

## REGULAR MEETING

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, November 5, 1923, at 7:30 o'clock in regular session, President John E. King in the chair.

Present: The Hon. John E. King, President of the Common Council, and eight members, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson and Wise.

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

## COMMUNICATIONS FROM THE MAYOR

October 27, 1923.

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

Gentlemen:—I have today approved, signed and delivered to John W. Rhodehamel, City Clerk, the following ordinances:

GENERAL ORDINANCE NO. 111, 1923, an ordinance transferring the sum of Eight Thousand Five Hundred (\$8,500.00) Dollars from the Water Rental Fund in the Department of Public Works to the Blank Books, Printing and Advertising Fund in the Department of Public Works, and re-appropriating the same to the latter fund, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 112, 1923, an ordinance transferring the sum of Four Thousand Five Hundred (\$4,500.00) Dollars from the Water Rental Fund in the Department of Public Works, and re-appropriating the same to the latter fund, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 113, 1923, an ordinance re-appropriating certain funds under the Department of Public Works, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 114, 1923, an ordinance transferring and re-appropriating certain funds under the Department of Public Works, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 115, 1923, an ordinance transferring and re-appropriating certain funds under the Department of Public Works, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 116, 1923, an ordinance transferring and re-appropriating certain funds under the Department of Public Works, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 117, 1923, an ordinance transferring and re-appropriating certain funds under the Department of Public Works, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 119, 1923, an ordinance transferring and re-appropriating the sum of Five Hundred (\$500.00) Dollars from the Tool and Equipment Fund in the Electrical Department under the Department of Public Safety to the Material and Supplies Fund of the City Market under the Department of Public Safety, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 122, 1923, an ordinance ratifying, confirming and approving a certain contract made and entered into on the 28th day of September, 1923, between the City of Indianapolis by and through its Board of Public Works with the approval of its Mayor, and Myra R. Richards for a complete bronze group for a fountain at Fountain Square in the City of Indianapolis to be known as the "Ralph Hill Fountain" for the sum of Four Thousand Three Hundred Fifty (\$4,350.00) Dollars, the proceeds of a devise left to the City of Indianapolis for such purpose, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 124, 1923, an ordinance transferring the sum of Five Thousand Two Hundred Seventy-six and Eighty-five hundredths (\$5,276.85) Dollars, from the "Municipal Garage Maintenance and Repair Fund" in the Department of Public Works to a fund to be created and known as "The West Washington Street Mansfield Engineering Company Fund" and re-appropriating the same to the latter fund for the purpose of paying the Mansfield Engineering Company the amount of finding in the suit of Cool vs. City of Indianapolis, Cause No. A-11016 in the Marion Superior Court, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 127, 1923, an ordinance transferring certain sums of money from certain funds in the Police Department and transferring and re-appropriating the same to certain other funds in the same department under the Department of Public Safety, and declaring a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 38, 1923, an ordinance appropriating the sum of Six Hundred (\$600.00) Dollars, out of any unappropriated funds of the City of Indianapolis, to the fund for Supplies for Traffic of the Police Department, under the Department of Public Safety for the purchase and installation of One Automatic Stop and Go sign, and declaring a time when the same shall take effect.

Very truly yours,

S. L. SHANK,

Mayor.

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

Gentlemen:—I have this day approved, signed and delivered to John W. Rodehamel, City Clerk, General Ordinance No. 106, 1923, an ordinance to regulate the emission of smoke from chimneys, stacks, flues, or open spaces, within the City of Indianapolis, Indiana, providing a color scale for measurement of the degree of darkness of such smoke; making it unlawful to permit the escape of smoke of a certain degree of darkness; providing for smoke abatement inspec-

tors, and defining their duties; requiring approval of plans and specifications of new heating equipment and for repairs of existing equipments; providing for issueing of permits and inspection to compel compliance with approved plans and specifications; and fixing penalties for the violation of this ordinance.

Very truly yours,

S. L. SHANK,  
Mayor.

## REPORTS FROM CITY OFFICERS

### From the City Controller:

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

November 5, 1923.

Gentlemen:—I herewith transmit to you for passage an ordinance appropriating the sum of Seven Hundred Fifty (\$750.00) Dollars from any unappropriated funds to a fund to be created and known as "The White River Flood Prevention East of White River Appraisement Fund" for the purpose of paying James S. Cruse, Herbert E. Fieber and Michael F. Gill each the sum of Two Hundred Fifty (\$250.00) Dollars for services as appraisers in viewing and appraising real estate and buildings on White River Flood Prevention east of White River.

I respectfully recommend the passage of this ordinance.

Yours truly,

JOSEPH L. HOGUE,  
City Controller.

November 5, 1923.

Mr. Joseph L. Hogue, City Controller,  
City of Indianapolis, Indiana.

Dear Sir:

I am requested by the Board of Public Works to hand you herewith for transmission to the Common Council an Ordinance appropriating the sum of Seven Hundred Fifty (\$750.00) Dollars from any unappropriated funds for the purpose of paying James S. Cruse, Herbert E. Fieber and Michael F. Gill each the sum of Two Hundred Fifty (\$250.00) Dollars for services as appraisers in viewing and appraising real estate and buildings on White River Flood Prevention East of White River.

The Board of Public Works desires that you recommend the passage of this ordinance and transmit the same to the Common Council for passage.

Yours truly,

ELMER WILLIAMS,  
Clerk Board of Public Works.

November 5, 1923.

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

Gentlemen:—I hand you herewith for passage an ordinance appropriating the sum of Ten Thousand Seven Hundred Fifteen

and 90/100 (\$10,715.90) Dollars from any unappropriated funds to a fund to be created and known as "Special Street and Alley Improvement Fund" for the purpose of paying certain assessments against the City of Indianapolis, the Park Board, the Fire Department and Recreation Department, for which the City of Indianapolis is legally liable.

I respectfully recommend the passage of this ordinance.

Yours truly,

JOSEPH L. HOGUE,  
City Controller.

November 5, 1923.

Mr. Joseph L. Hogue, City Controller,  
City of Indianapolis, Indiana.

Dear Sir:

At the request of the Board of Public Works I hand you herewith for transmission to the Common Council, an ordinance appropriating the sum of Ten Thousand, Seven Hundred Fifteen and 90/100 (\$10,715.90) Dollars from any unappropriated funds to a fund to be created and known as "Special Street and Alley Improvement Fund" for the purpose of paying certain assessments for street and alley improvements for which the City of Indianapolis is legally liable.

The Board of Public Works desires that you recommend the passage of this ordinance and transmit the same to the Common Council for passage.

Yours truly,

ELMER WILLIAMS,  
Clerk Board of Public Works.

November 5, 1923.

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

Gentlemen:—I am handing you herewith copies of an Ordinance requesting the creation in the Department of Law, of the office of Public Utility Consultant and Budget Expert, and respectfully recommend the passage of this ordinance.

Yours very truly,

JOSEPH L. HOGUE,  
City Controller.

November 2, 1923.

Honorable Joseph L. Hogue, City Controller,  
City of Indianapolis, Indiana.

Dear Sir—Herewith please find General Ordinance No.....1923. This ordinance provides for creating in the Department of Law, the office of Public Utility Consultant and Budget Expert.

Will you please recommend the passage of this ordinance?

Respectfully submitted,

TAYLOR E. GRONINGER,  
Corporation Counsel.

November 5, 1923.

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

Gentlemen—I hand you herewith General Ordinance transferring the sum of \$500.00 from the Miscellaneous Expense Fund \$300.00 from the Change of Venue Fund and \$600.00 from the Compensation to Injured City Employees Fund in the Department of Law to the Judgments Compromises and Costs Funds in the Department of Law.

I recommend the passage of the above mentioned Ordinance.

Respectfully yours,

JOS. L. HOGUE,  
City Controller.

November 5, 1923.

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

Gentlemen—Herewith please find General Ordinance No..... 1923.

The City owes a balance of Three Thousand (\$3,000.00) Dollars on a Judgment. By making the transfer of the amounts set out in the ordinance to the Judgments, compromises and Costs Fund, we can apply the same in making payment on this Judgment. At the present time the Judgments, compromises and costs fund has only \$128.94 in it.

Will you please pass this at your earliest convenience.

Respectfully submitted,

TAYLOR E. GRONINGER,  
Corporation Counsel.

October 24, 1923.

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

Gentlemen—I hand you herewith an Ordinance creating the position of Assistant Clerk for the Barrett Law Department of the Department of Finance, and recommend the passage of same.

Yours truly,

JOS. L. HOGUE,  
City Controller.

October 15th, 1923.

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

Gentlemen—I hand you herewith a communication from the Board of Public Works asking for the passage of an ordinance transferring the sum of Three Thousand (\$3,000.00) Dollars from the "Maintenance of Equipment and Supplies Street Cleaning Fund" in the Department of Public Works to the New Equipment Street Cleaning Fund in the Department of Public Works, and re-appropriating the same to the latter fund.

I respectfully recommend the passage of this ordinance.

Yours truly,

JOS. L. HOGUE,  
City Controller.

October 15th, 1923.

Mr. Joseph L. Hogue, City Controller,  
City of Indianapolis, Indiana.

Dear Sir—I am directed by the Board of Public Works to submit for your approval and transmission to the Common Council an ordinance transferring the sum of Three Thousand (\$3,000.00) Dollars from the "Maintenance of Equipment and Supplies Street Cleaning Fund" in the Department of Public Works to the "New Equipment Street Cleaning Fund" in the Department of Public Works, and re-appropriating the same to the latter fund.

Yours truly,

ELMER WILLIAMS,  
Clerk Board of Public Works.

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

Gentlemen—I hand you herewith copies of an Ordinance amending sub-section "C" of section 5 of General Ordinance No. 37, 1923, entitled "An Ordinance regulating vehicle traffic providing for the rate of speed of street cars, establishing certain rules and regulations for vehicles, street cars and operators thereof, pedestrians providing certain penalties for the violation thereof repealing any and all ordinances in conflict therewith providing however, that none of the provisions of this ordinance shall effect any pending cause of action or rights of action either civil or penal and declaring a time when the same shall take effect.

I recommend the passage of the above mentioned Ordinance.

Respectfully yours,

JOS. L. HOGUE,  
City Controller.

November 5, 1923.

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

Gentlemen—At the request of the Board of Public Works, I herewith transmit to you for passage an Ordinance transferring the sum of Five Hundred (\$500.00) Dollars from the "Furniture and Fixtures Tomlinson Hall Fund" to the "Payment of Appraiser's Fund."

I respectfully recommend the passage of this ordinance.

Yours truly,

JOS. L. HOGUE,  
City Controller.

November 5, 1923.

Mr. Joseph L. Hogue, City Controller,  
City of Indianapolis, Indiana.

Dear Sir—At the request of the Board of Public Works I hand you herewith for passage by the Common Council an Ordinance transferring the sum of Five Hundred (\$500.00) Dollars from the "Furniture and Fixtures Tomlinson Hall Fund" to the "Payment of Appraiser's Fund" in the Department of Public Works.

The Board of Public Works desires that you recommend this transfer and transmit this ordinance to the Common Council for passage.

Yours truly,  
ELMER WILLIAMS,  
Clerk Board of Public Works.

November 5, 1923.

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

Gentlemen—I hand you herewith copies of an Appropriation Ordinance which appropriates \$500.00 to the Salaries Fund in the Building Department for the purpose of paying the salary of the Chief Smoke Abatement Inspector for the balance of the year 1923.

I recommend the passage of the above mentioned Ordinance.

Respectfully yours,  
JOS. L. HOGUE,  
City Controller.

November 1, 1923.

Mr. Joseph L. Hogue, City Controller,  
City of Indianapolis, Indiana.

Dear Sir—We are handing you herewith fourteen copies of an Appropriation Ordinance which appropriates \$500.00 to the Salaries Fund in the Building Department for the purpose of paying the salary of the Chief Smoke Abatement Inspector for the balance of the year 1923, for your approval.

Very truly yours,  
FRANCIS F. HAMILTON,  
Commissioner of Buildings.

November 5, 1923.

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

Gentlemen—I herewith hand you a communication from the Board of Public Works together with a letter of the City Civil Engineer requesting that I recommend and transmit to you for passage an ordinance appropriating the sum of Nine Hundred Eighty-eight and 38/100 (\$988.38) Dollars from any unappropriated funds to a fund to be created and known as "The Indiana Bell Telephone Repair Fund" for the purpose of paying the overcharge due said company by the City of Indianapolis for repairing cuts made by said company in the improved streets of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours truly,  
JOS. L. HOGUE,  
City Controller.

November 2, 1923.

Mr. James Ogden, City Attorney,  
City of Indianapolis, Indiana.

Dear Sir—Last year in making up a bill against the Indiana Bell Telephone Company for repairing cuts made by that company

in the improved streets in Indianapolis, a bill was rendered at the rate of \$3.00 per square yard, which was, at that time, the price for repairing cuts including putting in of the concrete base.

After the Indiana Bell Telephone Company had paid the bill, it was discovered that the telephone company had replaced all of the concrete base and all that was necessary for this Department was the placing of the asphalt top which should have been charged at \$2.00 per square yard. On the amount of work billed, this overcharge amounts to \$988.38.

Would therefore request that you draw an ordinance to be submitted to the Council, Monday, November 5th, appropriating from any unappropriated funds the amount of \$988.38 to be paid the Indiana Bell Telephone Company on account of this overcharge.

Yours truly,

J. L. ELLIOTT,  
City Civil Engineer.

November 5, 1923.

Joseph L. Hogue, City Controller,  
City of Indianapolis, Indiana.

Dear Sir—I hand you at the request of the Board of Public Works an ordinance appropriating the sum of Nine Hundred Eighty-eight and 38/100 (\$988.38) Dollars from any unappropriated funds to a fund to be created and known as "The Indiana Bell Telephone Company Repair Fund" for the purpose of paying said company for over charges made by the City of Indianapolis for repairing cuts made by said company in the improved streets of Indianapolis. The Board of Public Works desires that you recommend the passage of this ordinance, and that you transmit the same to the Common Council for passage.

Yours truly,

ELMER WILLIAMS,  
Clerk Board of Public Works.

From the Board of Public Works:

November 5, 1923.

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

Gentlemen—At the request of the Board of Public Works I hand you for passage an ordinance ratifying, confirming and approving a certain contract made and entered into on the 2nd day of November, 1923, between the City of Indianapolis, by and through its Board of Public Works with the approval of its Mayor, and the Avery Company for Two 4-cylinder Avery Tractors. By this contract the City of Indianapolis is to pay \$2,610.00 in cash, and to deliver Two used Parrett Tractors numbered 38 and 39 to said Avery Company.

Yours truly,

ELMER WILLIAMS,  
Clerk Board of Public Works.

November 5, 1923.

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

Gentlemen—At the request of the Board of Public Works, I



hand you for passage an ordinance ratifying and confirming a certain contract made and entered into on the 2nd day of November, 1923, by and between the International Motor Co., and the City of Indianapolis, by and through its Board of Public Works with the approval of its Mayor for the purchase of Three 3-3½ ton Dump Trucks with all-weather steel cab for the sum of \$13,279.29.

Yours truly,

ELMER WILLIAMS,  
Clerk Board of Public Works.

November 5, 1923.

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

Gentlemen—I am requested by the Board of Public Works to hand you herewith for passage an ordinance ratifying, confirming and approving a certain contract made and entered into on the 2nd day of November, 1923, between the City of Indianapolis by and through its Board of Public Works with the approval of its Mayor, and Charles A. Wilson and Ben I. Perry, a partnership doing business under the firm name and style of "Bates Steel Mule Company of Indiana" for the purchase of One Bates Steel Mule Tractor, Model No. 40. The Board of Public Works desires this tractor for the use of the Street Commissioner's Department.

Yours truly,

ELMER WILLIAMS,  
Clerk Board of Public Works.

November 5, 1923.

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

Gentlemen—I am requested by the Board of Public Works to submit to you for passage an ordinance providing for the improvement of 39th Street from the west property line of Illinois Street to the east property line of Boulevard Place by grading the roadway and constructing curb under Improvement Resolution No. 11,317, adopted by the Board of Public Works of the City of Indianapolis, Indiana, on the 19th day of September, 1923.

The Board feels that this street is in bad condition, and on account of the drainage the improvement should be made.

The Board therefore requests that you order this improvement.

Yours truly,

ELMER WILLIAMS,  
Clerk Board of Public Works.

Indianapolis, Ind., November 5th, 1923.

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

Gentlemen:

I am requested by the Board of Public Works to submit to you for passage, an ordinance providing for the improvement of 39th street from the west property line of Illinois street to the east property line of Boulevard Place, by paving the roadway with asphalt, asphaltic concrete, concrete or brick under Improvement Resolution No. 11,334, adopted by the Board of Public Works of the City of Indianapolis, Indiana, on the 21st day of September, 1923.

The Board feels that this street is in bad condition, and on account of the drainage, the improvement should be made.

The Board, therefore, requests that you order this improvement.

Very truly yours,  
ELMER WILLIAMS,  
Clerk Board of Public Works.

November 5, 1923.

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

Gentlemen:

At the request of the Board of Public Works I herewith submit to you for passage, an ordinance ratifying, confirming and approving a certain lease, agreement and other instruments of writing entered into on the 17th day of October, 1923, between the City of Indianapolis, by and through its Board of Public Works, with the approval of its Mayor, and the Frank Bird Transfer Company and Louis G. Deschler, whereby the City of Indianapolis is to lease certain property.

This property is located at 319 East New York street and joins the Municipal Garage of the City of Indianapolis immediately on the east. The Board of Public Works feels that it is absolutely essential that this property be leased to meet with the pressing necessities for additional space and the proper protection of the motor equipment of the city.

Yours truly,  
ELMER WILLIAMS,  
Clerk Board of Public Works.

November 5, 1923.

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

Gentlemen:

At the request of the Board of Public Works I hand you herewith an ordinance authorizing the alienation and conveyance of Lots 14, 15 and 16 in Yandes Subdivision of Out Lot No. 130, in the City of Indianapolis.

Yours truly,  
ELMER WILLIAMS,  
Clerk Board of Public Works.

From the Board of Public Safety:

November 5, 1923.

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

Gentlemen:

At the request of the Board of Public Safety, I hand you herewith for passage an ordinance ratifying, confirming and approving a certain contract made and entered into on the 2nd day of November, 1923, between the City of Indianapolis, by and through its Board of Public Safety with the approval of its Mayor, and the

Local Branch Nordyke & Marmon Company for the purchase of one Marmon Motor Car, as more fully described therein.

Yours truly,

OSCAR O. WISE,  
Clerk Board of Public Safety.

From the City Plan Commission:

November 5, 1923.

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

Gentlemen:

The City Plan Commission of the City of Indianapolis, to whom you referred General Ordinance No. 123, 1923, for consideration and report with recommendations, begs leave to report that it has had said ordinance under consideration and recommends that said ordinance be amended as follows:

That a strip of land 137.7 feet wide, east of and parallel to the Monon Railway from the center of E. 49th street to the center of 52nd street, be changed to the U3 or business district, and that the remainder of the territory annexed under Special Ordinance No. 17, 1923, be zoned as U1, A2 district as originally recommended.

Very truly yours,

City Plan Commission of the City of Indpls.  
Edward B. Raub, President.

November 5, 1923.

Mr. John W. Rhodehamel,  
Indianapolis, Indiana.

Dear Sir:

I am handing you herewith ten copies of an ordinance to amend the Zoning Ordinance. This ordinance is offered at the suggestion of the City Plan Commission, which has determined after nearly a year's experience with the Zoning Ordinance that churches, schools and such buildings should not be permitted to locate in a residence section until after a public hearing has been held and the residents of the section have been given an opportunity to be heard.

This does not mean that a church building or school building will not be permitted in a residence section, but only at such places therein as will really work a hardship on the owners of surrounding property.

There has been considerable demand for this amendment and the Plan Commission feels that it is wise, in the interests of the city as a whole, that it be passed.

Yours very truly,

J. CLYDE HOFFMAN,

Legal Advisor City Plan Commission of the City of Indianapolis.

## INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

## APPROPRIATION ORDINANCE NO. 45, 1923.

AN ORDINANCE, appropriating the sum of five hundred (\$500.00) dollars out of any unappropriated funds of the City of Indianapolis to the Salaries Fund in the Building Department under the Department of Public Safety, and declaring a time when the same shall take effect.

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

Section 1. That the sum of five hundred (\$500.00) dollars be and the same is hereby appropriated out of any unappropriated funds of the City of Indianapolis to the Salaries Fund in the Building Department under the Department of Public Safety to be used for the purpose of paying the salary of the Chief Smoke Abatement Inspector for the balance of the year 1923.

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 the City Controller:

## APPROPRIATION ORDINANCE NO. 46, 1923.

AN ORDINANCE, appropriating the sum of nine hundred eighty-eight and thirty-eight hundredths (\$988.38) Dollars from any unappropriated funds to a fund to be created and known as "The Indiana Bell Telephone Company Repair Fund" in the Department of Public Works for the purpose of paying the Indiana Bell Telephone Company the said amount on account of overcharge, and declaring 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 Nine Hundred Eighty-eight and Thirty-eight Hundredths (\$988.38) Dollars from any unappropriated funds to a fund herein created and known as "The Indiana Bell Telephone Company Repair Fund" in the Department of Public Works for the purpose of paying the Indiana Bell Telephone Company the sum of Nine Hundred Eighty-eight and Thirty-eight Hundredths (\$988.38) Dollars on account of overcharge by the City of Indianapolis for repairing cuts made by said company in the improved streets of the City of Indianapolis.

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 the City Controller:

## APPROPRIATION ORDINANCE NO. 47, 1923.

AN ORDINANCE, appropriating the sum of Seven Hundred Fifty (\$750.00) Dollars from any unappropriated funds to a fund to be created and known as "White River Flood Prevention East of White River Appraisalment Fund" for the purpose of paying James S. Cruse, Herbert E. Fieber and Michael F. Gill each the sum of Two Hundred Fifty (\$250.00) Dollars for services in viewing and appraising real estate and buildings on White River Flood Prevention East of White River, and declaring 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 Seven Hundred Fifty (\$750.00) Dollars from any unappropriated funds to a fund herein created and known as "The White River Flood Prevention East of White River Appraisalment Fund" in the Department of Public Works, for the purpose of paying James S. Cruse, Herbert E. Fieber and Michael F. Gill each the sum of Two Hundred Fifty (\$250.00) Dollars for services as appraisers in viewing and appraising real estate and buildings on White River Flood Prevention East of White River.

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 the City Controller:

## APPROPRIATION ORDINANCE NO. 48, 1923.

AN ORDINANCE, appropriating the sum of Ten Thousand Seven Hundred Fifteen and Ninety-Hundredths (\$10,715.90) Dollars from any unappropriated funds to a fund to be created and known as "Special Street and Alley Improvement Fund" in the Department of Public Works for the purpose of paying certain assessments for street and alley improvements assessed against the city and certain departments of the city, and declaring 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 Ten Thousand, Seven Hundred Fifteen and Ninety Hundredths (\$10,715.90) Dollars from any unappropriated funds to a fund herein created and known as "Special Street and Alley Improvement Fund" in the Department of Public Works, for the purpose of paying the following assessments for street and alley improvements:

\$4,808.38	Assessed against the Park Board on 29th Street;
1,486.74	Assessed against the Park Board on Parker Avenue;
90.00	Assessed against the Fire Department on 1st. alley south of Woodlawn;
3,423.70	Assessed against City of Indianapolis on Morris Street;
25.92	Assessed against Recreation Department on King Avenue;

881.16 Assessed on Recreation Department on King Avenue.

\$10,715.90 TOTAL.

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

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

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the City Controller:

##### GENERAL ORDINANCE NO. 137, 1923.

AN ORDINANCE, creating the office of Public Utility Consultant and Budget Expert in the Department of Law, fixing the salary therefor in the sum of Three Thousand (\$3,000) Dollars per annum, and declaring 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 hereby is created in the Department of Law, the office of Public Utility Consultant and Budget Expert.

Section 2. Said Public Utility Consultant and Budget Expert shall be an Assistant to the Corporation Counsel of said City of Indianapolis, and shall be under his direction and supervision, and appointed as are other assistants to the Corporation Counsel.

Section 2. That the salary of said Public Utility Consultant and Budget Expert shall be at the rate of Three Thousand (\$3000) Dollars per annum, payable as other city employees are paid.

Section 4. This ordinance shall be in full force and effect from and after January 1, 1924.

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

By the City Controller:

##### GENERAL ORDINANCE NO. 138, 1923.

AN ORDINANCE, transferring the sum of Five Hundred (\$500) dollars from the "Miscellaneous Expense Fund"; Three Hundred (\$300) Dollars from the "Change of Venus Fund" and Six Hundred (\$600) Dollars from the "Compensation to Injured City Employees Fund," in the Department of Law to the "Judgments—Compromises and Costs Fund" in the Department of Law and re-appropriating the same to the last named fund and declaring a time when the same shall take effect.

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

Section 1. That the sum of Five Hundred (\$500) dollars from the "Miscellaneous Expense Fund"; Three Hundred (\$300) dollars from the "Change of Venue Fund" and Six Hundred (\$600) dollars from the "Compensation to Injured City Employees Fund," in the Department of Law, be and the same is hereby transferred to and re-appropriated to the "Judgments—Compromises and Costs Fund" in the Department of Law.

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 the City Controller:

GENERAL ORDINANCE NO. 139, 1923.

AN ORDINANCE creating the position of Assistant Barrett Law Clerk in the Department of Finance and providing a time when the same shall take effect.

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

Section 1. That the position of Assistant Barrett Law Clerk in the Department of Finance is hereby authorized.

Section 2. The salary of such assistant clerk shall be Fifteen Hundred (\$1500.00) Dollars per annum, and the duties of such position shall be as prescribed by the Controller.

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 the City Controller:

GENERAL ORDINANCE NO. 140, 1923.

AN ORDINANCE, transferring the sum of Three Thousand (\$3,000.00) Dollars from the "Maintenance of Equipment and Supplies Street Cleaning Fund" in the Department of Public Works, to the "New Equipment Street Cleaning Fund" in the Department of Public Works, and re-appropriating the same to the latter fund and declaring a time when the same shall take effect.

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

Section 1. That the sum of Three Thousand (\$3,000.00) Dollars from the Maintenance of Equipment and Supplies Street Cleaning Fund in the Department of Public Works be, and the same is hereby transferred to and re-appropriated to the "New Equipment Street Cleaning Fund" in the Department of Public Works.

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 the City Controller:

GENERAL ORDINANCE NO. 141, 1923.

AN ORDINANCE AMENDING sub-section "C" of section 5 of General Ordinance No. 37, 1923, entitled "An Ordinance Regulating Vehicle Traffic providing for the rate of speed of street cars, establishing certain rules and regulations for vehicles, street cars and operators thereof, pedestrians providing certain penalties for the violation thereof repealing any and all Ordinances in conflict therewith, providing however, that none of the provisions of this ordinance shall effect any pending cause of action or rights of action either civil or penal and declaring a time when the same shall take effect."

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

Section 1. That sub-section "C" of section 5 of General Ordinance No. 37, 1923, be amended to read as follows:

Section 2. The occupant of any premises may prevent any parking of vehicles upon any public street in front of such premises in the following manner: Such occupant shall deposit in the office of the City Controller the sum of Two Dollars and Fifty Cents (\$2.50) for which deposit the City Controller shall give a receipt which when presented to the Chief of Police shall entitle such occupant to receive one (1) iron marker the inscription "No Parking" or words of equivalent meaning such marker to be known as "Silent Policeman" and in addition to this deposit of Two Dollars and Fifty Cents (\$2.50) such occupant shall at the time of issuance and on the first of January each year thereafter pay into the office of the City Controller, the sum of Two Dollars and Fifty Cents (\$2.50) as maintenance fee for each standard. Such occupant upon returning to the Chief of Police said Silent Policeman shall receive a receipt thereof which when presented to the City Controller shall entitle him to a refund of the Two Dollars and Fifty Cents (\$2.50) deposit. Such occupant may place said Silent Policeman upon the edge of the sidewalk adjacent to the roadway in front of said premises not to exceed eighteen (18) feet apart and while they are so placed no vehicle shall be parked in the space included between them, providing however if any vehicle is lawfully parked therein when said Silent Policemen are set out such vehicle may remain parked therein until the expiration of the then remaining parking time allowed by this ordinance, a space not greater than eighteen (18) feet in length may be reserved in the following manner: Reservations of such space and the prohibiting of parking therein shall be made only when such space is required immediately by said occupants and such reservations shall only be made for a period not to exceed one and one-half hours (1 1/2) hours during the forenoon and once during the afternoon, between the hours of eight o'clock a. m. and seven o'clock p. m. and then only for the purpose of loading and unloading of goods, wares, merchandise or materials, and such space shall be released immediately upon the termination of the necessity for such reservation thereof, and such "Silent Policemen" shall immedi-



ately be removed from view. Nothing contained in this paragraph shall authorize reservation of space for parking of any occupant's own vehicle or vehicles. When there are two or more occupants of any premises who use a common entrance thereto only one space can be so reserved. Provided however, that each occupant may by private arrangements among themselves making use in common of a single set of "Silent Policemen" but each space shall not be held in reserve for succeeding periods by reason of such common use. Provided further, that in addition to the penalties hereinafter provided, any occupant or occupants of such premises found guilty of violating any of the provisions of this section, shall be deprived of the further use of such "Silent Policemen" shall surrender the same to the Chief of Police, and the Two Dollars and Fifty Cents (\$2.50) deposited with the City Controller shall be forfeited and become a part of the General Fund of the City of Indianapolis.

Section 3. 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.

GENERAL ORDINANCE NO. 142, 1923.

AN ORDINANCE, transferring the sum of Five Hundred (\$500.00) Dollars from the Furniture and Fixtures Tomlinson Hall Fund in the Department of Public Works to the "Payment of Appraiser's Fund" in the Department of Public Works, and re-appropriating the same to the latter fund and declaring a time when the same shall take effect.

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

Section 1. That the sum of Five Hundred (\$500.00) Dollars from the Furniture and Fixtures Tomlinson Hall Fund in the Department of Public Works be and the same is hereby transferred to and re-appropriated to the Payment of Appraiser's Fund in the Department of Public Works.

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 the Board of Public Works:

GENERAL ORDINANCE NO. 143, 1923.

AN ORDINANCE, ratifying, confirming and approving a certain contract made and entered into on the 2nd day of November, 1923, between the City of Indianapolis, by and through its Board of Public Works, with the approval of its Mayor, and the Avery Company for the purchase of Two 4 Cylinder Avery Tractors for

the sum Two Thousand Six Hundred Ten (\$2,610.00) Dollars cash and Two used Parrett Tractors Numbered 38 and 39, and declaring a time when the same shall take effect:

WHEREAS, heretofore on the 2nd, day of November, 1923, the City of Indianapolis, by and through its Board of Public Works with the approval of its Mayor, entered into a certain contract and agreement with the Avery Company for the purchase of Two 4 Cylinder Avery Tractors, which contract is in the words and figures as follows, to-wit:

#### CONTRACT.

This agreement made by and between the Avery Company, a corporation, of Indianapolis, Indiana, Party of the first part, and the City of Indianapolis, Indiana, by and through its Board of Public Works with the approval of its Mayor, party of the second part, WITNESSETH:

That the party of the first part hereby sells and agrees to deliver the following apparatus and equipment for the use of the Street Commissioner of said City:

Two 4 Cylinder Avery, 20 to 35 horse-power four wheel tractors weighing approximately three and one-half (3½) tons each, of sufficient width and height and equipped with cleats, universal lugs, suitable for municipal work for the sum of Two Thousand Six Hundred Ten (\$2,610.00) Dollars and Two used Parrett Tractors numbered 38 and 39.

The party of the first part hereby gives the following guarantee:

Said Avery Road Tractors and Road Razers to be well made of good material and in aworkmanlike manner, and any piece or part that proves defective within ninety days will be replaced free of charge f. o. b. Peoria, Ill.

We also guarantee the said Avery Road Tractor as follows:

That they will do the work 50% cheaper than can be done with horses or mules, and do it better.

We guarantee Avery Road Tractors will build a road 20 per cent cheaper than any other make of Tractor of similar size.

We guarantee the 45-65 H. P. Avery Road Tractor to pull a 12-foot Grader successfully.

We guarantee the 25-50 H. P. Avery Road Tractor to pull a 10-foot Grader successfully.

We guarantee the 18-36 H. P. Avery Road Tractor to pull an 8-foot Grader successfully.

These guarantees are made upon the provision, however, that the graders are equipped with engine hitch.

We guarantee any of the above size Avery Road Tractors to burn pure kerosene or any fuel used successfully by any other Tractor.

The party of the second part hereby acknowledges the purchase of said apparatus and equipment and agrees to pay for the same when delivered as aforesaid in the sum of Two Thousand Six Hundred Ten (\$2,610.00) Dollars and two used Parrett Tractors, the same being made up of the following items:

Two 4-cylinder Avery, 20 to 35 Horse Power Tractors equipped as stated above, and delivered to the Street Commissioner at \$1,430.00 each .....\$2,860.00

Allowance for above described used Parrett:

Tractor No. 38 .....\$100.00  
No. 39 ..... 150.00

250.00

NET CASH TO BE PAID .....\$2,610.00



with the approval of its Mayor, entered into a certain contract and agreement with the International Motor Company for the purchase of three 3 to 3½ ton Mack Dump Trucks with all weather steel cab, which contract is in the words and figures as follows, to-wit:

### CONTRACT

THIS AGREEMENT, made by and between The International Motor Company, party of the first part and the City of Indianapolis, by and through its Board of Public Works with the approval of its Mayor, party of the second part.

WITNESSETH: The party of the first part hereby sells and ment, complete as hereinafter described. Three 3 to 3½ ton Mack agrees to deliver at Indianapolis, Indiana, the Apparatus and Equip-Dump Trucks, equipped as per your specifications, including 3 cu. yds. steel dump body and underbody hoist, steel wheels, hubodometer, bumper, 10" rear tires, and all-weather steel cab (with sliding doors and windows.)

The Proposal and Specifications attached hereto are part of this agreement and contract, the goods delivered are to conform thereto and are sold in accordance therewith and subject to the conditions which are written below, and bear our usual warranty.

The party of the second part hereby acknowledges the purchase of the Apparatus and Equipment as described by the said Proposal and Specifications and agrees to pay for same when delivered as and Twenty-Nine Hundredths (\$13,279.29) Dollars to be paid to the aforesaid, the sum of Thirteen Thousand Two Hundred Seventy-Nine International Motor Company, or its authorized agent, according to the terms agreed upon and which are as follows: "NET CASH."

This contract is subject to the approval of the Common Council, and also the Mayor of Indianapolis, Indiana.

In Witness Whereof, the parties have hereunto set their hand and official seal in duplicate this 2nd day of November, 1923.

THE INTERNATIONAL MOTOR COMPANY,

By Geo. M. Bailley,

Party of the Second Part.

CITY OF INDIANAPOLIS

By C. E. Coffin

W. H. Freeman

M. J. Spencer

Board of Public Works.

Party of the First Part

Approved: S. L. SHANK, Mayor.

WHEREAS, said contract and agreement has been submitted by said Board of Public Works of the City of Indianapolis to the Common Council of said City for its action thereon.

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

Section 1. That the foregoing contract and agreement made and entered into on the 2nd day of November, 1923, by the City of Indianapolis, by and through its Board of Public Works with the approval of its Mayor and the International Motor Company, be and the same is hereby in all things ratified, 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. 145, 1923.

AN ORDINANCE, ratifying, confirming and approving a certain contract made and entered into on the 2nd day of November, 1923, between Charles A. Wilson and Ben I. Perry, a partnership doing business under the firm name and style of the Bates Steel Mule Company of Indiana, and the City of Indianapolis by and through its Board of Public Works with the approval of its Mayor, for the purchase by the City of Indianapolis of one Bates Steel Mule Tractor, Model No. 40, for the sum of Four Thousand Ninety-seven (\$4,097.00) Dollars, cash, and one used Parrett Tractor, and declaring a time when the same shall take effect.

WHEREAS, heretofore, on the 2nd day of November, 1923, the City of Indianapolis, by and through its Board of Public Works with the approval of its Mayor, entered into a certain contract and agreement with Charles A. Wilson and Ben I. Perry, a partnership doing business under the firm name and style of the Bates Steel Mule Tractor, Model No. 40, which contract is in words and figures as follows, to-wit:

CONTRACT.

THIS AGREEMENT, made between Charles A. Wilson and Ben I. Perry, a partnership doing business under the firm name and style of the Bates Steel Mule Company of Indiana, of Indianapolis, Indiana, by and through its Board of Public Works with the approval of its Mayor, party of the second part, WITNESSETH:

That the party of the first part hereby sells and agrees to deliver the following apparatus and equipment for the use of the Street Commissioner of said city:

One Bates Steel Mule Tractor, Model Bates No. 40, rating 30 to 40 Horse Power of full crawler type.

The party of the first part hereby gives the following guarantee:

GUARANTEE.

This Bates Tractor is guaranteed to be an honestly built machine, thoroughly tested, adjusted and as free as practicable from flaws in material.

The Bates Machine and Tractor Company, hereafter referred to as the Company, agrees with me, hereafter referred to as the Purchaser, that if any part of this machine breaks inside of sixty days from the date of shipment, the break being due to flaws in material, the Company will give the Purchaser a new part free of charge, providing the Purchaser sends the broken part to the Company, transportation prepaid and pays the transportation charges on the new part.

The Company further agrees that this tractor, at sea level, when properly managed and adjusted, operated on any soil that gives it sufficient traction will develop more than its rated power at the draw bar or at the belt.

It is further guaranteed that every piece specified will do the work for which the same is intended as described in specifications, catalogs and literature.

The party of the second part hereby acknowledges the purchase of this apparatus and equipment and agrees to pay for the same when delivered as aforesaid the sum of Four Thousand Ninety-seven (\$497.00) Dollars cash and deliver to the party of the first part one used Parrett Tractor, City Number 41, which sum is made up of the following items:

One Bates Steel Mule Tractor, Model No. 40 .....	\$4,150.00
Allowance for Parrett Tractor, City No. 41 .....	53.00

Total cash to be paid .....\$4,097.00

to be paid to the party of the first part or its authorized agent according to the terms agreed upon and which are as follows:

Net cash \$4,097.00 within sixty (60) days after delivery.

It is understood and agreed that the said Steel Mule Tractor and Equipment are to be delivered to the party of the second part when this contract becomes binding upon both of the parties hereto.

It is agreed and understood that the City of Indianapolis shall not be bound in any manner by this agreement until the same has been approved by the Common Council of the City of Indianapolis.

IN WITNESS WHEREOF, the parties have hereunto set their hands and official seals in duplicate this 2nd day of November, 1923.

Charles A. Wilson and Ben I. Perry, doing business under the firm name and style of

BATES STEEL MULE COMPANY OF INDIANA,

By Charles A. Wilson, Mgr.

Party of the Second Part.

CITY OF INDIANAPOLIS

By C. E. Coffin

W. H. Freeman

M. J. Spencer

Board of Public Works.

Party of the First Part

Approved: S. L. SHANK, Mayor.

WHEREAS, said contract and agreement has been submitted by said Board of Public Works of the City of Indianapolis to the Common Council of said city for its action thereon.

*Now, Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the foregoing contract and agreement made and entered into on the 2nd day of November, 1923, by the City of Indianapolis, by and through its Board of Public Works with the approval of its Mayor and Charles A. Wilson and Ben I. Perry, a partnership doing business under the firm name and style of the Bates Steel Mule Company of Indiana, be and the same is hereby in all things ratified, 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. 146, 1923.

AN ORDINANCE, ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve 39th Street from the west property line of Boulevard Place by grading the roadway and constructing curb as provided for under improvement Resolution No. 11,317 adopted by the Board of Public Works of the City of Indianapolis, Indiana, on the 19th day of September, 1923, and declaring a time when the same shall take effect:

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

That, Whereas, the Board of Public Works of the City of Indianapolis, Indiana, in the manner prescribed by law, did, on the 19th day of September, 1923, adopt Improvement Resolution No. 11,317 for the improvement of 39th Street from the west property line of Illinois street to the east property line of Boulevard Place by grading the roadway and constructing curb, and

WHEREAS, the said Board of Public Works did, at the same time fix October 10th, 1923 at 2 o'clock p. m. as the time to hear all persons interested or whose property is effected by the said improvement, and notice of the passage of said Resolution and the said time of hearing was published on September 21, 1923, and on September 28th, 1923, in the Indianapolis Commercial, a daily newspaper of general circulation printed and published in the City of Indianapolis and notices by mail were duly forwarded as provided by law, and

WHEREAS, the Board of Public Works pursuant to said notice met on the 10th day of October, 1923, and, after said hearing in regular session, on October 10th, 1923, took action on said Resolution, the same being confirmed without modification; and

WHEREAS, on the 10th day of October, 1923, a written remonstrance, signed by more than a majority of the resident free-holders on said street, was filed with the Board of Public Works against said improvement, and,

WHEREAS, the Board of Public Works has submitted to the Common Council for its consideration this ordinance ordering the Board of Public Works to proceed with improvement of said street under said Resolution,

*Now, therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:*

That the Board of Public Works of the City of Indianapolis, Indiana, do, and is hereby ordered to improve 39th Street from the west property line of Illinois Street to the east property line of Boulevard Place by grading the roadway and constructing curb under said Improvement Resolution number 11,317, 1923.

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. 147, 1923.

AN ORDINANCE, ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve 39th Street from the west property line of Illinois Street to the east property line of Boulevard Place, by paving the roadway with asphalt, asphaltic concrete, concrete or brick, as provided for under Improvement Resolution No. 11,334 adopted by the Board of Public Works of the City of Indianapolis, Indiana, on the 21st day of September, 1923, and declaring a time when the same shall take effect.

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

Section 1. That, WHEREAS, the Board of Public Works of the City of Indianapolis, Indiana, in the manner prescribed by law, did, on the 21st day of September, 1923, adopt Improvement Resolution No. 11,334 for the improvement of 39th street from the west property line of Illinois Street to the east property line of Boulevard Place by paving the roadway with asphalt,, asphaltic concrete, concrete or brick, and

WHEREAS, the said Board of Public Works did at the same time fix October 15th, 1923, at 2 o'clock p. m. as the time to hear all persons interested, or whose property is effected by said improvement, and notice of the passage of said resolution and the said time of hearing was published on September 24th, 1923, and October 1st, 1923, in the Indianapolis Commercial, a daily newspaper of general circulation, printed and published in the City of Indianapolis, and notices by mail were duly forwarded as provided by law, and

WHEREAS, the Board of Public Works pursuant to said notices met on the 15th day of October, 1923, and after said hearing in regular session on October 15th, 1923, took action on said Resolution, the same being confirmed without modification, and

WHEREAS, on the 15th day of October, 1923, a written remonstrance signed by more than a majority of the resident freeholders on said street was filed with the Board of Public Works against said improvement, and

WHEREAS, the Board of Public Works has submitted to the Common Council for its consideration this ordinance ordering the Board of Public Works to proceed with the improvement of said street under said Resolution.

*Now, Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:*

That the Board of Public Works of the City of Indianapolis, Indiana, do and is hereby ordered to improve said 39th Street from the west property line of Illinois Street to the east property line of Boulevard Place by paving the roadway with asphalt, asphaltic concrete, concrete or brick, under said Improvement Resolution No. 11,334, 1923.

Section 2. This ordinance shall be in full force and effect from and fater 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. 148, 1923.

AN ORDINANCE, ratifying, confirming and approving a certain lease, consent to assignment and extension of lease and agreement to transfer under date of October 17th, 1923, by Frank Bird Transfer Company, and declaring a time when the same shall take effect.

WHEREAS, heretofore on the 17th day of October, 1923, the City of Indianapolis by and through its Board of Public Works, with the approval of its Mayor, entered into a certain agreement with the Frank Bird Transfer Company whereby the said Frank Bird Transfer Company agreed to transfer to the City of Indianapolis all their rights in a certain lease to the property at 319 E. New York street, for the sum of Five Hundred Thirty-six and 58.100 (\$536.58) Dollars and said city assume the obligations of the lease, which lease, consent to assignment and extension of lease and agreement to transfer are in the words and figures as follows to-wit:

## LEASE

THIS INDENTURE, made this 15th day of June, 1923, between Louis G. Deschler, party of the first part, and John E. Morand, party of the second part, WITNESSETH:

That said party of the first part in consideration of the covenants and agreements on the part of the said party of the second part, hereinafter, hereby demises and leases unto said party of the second part the following described real estate in the County of Marion, State of Indiana, described as follows to-wit:

Parts of Lots One (1), Two (2) and Three (3), in Square Thirty-nine (39), in the City of Indianapolis, bounded as follows:

Beginning at the northwest corner of Lot One (1) in Square Thirty-nine (39) of the original plat of the Town of Indianapolis; thence east sixty-five (65) feet by the south line of New York street; thence south across Lots Nos. One (1), Two (2) and Three (3), to an alley running east and west through said block; thence west along the north line of said alley sixty-five (65) feet to an alley running from north to south through said block; thence along the east line of said alley to the place of beginning, the same being in the City of Indianapolis.

Together with the rights, privileges and appurtenances to the same belonging, to have and hold the same for and during the term of nine (9) years, beginning on the 25th day of June, 1915, and ending on the 24th day of June, 1924; and the second part hereby agrees to pay to first party as rent for said premises the sum of Five Thousand (\$5,000.00) Dollars per year in monthly installments of Four Hundred Sixteen and 67.100 (\$416.67) Dollars, all without relief from valuation or appraisal laws, and party of the second part agrees to pay said amount of Four Hundred Sixteen and 67.100 (\$416.67) Dollars in advance on the 25th day of each month during said period; and said party of the second part agrees and hereby consents to occupy said premises in a careful tenant-like manner and to, surrender the same to first party at the end of said term or at the expiration of this lease in as good condition as said premises now are or may at any time be put during said tenancy, natural wear and tear excepted; second party further agrees during the term of this lease to make all repairs to said building necessary to keep the same in a proper state of preservation and in proper repair, and further agrees to pay all municipal assessments and charges

that may accrue against said property, including all Barrett Law and sewer assessments against the same, excepting that first party shall pay all current taxes and the expense of any and all insurance upon said property.

#### THE CONDITIONS OF THE LEASE ARE

That the said premises are to be used and occupied by second party in connection with and for the purpose of a transfer and passenger business and for use as stables for horses, a garage for automobiles and taxicabs, as a warehouse for the storage and transfer of baggage, for repair and blacksmith shop, all in connection with and necessary to said business, and for the purposes necessary and incident to the transaction of such business as now occupies said premises, and for no other purpose whatever; that said premises shall not be sub-leased except as hereinafter stipulated or occupied by other persons for other purposes than herein expressed, or this lease assigned by said second party without the consent of first party made in writing, except as hereinafter provided; that no waste shall be committed or damage done to said premises and no lewd or immoral practices shall be allowed thereon.

At the expiration of this lease or on the failure to pay rent when the same is due, or on failure to comply with any of the conditions of this lease, the same, at the option of first party, shall terminate at once without notice and said first party, his representatives or assigns, may enter upon and take possession of said premises and expel second party without in any wise being a trespasser, and the failure of the first party to exercise said option or to take possession of said premises at any of the times aforesaid shall not estop him from afterwards asserting said rights, and the occupation of said premises after any forfeiture thereof shall give second party no rights as a tenant, but he may be expelled at any time without notice. The second party agrees to pay all attorneys' fees or other costs pertaining to the enforcement of any of the provisions of this lease.

It is expressly understood that first party does not covenant said premises to be tenantable or in order, or that the same will be kept tenantable or in order, except as herein expressly provided, part necessary to the proper preservation of the building thereon, first party shall have the right at any time to enter upon said premises for the purpose of making any such repairs and the cost of the same shall be paid by second party and shall become a part of the consideration to be paid by second party to first party as a part of this agreement.

It is further expressly agreed between the parties that if the buildings on said real estate be destroyed by fire, cyclone, tornado or other acts of God or the natural elements, so that said buildings or any substantial part of them cannot be used, that said party of the first part shall cause said buildings to be restored or rebuilt so as to be suitable to use in the business aforesaid, and of approximately the same size and kind as those now there; and it is agreed that the rental, or such proportion thereof as shall have been destroyed, shall cease during the time such new buildings are under construction and until said buildings or damaged part thereof shall be in readiness for occupancy; and the party of the second part and his assigns shall not be liable for the rebuilding of such building or any part thereof.

The second party hereby expressly agrees to assume all risks arising from the making of repairs and alterations thereto and agrees to hold first party harmless from any damages arising from the operation and use of said buildings and premises and any repairs or alterations made thereto by said second party.

And it is further agreed that the said party of the first part shall not be liable or responsible for any accident or injury to person or persons, or property that may arise from said premises, or that may occur thereon during the occupancy under this lease; and the party of the second further agrees to hold the first party harmless from any damages to second party or to any of his agents, employes or property or any property in his custody, arising from or caused by any over-loading or misuse of said building by second party or persons under his control or arising from any inherent defects in said building.

Second party further agrees to keep said premises in a clean and healthy condition and to observe and obey the ordinances of the City of Indianapolis respecting the care and operation of the same.

It is expressly understood that first party by failing to promptly exercise any rights secured by this lease or to enforce any of the provisions therein shall not be deemed to have waived the same.

It is expressly understood and agreed that at any time before the expiration of this lease said second party shall have the right to assign and transfer the same to any persons or corporation selected by second party who shall be engaged in the same business in which the Frank Bird Transfer Company is now engaged and that shall have business and resources equal to the present business and resources of said Frank Bird Transfer Company and that shall have power and authority to enter into and become party to this lease, for the full term thereof, and upon the acceptance of said lease by such person or corporation and upon his or its agreement to assume, carry out and perform all the obligations and conditions of this lease, then first party, upon showing that the same has been done as above provided, shall release second party in writing from the obligations of this lease.

IN WITNESS WHEREOF, we have set our hands and seals this 15th day of June, 1914.

LOUIS G. DESCHLER  
JOHN E. MORAND.

STATE OF INDIANA, COUNTY OF MARION—ss:

Before me, Leo X. Smith, a notary public, in and for said County and State, this 18th day of June, 1914, appeared Louis G. Deschler and John E. Morand, and acknowledged the execution of the annexed lease.

Witness my hand and notarial seal this 18th day of June, 1914.

LEO X. SMITH,  
Notary Public.

My commission expires March 1st, 1917.

Indianapolis, August 16, 1920.

For value received I hereby sell, assign and transfer this lease to the Frank Bird Transfer Company.

JOHN E. MORAND.

#### CONSENT TO ASSIGNMENT AND EXTENSION OF LEASE

I, Louis G. Deschler, lessor in the foregoing lease, do hereby consent that said lease be assigned to The Frank Bird Transfer Company for the full remaining and unexpired term thereof, and

that said lease be extended to said The Frank Bird Transfer Company for one year, so that the same shall end on the 24th day of June, 1925, for the consideration and upon the condition that the annual rentals for said lease from and after this date shall be Fifty-five Hundred (\$5,500.00) Dollars a year, payable strictly in advance Four Hundred Fifty-eight and 34.100 (\$458.34) Dollars on the 15th day of each month, commencing August 15th, 1920.

And John Morand, the original lessee in said lease, is hereby released from any and all obligations with respect thereto.

In Witness Whereof, I have set my hand and seal this 16th day of August, 1920.

LOUIS G. DESCHLER.

The Frank Bird Transfer Company hereby accepts the assignment of the foregoing lease and the extension thereof for one year, and agrees to pay all the rentals provided therein and to observe and perform all the terms and conditions of said lease.

In Witness Whereof, The Frank Bird Transfer Company hereto sets its hand and corporate seal this 16th day of August, 1920.

THE FRANK BIRD TRANSFER CO.,

By Perry E. Ward, President.

COOLING-GRUMME-MUMFORD COMPANY

General Agents

Fire and Casualty Insurance, Surety Bonds  
American Central Life Building, Indianapolis

October 17th, 1923.

To Board of Public Works,  
Indianapolis, Indiana.  
Gentlemen—

We hereby agree to transfer to the City of Indianapolis our rights in the lease on property at 319 East New York street, subject to the consent of the owner, for the sum of \$536.58, being the amount of improvement cost just completed, bill of same herewith attached.

The City to give The Frank Bird Transfer Company thirty days to vacate said property after date of acceptance of this offer.

Copy of lease herewith attached.

Yours very truly,

FRANK BIRD TRANSFER COMPANY,

By Frank L. Braden, Treasurer.

Approved October 17, 1923, subject to approval of the Common Council.

CHAS. E. COFFIN

W. H. FREEMAN

M. J. SPENCER,

Board of Public Works.

October 17, 1923.

I hereby consent to said assignment.

LOUIS G. DESCHLER.

WHEREAS, said lease assignment and agreement has been submitted by said Board of Public Works of the City of Indianapolis to the Common Council of said city for its action thereon.

*Now, Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the foregoing contract and agreement made and entered into on the 17th day of October, 1923, by the City of Indianapolis by and through its Board of Public Works, with the approval of its Mayor, and the Frank Bird Transfer Company,

with the consent of Louis G. Deschler, be and the same is hereby in all things ratified, 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. Buchanan:

GENERAL ORDINANCE NO. 149, 1923.

AN ORDINANCE investing the Indianapolis Motor Coach Company with the privilege of using the streets of Indianapolis for maintaining motor coach lines thereon, for the purpose of supplying the inhabitants of Indianapolis, Indiana, with motor coach transportation.

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

FRANCHISE CONTRACT

Section 1. That the Indianapolis Motor Coach Company is hereby invested with the exclusive privilege for the term of ten years from the date of the passage of this ordinance of using the streets of this city as it is now laid out, or may be hereafter laid out, for maintaining motor coach lines thereon for the purpose of supplying its inhabitants with motor coach transportation.

Section 2. An application in writing shall be made and filed with the City Comptroller of said city by said Motor Coach Company for a license to operate said coaches and it shall be the duty of said Comptroller to issue said license when the fees hereinafter prescribed have been paid.

Section 3. Compensation for the repair and maintenance of the pavements and bridges, for the regulation of street traffic, and for other expenses occasioned by the operation of each motor coach under the provisions of this ordinance shall be Fifty (\$50.00) Dollars per year to which shall be added an issuing fee of \$1.00.

Each license shall expire or terminate on the first day of January of each year: provided, however, if a license is issued on or after the first day of July and before the first day of January in any year one-half the fees herein provided for for the whole year shall be paid therefor. Upon the payment of said money to the City of Indianapolis, the City Comptroller shall issue a receipt for each motor coach for which payments have been made as herein provided, which said receipt shall be made out in duplicate, one of which shall be posted in a conspicuous place on the inside of the vehicle for which it was paid and the licensee shall not operate hereunder any vehicle the fee herein provided for has not been paid and which does not have displayed therein the receipt herein provided for. Said Indianapolis Motor Coach Company having paid the fee provided for, shall not be required to also pay a license fee for the same motor vehicle or vehicles under the provisions of Section 749 of the Municipal Code of Indianapolis of 1917.

Section 4. The licensee shall be entitled to charge each passenger for one passage upon such motor coach the fare of Ten (10) Cents and no more for a continuous trip in one general direction over the whole or any part of any route operated by such licensee in the City of Indianapolis from any point thereon to any other poine within the city limits: Provided, however, that children under the age of 5 years not occupying a seat and accompanied by person paying full fare shall be permitted to ride free. Any person upon the payment of the maximim fare permitted by the terms of this ordinance shall be entitled to a transfer, good at any point of intersection for connection of any of the routes operated by the licensee under the terms of this ordinance for a continous trip in the same general direction, and the licensee shall accordingly issue such transfer upon demand. The payment of a single fare shall not entitle a passenger to reverse his general direction of travel. If necessary to enable a passenger to reach his destination, the licensee shall issue without additional charge a transfer upon a transfer in the same manner that transfers are required by this ordinance to be issued on cash fares, the intention of this ordinance being that for a single fare the licensee shall carry any passenger for a single continuous trip over any two or more of any routes or parts of routes operated by the licensee under the terms of this ordinance, so long as such trip is in the same general direction, although some of the routes or parts of routes necessary to be used by such passenger in arriving at his destination intersect or cross one another, or do not conform to such direction.

Section 5. All equipment used by Indianapolis Motor Coach Company shall be of the latest and most modern kind known to motor coach construction and shall in all respects be maintained in first-class condition and so that the same can and will be operated as noiselessly as possible.

Section 6. The Indianapolis Motor Coach Company violating or failing to comply with any of the provisions of Sections 1 and 6, inclusive of this ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars for each offense.

Section 7. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Section 8. 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 City's Welfare.

By the City Plan Commission:

#### GENERAL ORDINANCE NO. 150, 1923.

AN ODRINANCE to amend Sections two, (2) three (3) and four (4) of General Ordinance No. 114, 1922, entitled "An Ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses; of classifying, regulating and deter-

mining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a board of zoning appeals; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

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

Section 1. That Group 1 of Section two (2) of General Ordinance No. 114, 1922, entitled: "An Ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses: of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a board of zoning appeals; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect", be amended to read as follows:

#### GROUP 1. RESIDENCE CLASSES

Class U1 uses: (DWELLING HOUSE)

(1) Dwelling.

(2) Church, School, Public Library, Public Museum, Community Center Building, Private Club, excepting a club the chief activity of which is a service customarily carried on as a business. Philanthropic or eleemosynary use of institution other than a penal or correctional institution. Hospital or sanitarium other than for the insane or feeble minded.

(3) Public park. Public playground. Public recreation building. Water supply reservoir, well, tower or filter bed.

(4) Railway passenger station. Railway right of way, not including railway yards.

(5) Farming. Green house. Nursery. Truck gardening.

Class U2 uses: (APARTMENT HOUSE)

(1) Apartment house.

(2) Hotel.

Section 2. *Be It Further Ordained* that the first paragraph of Clause (b) of Section three (3) of said General Ordinance No. 114, 1922, be amended to read as follows: "(b) In a dwelling house districts no building shall be erected which is arranged, intended or designed for a use enumerated in subdivision (2) of Class U1 uses, unless such building is located:"

Section 3. *Be It Further Ordained* that the first paragraph of Clause (b) of Section four (4) of said General Ordinance No. 114, 1922, be amended to read as follows: "(b) In an apartment house district no building shall be erected which is arranged, intended or designed for a use enumerated in subdivision (2) of Class U1 uses, unless such building is located:"

Section 4. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By the Board of Public Works:

GENERAL ORDINANCE NO. 151, 1923.

AN ORDINANCE authorizing the alienation and conveyance of the following described real estate situated in Marion County, State of Indiana, to-wit:

Lots 14, 15 and 16 in Yandes Subdivision of Outlet No. 130 in the City of Indianapolis, said real estate belonging to the City of Indianapolis for public and governmental purpose and no longer needed for said purpose, requesting the Judge of the Circuit Court to appoin appraisers for such property; and fixing the time when the same shall take effect.

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

Section 1. That the City of Indianapolis is hereby authorized to sell, alienate and convey by Warranty Deed the following real estate situated in the City of Indianapolis, Marion County, State of Indiana, to-wit:

Lots 14, 15 and 16 of Yandes Subdivision of Out Lot No. 130 in the City of Indianapolis for not less than the full appraised value of said real estate, and the Judge of the Circuit Court is hereby requested to appoint three disinterested free-holders of the City of Indianapolis to appraise said real estate, and upon the making of such appraisement by said appraisers to report such appraisement to the Board of Public Works of the City of Indianapolis, and that a copy of this ordinance be filed and presentd to the Judge of the Circuit Court and referred to as and for his authority to appoint such appraisers.

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 Safety:

GENERAL ORDINANCE NO. 152, 1923.

AN ORDINANCE, ratifying, confirming and approving a certain contract made and entered into on the 2nd day of November, 1923, between the City of Indianapolis, by and through its Board of Public Safety, with the approval of its Mayor, and the Local Branch Nordyke and Marmon Company for the purchase of one Marmon Motor Car, series B, 1924 Model, Seven Passenger Touring Car with certain extras for the sum of Three Thousand Two Hundred Forty-two and 35/100 (\$3,242.35) Dollars, and declaring a time when the same shall take effect.

WHEREAS, heretofore, on the 2nd day of November, 1923, the City of Indianapolis by and through its Board of Public Safety with the approval of its Mayor, entered into a certain contract and agreement with the Yocal Branch Nordyke & Marmon



Company, Indianapolis, Indiana, for the purchase of one Marmon Motor Car which contract is in the words and figures as follows, to-wit:

CONTRACT.

This agreement made by and between the Local Branch Nordyke & Marmon Company, of Indianapolis, Indiana, party of the first part, and the City of Indianapolis, Indiana, by and through its Board of Public Safety with the approval of its Mayor, party of the second part.

WITNESSETH: That the party of the first part hereby sells and agrees to deliver the following apparatus and equipment for the Police Department of said City:

One Marmon Motor Car, as described below and with standard equipment as given in catalog, series B, 1924 Model, seven passenger touring car, six (6) cylinder, weight 3850 pounds, finish of body and running gear standard blue, upholstery, standard, for the sum of Three Thousand Two Hundred Forty-two and 35/100 (\$3,242.35) Dollars including the following:

Tax, front bumper, extra tire and tube 32x4½ and tire cover, Hartford shock absorber, automatic wind shield wiper, rear view mirror, bar cap motometer, plate glass winter pannels install, for use by the Police Department as an emergency car with the following warranty:

WARRANTY

THIS IS TO CERTIFY, That we Nordyke & Marmon Company, of Indianapolis, Indiana, warrant each new motor vehicle manufactured by us, whether passenger car or commercial vehicle, against defects in material and workmanship under normal use and service, our obligation under this warranty being limited to making good at our factory any part or parts thereof which shall within three months after delivery of such vehicle to the original purchaser be returned to us with transportation charges prepaid, and which our examination shall disclose to our satisfaction to have been thus defective; this warranty being expressly in lieu of all other warranties expressed or implied and of all other obligations or liabilities on our part, and we neither assume nor authorize any other person to assume for us any other liability in connection with the sale of our vehicle.

This warranty shall not apply to any vehicle which shall have been repaired or altered outside our own factory in any way so as, in our judgment, to effect its stability or reliability nor which has been subject to misuse, negligence or accident, nor to any commercial vehicle made by us which shall have been operated at a speed exceeding the factory rated speed or loaded beyond the factory

We make no warranty whatever in respect to tires, rims ignition rated load capacity.

apparatus, horns or other trade accessories, inasmuch as they are usually warranted separately by their respective manufacturers. This also applies to signaling devices, starting devices, generators, batteries, wind shields, speedometers.

The party of the second part hereby acknowledges the purchase of said apparatus and equipment and agrees to pay for the same when delivered as aforesaid in the sum of Three Thousand Two Hundred Forty-two and 35/100 (\$3,242.35) Dollars which sum is made up of the following items:

One, Series B, 1924 Model, Seven Passenger Touring Car, Six-cylinder, Weight, 3,850 pounds.....	\$2785.00
Tax .....	\$101.65
Hartford Shock Absorbers .....	45.00
Front Bumper .....	26.00
32x4½ Casing and Tube .....	45.20
Tire Cover .....	8.00
Bar Cap Mote-Meter .....	16.50
Rear View Mirror .....	No charge
Automatic Windshield Cleaner .....	No charge
Plate Glass Winter Curtains installed .....	215.00
	<hr/>
	\$3,242.35

to be paid to part of the first part or its authorized agent, according to the terms agreed upon, and which are as follows:

Net cash within sixty (60) days after delivery.

It is understood and agreed that said motor car, equipment and extras are to be delivered to the party of the second part when this contract becomes binding upon both of the parties hereto.

It is agreed and understood that the City of Indianapolis shall not be bound in any manner by this agreement until the same has been approved by the Common Council of the City of Indianapolis.

IN WITNESS WHEREOF, the parties have hereunto set their hands and official seals in duplicate this 2nd day of November, 1923.

LOCAL BRANCH

NORDYKE & MARMON COMPANY,

By N. S. Peterson, Manager.

Party of the first part.

S. L. SHANK,  
Mayor.

CITY OF INDIANAPOLIS,

E. L. Kingston

Jesse S. Sisloff,

Board of Public Safety.

Party of the second part.

WHEREAS, said contract and agreement has been submitted by said Board of Public Safety of the City of Indianapolis to the Common Council of said city for its action thereon.

*Now, Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the foregoing contract and agreement made and entered into on the 2nd day of November, 1923, by the City of Indianapolis, by and through its Board of Public Safety, with the approval of its Mayor, and the Local Branch of the Nordyke & Marmon Company, Indianapolis, Indiana, be and the same is hereby in all things ratified, 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 Safety.

By the City Plan Commission:

## GENERAL ORDINANCE NO. 153, 1923

AN ORDINANCE to amend General Ordinance No. 114, 1922, entitled, "An ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses; of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a board of zoning appeals, defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," 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 the U3 or business district, the H1 or 50-foot height district and the A3 or 2400 square foot area district as established by General Ordinance No. 114, 1922, be and the same is hereby amended, supplemented and changed so as to include all the following described territory:

"Beginning on the north line of the first alley south of Brookville Road at a point 96.84 feet east of the east line of Grand avenue; thence east with and along the said north line of said north line extended to a point on the west line of Butler avenue; said point being 145.92 feet south of the south line of Brookville Road; thence north with the west line of Butler avenue, to a point 109.25 feet north of the north line of Brookville Road; thence west to a point on the west line of the first alley west of Butler avenue, said point being 62.37 feet north of the north line of Brookville Road; thence north with said west line of Brookville Road; thence west to a point on the west line of Spencer avenue, said point being 44.92 feet north of the north line of Brookville Road; thence north with the west line of Spencer avenue to a point 84.92 feet north of the north line of Brookville Road; thence west to a point on the west line of the first alley west of Spencer avenue, said point being 30.37 feet north of the north line of Brookville Road; thence south with said west line of alley to a point on the south line of Brookville Road, said point being 138 feet east of the east line of Grand avenue; thence south to the point or place of beginning.

Section 2. This ordinance shall go into immediate effect upon its passage and publication, according to law.

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

By Mr. Wise:

## GENERAL ORDINANCE NO. 154, 1923

AN ORDINANCE to amend General Ordinance No. 37, 1923, regulating traffic, etc.

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

Section 1. That Sub-section (g) of Section 4 of General Ordinance No. 37, 1923, be amended and caused to read as follows: On Meridian street, Ohio street and Pennsylvania street for a space of twenty-five (25) feet immediately in front of the entrances to the Federal Building, no vehicle shall be parked at the curb for a period of more than fifteen (15) minutes.

Section 2. That Sub-section (l) of Section 4 of General Ordinance No. 37, 1923, be amended as follows: By eliminating the next to the last sentence reading as follows: "The west side of Oriental street from Southeastern avenue to Market street," and substituting in lieu thereof the words "The east side of Oriental street from Southeastern avenue to Market street."

Section 3. This ordinance shall be in full force and effect from and after its passage and publication, as by law required.

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

By Mr. Wise:

GENERAL ORDINANCE NO. 155, 1923.

AN ORDINANCE regulating traffic in the vicinity of the Union Station in the City of Indianapolis, and repealing all ordinances or any part thereof which may be in conflict therewith.

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

Section 1. The term, Union Station District, within the meaning of this Ordinance shall constitute the following public places in the City of Indianapolis.

That part of Jackson Place between the center line of Illinois Street and the East line of McCrea Street, also the property used as a driveway lying between the North side of the Union Station building and Jackson Place.

That part of Illinois Street east of the center line thereof lying between the north line of Jackson Place and the north line of South Street:

That part of Meridian Street between the south line of Louisiana Street and the south side of the bridge carrying the tracks of the Indianapolis Union Railway over Meridian Street:

That part of Louisiana Street between the east line of Meridian Street and the west line of McCrea Street:

That part of McCrea Street between the south line of Louisiana Street and the north line of Jackson Place.

Section 2. All vehicles are prohibited from stopping to load passengers in Jackson Place, between Illinois Street and McCrea Street or the driveways leading to Union Station from Jackson Place except in those parts thereof in which parking is permitted as hereinafter provided.

Section 3. No vehicle shall park within the Union Station District except as provided below:

(a) Vehicles, excepting taxicabs and other vehicles operated for hire, may park in that part of the driveway space between the north side of Union Station building and Jackson Place, which

is adjacent to the west line of McCrea Street, provided both front wheels are left resting against the west line of the west side walk of McCrea Street, and providing no vehicle shall be parked in such locations for a continuous period of more than fifteen (15) minutes.

(b) Vehicles, excepting taxicabs and other vehicles operated for hire, may park in the following locations provided that such vehicles are parked parallel with curb and within six (6) inches thereof, and provided further that no vehicle shall be parked in such locations for a continuous period of more than one and one-half (1½) hours:

The north side of Jackson Place between a point fifty (50) feet east of the east line of Illinois street and a point fifty (50) feet west of the west line of McCrea Street:

The west side of McCrea Street between a point ten (10) feet south of the south line of Jackson Place and a point One Hundred Thirty (130) feet south of the south line of Jackson Place:

The east side of McCrea Street between the south line of Jackson Place and the north line of Louisiana Street:

The north side of Louisiana Street between the east line of McCrea Street and the west line of Meridian Street:

The east side of Illinois Street between a point twelve (12) feet south of the south line of Jackson Place and a point One Hundred Fifty-four (154) feet south of the south line of Jackson Place.

(c) Vehicles may be parked along the west side of Meridian Street between the south line of Louisiana Street and the south side of the bridge carrying the tracks of the Union Railway over Meridian Street, provided such vehicles are parked parallel with and within six (6) inches of the curb, and provided that no vehicle may be parked in this location within less than twenty-five (25) feet of any intersecting street or driveway entrance.

#### TAXICAB AND BUS STANDS

Section 4. No taxicab or vehicle operated for hire shall park at any place within the Union Station District, except the following places:

(a) Along the east side of Illinois Street from a point 248 feet south of the south line of Jackson Place to the north line of South Street.

(b) Along the east side of Meridian Street from the north side to the south side of the bridge carrying the tracks of the Indianapolis Union Railway over Meridian Street.

(c) No taxicab shall park within the Union Station District except parallel with the curb and within six (6) inches thereof, and where spaces are marked off on pavement vehicles must keep within them.

#### ONE-WAY STREETS

Section 5. (a) All vehicles in McCrea Street from Louisiana Street to Jackson Place shall move in one direction only, entering from the south and proceeding to the north.

(b) All vehicles in Louisiana Street from Meridian Street to McCrea Street shall move in one direction only, entering from the east and proceeding to the west.

Section 6. It is hereby made the duty of every person, firm or corporation, operating any vehicle within such city or causing or permitting the use of operation of any such vehicle, to comply

with all the provisions of this ordinance. Any person, firm or corporation violating any of the above provisions of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding Five Hundred (\$500) Dollars, to which may be added imprisonment not exceeding one hundred and eighty (180) days.

Section 7. This ordinance shall be supplemental to General Ordinance No. 37, 1923, and amend or repeal only such parts thereof as are in conflict herewith.

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

By Mr. Wise:

GENERAL ORDINANCE NO. 156, 1923.

AN ORDINANCE to amend General Ordinance No. 37 of 1923, an ordinance regulating vehicle traffic in the City of Indianapolis, Indiana.

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

Section 1. That sub-section 1 of Section 4 of General Ordinance No. 37 of 1923, be amended by adding thereto the following:

From 7:30 A. M. until 9:00 A. M. there shall be no parking on the North side of Washington Street from Rural Street to Noble Street, on the West side of Meridian Street from Fall Creek to St. Clair Street, on the West side of Capitol Avenue from Fall Creek to New York Street.

From 4:30 P. M. until 6:00 P. M. there shall be no parking on the South side of Washington Street from Rural Street to Noble Street, on the East side of Meridian Street from Fall Creek to St. Clair Street, on the East side of Capitol Avenue from Fall Creek to New York Street.

Section 2. This amendment 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.

By Mr. Wise:

GENERAL ORDINANCE NO. 157, 1923.

AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 37, 1923, REGULATING TRAFFIC, ETC.

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

Section 1. That sub-section (c) of Section 5 of General Ordinance No. 37, 1923, be amended to read as follows:

(c) The occupant of any premises may prevent any parking of vehicles upon any public street in front of such premises in the following manner: Such occupant shall deposit in the office

of the City Controller the sum of ten (\$10.00) dollars, one-half of which shall immediately go into general fund of the city, for which deposit the City Controller shall give a receipt which when presented to the Chief of Police shall entitle such occupant to receive two (2) iron markers, bearing the inscription "NO PARKING" or words of equivalent meaning, such markers to be known as "Silent Policemen". Such occupant upon returning to the Chief of Police said "Silent Policemen" shall receive a receipt therefor, which when presented to the City Controller shall entitle him to a refund of one-half of such deposit. Such occupant may place said "Silent Policemen" upon the edge of the sidewalk adjacent to the roadway in front of said premises, not to exceed eighteen (18) feet apart, and while they are so placed no vehicle shall be parked in the space included between them, provided, however, that if any vehicle is lawfully parked therein when said "Silent Policemen" are set out, such vehicle may remain parked therein until the expiration of the then remaining parking time allowed by this ordinance. A space not greater than eighteen (18) feet in length may be reserved in the following manner: Reservations of such space and the prohibiting of parking therein shall be made only when such space is required immediately by said occupants and between the hours of eight o'clock a. m. and seven o'clock p. m. and then only for the purpose of loading or unloading of shall be released immediately upon the termination of the necessity for such reservation thereof, and such "Silent Policemen" shall immediately be removed from view. Nothing contained in this paragraph shall authorize the reservation of space for the parking of any occupants' own vehicle or vehicles. When there are two or more occupants of any premises who use a common entrance thereto, only one space can be so reserved. Provided, however that such occupants may by private arrangements among themselves make use in common of a single set of "Silent Policemen," but such space shall not be held in reserve for succeeding periods by reason of such common use. Provided further, that in addition to the penalties hereinafter provided, any occupant or occupants of such premises found guilty of violating any of the provisions of this section shall be deprived of the further use of such "Silent Policemen", shall surrender the same to the Chief of Police, and the balance of the ten dollars deposited with the City Controller shall be forfeited and become a part of the General Fund of the city of Indianapolis, Indiana.

Occupants desiring more than eighteen (18) feet of space may obtain the same on special permit from the Board of Safety and by renting an additional marker for each additional eighteen (18) feet of space desired and for each additional marker shall make a further deposit of ten dollars each.

In addition to the deposit required for markers an annual rental of Fifty (\$50) Dollars shall be paid in advance to the City Controller for the markers for the first eighteen (18) feet and for a marker for each additional eighteen (18) feet they shall that no more than seventy-two (72) feet shall be so reserved. pay an annual rental of One Hundred (\$100) Dollars, provided

Section 2. The foregoing provisions shall apply to markers already out and unless the holders comply with this ordinance their

markers shall be immediately taken up and the balance of their deposit returned.

Section 3. This Ordinance shall be in full force and effect from and after January 1st, 1924.

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

By Mr. Clauer:

GENERAL ORDINANCE NO. 158, 1923.

AN ORDINANCE amending Clause E of Section 5 of General Ordinance No. 76, 1919, as amended by Section 1 of General Ordinance No. 47, 1920, as amended by Section 2 of General Ordinance No. 39, 1921, and declaring a time when the same shall take effect.

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

Section 1. That Clause E of Section 5 of General Ordinance No. 76, 1919, as amended by Section 1 of General Ordinance No. 47, 1920, as amended by Section 2 of General Ordinance No. 39, 1921, be and the same is hereby amended to read as follows:

"E"—FOR THE STREET CLEANING DEPARTMENT.

Superintendent—Twenty-five hundred dollars.

Assistant Superintendent—Nineteen hundred twenty dollars.

Two Inspectors—Class A—Eighteen hundred dollars.

Two Inspectors—Class B—Sixteen hundred twenty dollars.

Three Inspectors—Class C—Fifteen hundred dollars.

Clerk—Twelve hundred dollars.

Clerk—Three hundred dollars.

Barn Foreman—Thirteen hundred twenty dollars.

Asst. Barn Foreman—Twelve hundred dollars.

Each Blacksmith—Fifty-five cents per hour.

Each Heavy Truck Driver—Fifty-five cents per hour.

Each Light Truck Driver—Fifty cents per hour.

Each Night Barn Man—Twenty-one dollars sixty cents per week.

Each Harness Maker—Fifty cents per hour.

Each Broom Maker—Fifty cents per hour.

Each Teamster—Forty-five cents per hour.

Laborers—Thirty-seven and one-half cents per hour.

Said Clause "E" herein amended being erroneously gives as Clause "C" in the Official Proceedings of the Common Council, 1920, but being the clause which follows Clause "D" in said 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.



INTRODUCTION OF MISCELLANEOUS BUSINESS

At 8:00 o'clock p. m. a public hearing was held on General Ordinances Nos. 132 and 133, 1923.

ORDINANCES ON SECOND READING

Mr. Buchanan called for General Ordinance No. 123, 1923, for second reading. It was read a second time.

Mr. Claycombe moved that General Ordinance No. 123, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 123, 1923, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

Mr. Wise called for General Ordinance No. 135, 1923, for second reading. It was read a second time.

Mr. Wise moved that General Ordinance No. 135, 1923, be ordered engrossed, read a third time and placed upon its passage.

On motion of Mr. Buchanan, the motion for engrossment made by Mr. Wise, was tabled by the following vote:

Ayes, 5, viz.: Messrs. Buchanan, Clauer, Ray, Thompson and President John E. King.

Noes, 4, viz.: Messrs. Bernd, Bramblett, Claycombe and Wise.

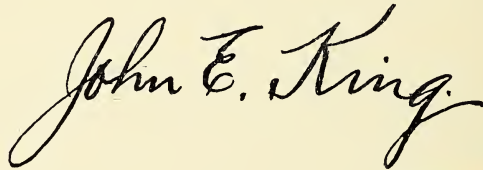
Mr. Bernd called for General Ordinance No. 136, 1923, for second reading. It was read a second time.

Mr. Bernd moved that General Ordinance No. 136, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 136, 1923, was read a third time and passed by the following vote:

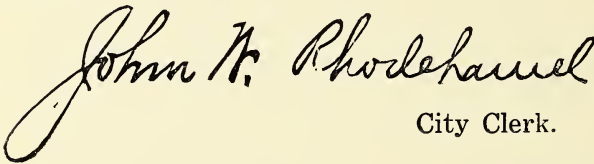
Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

On motion of Mr. Buchanan, the Common Council, at 9:00 o'clock p. m., adjourned until Thursday, November 8, 1923, at 7:30 o'clock p. m.



President.

Attest:



City Clerk.