision for any of the voters in any of the new territory voting at the coming primary.

I find from examination that it has been customary to pass an ordinance dividing the city into precincts before each city election and as stated above, the last City Precinct Ordinance was passed February 15, 1917, and the one before the election of 1913, was passed February 17, 1913. The ordinance dividing the city into councilmanic districts was also passed on the 15th day of February, 1917, and what has been said about the annexed territory applies with equal force to the councilmanic district, because the new territory can only be assigned to a particular district by ordinance and unless the Council passes a new ordinance, the new territory will not be a part of any district and the voters from the new territory would not have a right to become a candidate from a particular district.

The Legal Department, therefore, following the requests of the present Council, has prepared new ordinances dividing the city into precincts and also dividing the city into councilmanic districts. In the prepar-

tion of these ordinances, we have tried to comply with the requirements of the law and follow the county precincts of 1920 as closely as practicable.

On account of the large vote in some of the precincts in the First Ward, it was necessary to add two new precincts in the First Ward, which required some change.

On account of the very heavy vote in practically all of the precincts of the Second Ward, it was necessary to increase the number of precincts from eight to twelve.

In the Third Ward one precinct was added, which changed the boundaries of the old First Precinct and the Second Precinct and also changed the boundary lines of the old Sixth Precinct and the old Fourth Precinct.

In the Fourth Ward, on account of the very heavy vote in most of the precincts, it was necessary to add three precincts in Center Township and two precincts in the Fourth Ward in Washington Township.

In the Fifth Ward, the county precincts of 1920 were adopted as a whole.

In the Sixth Ward, all of the county precincts of 1920 were adopted with the exception of that part of the first precinct between Michigan and Vermont Streets, which was added to the Seventh Precinct, of the Sixth Ward.

In the Seventh Ward, the county precincts of 1920 were adopted without change.

In the Eighth Ward, it was necessary to add two new precincts.

In the Ninth Ward, it was necessary to add four new precincts.

In the Tenth Ward, on account of additional territory annexed south of Southern Avenue, which was partly in Center Township and partly in Perry Township, it was necessary to add two new precincts.

In the Eleventh, Twelfth and Thirteenth Wards, the county precincts of 1920 were adopted without change.

In the Fourteenth Ward, the county precincts of 1920 were adopted without change.

## 2—COUNCIL PROCEEDINGS

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In the Fifteenth Ward, the 1920 county precincts in Center Township and the Fourth, Fifth, Eighth and Ninth Precincts in Wayne Township were adopted. Changes were necessary in the Sixth, Seventh, Tenth and Eleventh and a new precinct, Twelve, was added on account of the annexed territory and the Third Precinct in Wayne Township was changed to Thirteen.

In dividing the city into councilmanic districts, the main division lines as established by the ordinance of 1917 was followed without any change and the new territory that has been added simply added to the district with which it was contiguous. The only way that these changes can be made is by ordinance adopting the new county precincts

with such changes and modifications as are necessary and repealing the old ordinances; otherwise, the ordinance of 1917 dividing the city into precincts and dividing the city into councilmanic districts would govern.

Respectfully submitted,

SA/GF

SAMUEL ASHBY,  
Corporation Council.

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Mr. Furniss:

##### GENERAL ORDINANCE No. 26, 1921.

An ordinance to divide the City of Indianapolis into one hundred sixty-eight (168) election precincts, defining the boundaries thereof, repealing all ordinances and parts of ordinances in conflict therewith, and fixing a time when the same shall take effect.

Which was read a first time and referred to a Committee of the Whole with Mr. Furniss as chairman.

By Mr. Furniss:

##### GENERAL ORDINANCE No. 27, 1921.

An ordinance to divide the City of Indianapolis into six councilmanic districts, defining the boundaries thereof, repealing all ordinances or parts of ordinances in conflict with this ordinance and fixing a time when same shall take effect.

Section 1. *Be it ordained by the Common Council of the City of Indianapolis, Indiana:*

#### COUNCILMANIC DISTRICTS.

*Boundaries Fixed.*—The city hereby is divided into six councilmanic districts, and the territory within the limits of the several boundaries as hereinafter set out shall constitute the several districts, to wit:

##### FIRST DISTRICT.

That part of the City of Indianapolis which lies north of the center line of Washington Street and east of the following described line, to wit: Beginning at the center line of Pine Street at its intersection of its center line of Washington Street; thence north with the center line of Pine Street to the center line of St. Clair Street; thence east

with the center line of St. Clair Street to the center line of the right-of-way of the Lake Erie & Western Railroad; thence north with the center of the right-of-way of the Lake Erie & Western Railroad to the center line of Massachusetts Avenue; thence southwest with the center line of Massachusetts Avenue to the center line of Cornell Avenue; thence north with the center line of Cornell Avenue to the center line of Fifteenth Street; thence east with the center line of Fifteenth Street to the center of the right-of-way of the Lake Erie & Western Railroad; thence north and northeast with the center line of the right-of-way of the Lake Erie & Western Railroad to its intersection of its corporate limits, shall be and constitute the first councilmanic district of the City of Indianapolis.

#### SECOND DISTRICT.

Commencing in the center line of the right-of-way of the Lake Erie & Western Railroad and the center line of Thirty-fourth Street extended west; thence in a southerly direction with the center line of the right-of-way of the Lake Erie & Western Railroad to the center line of Fifteenth Street; thence west with the center line of Fifteenth Street to the center line of Cornell Avenue; thence south with the center line of Cornell Avenue to the center line of Massachusetts Avenue; thence northeast with the center line of Massachusetts Avenue to the center line of the right-of-way of the Lake Erie & Western Railroad; thence south with the center line of the right-of-way of the Lake Erie & Western Railroad to the center line of St. Clair Street; thence west with the center line of St. Clair Street to the center line of Pine Street; thence south with the center line of Pine Street to the center line of Washington Street; thence west with the center line of Washington Street to the center line of Pennsylvania Street; thence north with the center line of Pennsylvania Street to the center line of St. Clair Street; thence east with the center line of St. Clair Street to the center line of Delaware Street; thence north with the center line of Delaware Street to the center line of Sixteenth Street; thence east with the center line of Sixteenth Street to the center line of Alabama Street; thence north with the center line of Alabama Street to the center line of Twenty-second Street; thence east with the center line of Twenty-second Street to the center line of Alabama Street; thence north with the center line of Alabama Street to the center line of Fall Creek; thence in a northeasterly direction following the meanderings of the center line of Fall Creek to the center line of Thirtieth Street; thence east with the center line of Thirtieth Street to the east bank of Fall Creek; thence in a northeasterly direction following the meanderings of the east bank of Fall Creek to a point, said point being the center line of Thirty-fourth Street extended west; thence east with the center line of Thirty-fourth

Street extended west to the center line of the right-of-way of the Lake Erie & Western Railroad, the place of beginning, shall be and constitute the second councilmanic district of the City of Indianapolis.

#### THIRD DISTRICT.

That part of the City of Indianapolis lying within the following boundaries, to wit: Commencing at the intersection of the center line of Washington and Pennsylvania Streets; thence north with the center line of Pennsylvania Street to the center line of St. Clair Street; thence east with the center line of St. Clair Street to the center line of Delaware Street; thence north with the center line of Delaware Street to the center line of Sixteenth Street; thence east with the center line of Sixteenth Street to the center line of Alabama Street; thence north with the center line of Alabama Street to the center line of Fall Creek in a northeasterly direction following the meanderings in the center line of Fall Creek to the center line of Thirtieth Street; thence east with the center line of Thirtieth Street to the east bank of Fall Creek; thence north along the east bank of Fall Creek to the center line of Thirty-fourth Street; thence west along the center line of Thirty-fourth Street to the center line of Fall Creek; thence north with the center line of Fall Creek to the center line, extended east to a point, said point being the north point of Section 19, Township 16, north of Range 4 east; thence west with the said line to the center line of the Allisonville Free Gravel Road; thence in a northeasterly direction along the center line of the Allisonville Free Gravel Road to a point, said point being 250 feet north of the north line of said Section 19, Township 16, north of Range 4 east; thence west parallel to and 250 feet north of the north line of said Section 19, Township 16, north of Range 4 east to the east right-of-way line of the Chicago, Indianapolis & Louisville (Monon) Railroad; thence following the boundary limits of the city, north, west, south, west, north, east, north, west, north, northeast, north, thence in a southwesterly direction, southeast, north, east, southwesterly, east, south, to the center line of Fifty-second Street; thence west along the center line of Fifty-second Street to the center line of Senate Avenue; thence south and along the center line of Senate Avenue to a point 250 feet north of the south line of Forty-sixth Street; thence south and along the center line of Senate Avenue to the center line of Thirtieth Street; thence west with the center line of Thirtieth Street to the center line of Highland Place; thence south with the center line of Highland Place to the center line of Fall Creek; thence in a southwesterly direction following the meanderings of the center line of Fall Creek to the center line of Northwestern Avenue; thence south with the center line of Northwestern Avenue to the center line of Twenty-first Street; thence east with the center line of Twenty-first Street to the

center line of Northwestern Avenue; thence south with the center line of Northwestern Avenue to the center line of Fifteenth Street; thence west with the center line of Fifteenth Street and said line extended west to the center line of West Street; thence south with the center line of West Street to the center line of New York Street; thence west with the center line of New York Street to the center line of Blackford Street; thence south with the center line of Blackford Street to the center line of Washington Street; thence east with the center line of Washington Street to the center line of Pennsylvania Street, the place of beginning, shall be and constitute the third councilmanic district of the City of Indianapolis.

#### FOURTH DISTRICT.

That part of the City of Indianapolis which lies north of the center line of Washington Street and west of the described line, to wit: Beginning at the intersection of the center line of Blackford Street with the center line of Washington Street; thence north with the center line of Blackford Street to the center line of New York Street; thence east with the center line of New York Street to the center line of West Street; thence north with the center line of West Street to a point, said point being the center line of Fifteenth Street extended west; thence east with said line and the center line of Fifteenth Street to the center line of Northwestern Avenue; thence north with the center line of Northwestern Avenue to the center line of Twenty-first Street; thence west with the center line of Twenty-first Street to the center line of Northwestern Avenue; thence north with the center line of Northwestern Avenue to the center line of Fall Creek; thence in a northeasterly direction following the meanderings of Fall Creek to the center line of Highland Place; thence north with the center line of Highland Place to the center line of Thirtieth Street; thence east with the center line of Thirtieth Street to the center line of Boulevard Place; thence north with the center line of Boulevard Place to the center line of Fiftieth Street, shall be and constitute the fourth councilmanic district of the City of Indianapolis.

#### FIFTH DISTRICT.

That part of the City of Indianapolis which lies south of the center line of Washington Street and west of the following described line, to wit: Beginning at the intersection of the center line of Delaware Street with the center line of Washington Street; thence south with the center line of Delaware Street to the center line of McCarty Street; thence west with the center line of McCarty Street to the center line of Madison Avenue; thence southeast with the center line of Madison Avenue to the center line of Prospect Street; thence east with the center line of Prospect Street to the center line of Shelby Street; thence



south with the center line of Shelby Street to the corporate limits, shall be and constitute the fifth councilmanic district of the City of Indianapolis.

SIXTH DISTRICT.

That part of the City of Indianapolis which lies south of the center line of Washington Street and east of the following described line, to wit: Beginning at the intersection of the center line of Delaware Street with the center line of Washington Street; thence south with the center line of Delaware Street to the center line of McCarty Street; thence west with the center line of McCarty Street to the center line of Madison Avenue; thence southeast with the center line of Madison Avenue to the center line of Prospect Street; thence east with the center line of Prospect Street to the center line of Shelby Street; thence south with the center line of Shelby Street to the corporate limits, shall be and constitute the sixth councilmanic district of the City of Indianapolis.

Sec. 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

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

Which was read a first time and referred to a Committee of the Whole with Mr. Furniss as chairman.

On motion of Mr. Miller the Common Council at 8:35 o'clock P. M. adjourned.

*Russell Kilson*  
President.

Attest:

*G. W. Beebe*  
City Clerk.