

JOURNAL OF PROCEEDINGS  
OF THE  
**Common Council**  
OF THE  
CITY OF INDIANAPOLIS

In Marion County, in the State of Indiana

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REGULAR MEETING

Monday, January 7, 1924.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, January 7, 1924, 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.

President King announced the first business in order to be the election of a presiding officer for the year 1924.

Whereupon Councilman Claycombe placed in nomination Councilman Walter W. Wise, which nomination was seconded by Councilman Thompson.

Councilman Claycombe moved that the nominations be closed. Carried.

Councilman Claycombe moved that the Clerk cast the unanimous vote of the Council for Walter W. Wise for President. Seconded by Councilman Bramblett. Carried.

The Clerk cast the votes of nine Councilmen for Walter W. Wise for President of the Common Council for 1924.

President King declared Walter W. Wise elected President of the Common Council for the year 1924, and appointed Councilmen Bernd and Thompson to escort President Wise to the chair.

Whereupon President Wise took the chair and announced the next order of business to be the election of a President pro tem.

Councilman Bramblett placed in nomination Councilman Lloyd D. Claycombe, which nomination was seconded by Councilman Bernd.

Councilman Bernd moved that the Clerk cast the unanimous vote of the Council for Lloyd D. Claycombe for President pro tem. Seconded by Councilman Bramblett. Carried.

The Clerk cast the votes of nine Councilmen for Lloyd D. Claycombe for President pro tem of the Common Council for 1924.

President Wise declared Lloyd D. Claycombe elected President pro tem of the Common Council for the year 1924.

Councilman Bramblett placed in nomination Bertha Markowitz for Secretary of Committees for the Common Council, which nomination was seconded by Mr. King.

There being no other nominations, President Wise declared Bertha Markowitz elected Secretary of Committees for the Common Council.

President Wise appointed the following standing committee for the year 1924:

#### FINANCE COMMITTEE

Ira Bramblett, Chairman; Ben Thompson, John King, Lloyd Claycomb, Theo. Bernd.

#### PUBLIC WORKS COMMITTEE

Ben Thompson, Chairman; John King, Ira Bramblett, Heydon Buchanan, Lloyd Claycombe.

#### PUBLIC SAFETY COMMITTEE

John King, Chairman; Ira Bramblett, Ben Thompson, Theo. Bernd, William Clauer.

#### PUBLIC HEALTH AND CHARITIES

Lloyd Claycombe, Chairman; Ben Thompson, John King, Theo. Bernd, Otto Ray.

#### PARK COMMITTEE

Theo. Bernd, Chairman; John King, Ben Thompson, Ira Bramblett, Heydon Buchanan.

#### LAW AND JUDICIARY COMMITTEE

William Clauer, Chairman; Lloyd Claycombe, John King, Ben Thompson, Otto Ray.

#### CITY WELFARE COMMITTEE

Heydon Buchanan, Chairman; Theo. Bernd, Lloyd Claycombe, John King, William Clauer.

#### ELECTIONS COMMITTEE

Otto Ray, Chairman; Ben Thompson, Ira Bramblett, Theo. Bernd, Heydon Buchanan.

Called Wise called for the regular order of business.

## REGULAR ORDER OF BUSINESS

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

## COMMUNICATIONS FROM THE MAYOR

December 19, 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. 161, 1923, an ordinance transferring the sum of Six Thousand Seven Hundred and Ninety and 51/100 (\$6,790.51) Dollars from the Municipal Garage Maintenance and Repair Fund in the Department of Public Works to the Street and Alley Improvement Assessment Fund in the City Civil Department 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. 164, 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. 165, 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. 166, 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. 167, 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. 168, 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. 169, 1923, an ordinance ordering the Board of Public Works, of the City of Indianapolis, Indiana, to improve 15th Street from the West property line of Boulevard Place to the East property line of Northwestern Avenue by grading and paving the roadway with asphalt, asphaltic concrete, concrete or brick, and curbing, as provided for under Improvement Resolution No. 11,365 adopted by the Board of Public Works of the City of Indianapolis, Indiana, on the 17th day of October, 1923, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 170, 1923, an ordinance transferring the sum of One Hundred Ninety-five and 28/100 (\$195.28) Dollars from the Furniture and Fixtures Tomlinson Hall Fund in the Department of Public Works to the Salaries Assessment Bureau 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. 171, 1923, an ordinance transferring the sum of Ninety-eight and 65/100 (\$98.65) Dollars from the Furniture and Fixtures Tomlinson Hall Fund in the Department of Public Works to the Salaries Tomlinson Hall Custodian and Employes Fund in the Department of Public Works, and re-appropriating the same to the latter, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 172, 1923, an ordinance transferring the sum of Eighty and 80/100 (\$80.80) Dollars from the Furniture and Fixtures Tomlinson Hall Fund in the Department of Public Works to the Street Openings and Vacations Fund in the City Civil Engineer's Department 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. 173, 1923, an ordinance transferring the sum of One Hundred and Twenty-five and 27/100 (\$125.27) Dollars from the Furniture and Fixtures Tomlinson Hall Fund in the Department of Public Works, and also transferring the sum of Two Hundred Forty-seven and 43/100 (\$247.43) Dollars from the Salaries Board of Public Works and Office Force Fund in the Department of Public Works, that is, a total of Three Hundred Seventy-two and 70/100 (\$372.70) Dollars from both of said funds, to the Salaries, Custodian of City Hall and Employees 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. 177, 1923, an ordinance regulating the location, construction and maintenance of Driveways across sidewalks providing a penalty, declaring a nuisance, repealing conflicting ordinances and fixing the time when the same shall take effect.

GENERAL ORDINANCE NO. 178, 1923, an ordinance regulating the location, construction and maintenance of driveways across sidewalks, declaring a nuisance and providing for the abatement thereof and fixing the time when the same shall take effect.

GENERAL ORDINANCE NO. 175, 1923, an ordinance fixing the compensation of certain officers and employees of the City of Indianapolis, creating a certain position, and abolishing certain positions in the City of Indianapolis, and declaring a time when the same shall take effect.

SPECIAL ORDINANCE NO. 22, 1923, an ordinance authorizing the sale of certain personal property of the City of Indianapolis, by and through its Board of Public Works, and declaring a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 35, 1923, an ordinance transferring the proceeds in the "Anna Seegar Fund," of the Sinking Fund Commissioners of the City of Indianapolis, created by General Ordinance No. 72, 1921, of the Common Council of said city, to a fund to be known as the "Anna Seegar Coliseum Fund," of the Department of Public Parks and appropriating the proceeds of said fund to the building of a Coliseum in Rodius Park, a part of the Park System of the City of Indianapolis, and fixing a time when the same shall take effect.

Very truly yours,  
LEW SHANK,  
Mayor.

## REPORTS FROM CITY OFFICERS

From the City Controller:

January 7, 1924.

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

Gentlemen—I am handing you hereto attached, twelve copies of an Ordinance, calling for the appropriation of Three Thousand (\$3,000.00) Dollars to the Salaries Fund of the Department of Law, to be used for the payment of the salary of Benjamin Perk, Budget Expert and Utility Consultant, which position was created by the Common Council during the year 1923, to take effect January 1, 1924. I respectfully recommend the passage of this Ordinance.

Yours very truly,

JOS. L. HOGUE,  
City Controller.

January 7, 1924.

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

Dear Sir—I am sending to you attached hereto, twelve copies of an Ordinance calling for the appropriation of Three Thousand (\$3,000.00) Dollars, to the Salaries Fund in the Department of Law, to be used for the paying of the Salary of one Benjamin Perk, Budget Expert, and Utility Consultant, whose position was created by the Common Council of the City of Indianapolis during the year 1923. Kindly send this ordinance to the Common Council, at the next meeting of that body and oblige.

Yours very truly,

TAYLOR E. GRONINGER,  
Corporation Counsel.

January 4, 1924.

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

Gentlemen—Attached hereto you will find copies of an Ordinance calling for an appropriation of Three Thousand (\$3,000.00) Dollars to the Salaries Fund of the Department of Buildings to be used for the purpose of paying the salary of the Chief Assistant Smoke Abatement Inspector for the year 1924. Also the request of the Board of Public Safety for my recommendation of the same.

I respectfully recommend the passage of this Ordinance.

Yours very truly,

JOS. L. HOGUE,  
City Controller.

January 4, 1924.

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

Dear Sir—The Board of Public Safety respectfully requests you to recommend to the Common Council the passage of an ordi-

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nance calling for the appropriation of Three Thousand (\$3,000.00) Dollars to the Salaries Fund of the Department of Buildings for the purpose of paying the salary of the Chief Assistant Smoke Abatement Inspector for the year 1924, copies of which are hereto attached.

Yours very truly,  
BOARD OF PUBLIC SAFETY,  
By: Oscar O. Wise,  
Executive Secretary.

January 1924.

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

Gentlemen—I hand you herewith copies of Appropriation Ordinance No. 3, 1924, appropriating the sum of \$1,500.00 out of any unappropriated funds of the City of Indianapolis to the Salaries Fund in the Finance Department for the purpose of paying the salary for 1924, of the Assistant Barrett Law Clerk in the Department of Finance.

I submit this ordinance and recommend its passage.

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

January 1924.

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

Gentlemen—I hand you herewith copies of General Ordinance No. 1, 1924, for Temporary Loan of Three Hundred Thousand (\$300,000.00) Dollars for the Finance Department of the City of Indianapolis in anticipation of current revenue appropriating the sum of Three Hundred Six Thousand (\$306,000.00) Dollars for the payment of same.

I submit this ordinance and recommend its passage.

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

January 7, 1924.

*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 authorizing the City of Indianapolis to make a Temporary Loan or Loans of the City of Indianapolis in the sum of Three Hundred Thousand (\$300,000.00) Dollars, for the use of the Board of Health for its Salary payroll and other current expenses of the Board of Health, and kindly ask the passage of this ordinance.

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

January 7, 1924.

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

Dear Sir—I am handing you herewith copies of an ordinance authorizing the making of a Temporary Loan or Loans of the City of Indianapolis for the total sum of Three Hundred Thousand (\$300,000.00) Dollars, for use of the Board of Health for its Salary pay roll and other current expenses of the Board of Health, and ask that you kindly transmit same to the Common Council, asking for its passage.

Yours very truly,

CLIFFORD C. KEALING

Attorney, Board of Public  
Health and Charities.

January 1924.

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

Gentlemen—I hand you herewith copies of General Ordinance No. 3, 1924, creating the position of Assistant Barrett Law Clerk in the Department of Finance at a salary of \$1,500.00 per annum, duties of said clerk to such as prescribed by the City Controller.

I submit this ordinance and ask that same be passed.

Respectfully yours,

JOS. L. HOGUE,

City Controller.

From the Board of Public Works:

December 26, 1923.

Mr. John W. Rhodehamel,  
City Clerk,  
City of Indianapolis.

Dear Sir—I am submitting herewith for transmission to the Common Council, a contract between the Board of Public Works and Otis D. Maurer for a switch contract to lay and maintain a side track or switch on Dakota and Thomas Streets and also the alley south of Thomas Street.

Very truly yours,

ELMER WILLIAMS,

Clerk, Board of Works.

December 24, 1923.

Gentlemen—With return of the attached petition of Otis D. Maurer for a switch contract to lay and maintain a side track or switch on Dakota and Thomas Streets and also the alley south of Thomas Street, would recommend that same be granted, approved and forwarded to the Council for ratification.

Yours truly,

J. L. ELLIOTT,

City Civil Engineer.

Approved: C. E. Coffin

W. H. Freeman

M. J. Spencer

Board of Public Works.



## INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

## APPROPRIATION ORDINANCE NO. 1, 1924.

AN ORDINANCE, appropriating the sum of Three Thousand (\$3,000.00) Dollars, out of any unappropriated funds of the City of Indianapolis, to the Salaries Fund of the Department of Law, 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 be, and the same is hereby appropriated out of any unappropriated funds of the City of Indianapolis, to the Salaries Fund in the Department of Law, to be used for the paying of the Salary of the Budget and Utility Consultant Expert, assistant to the Corporation Council 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.

Mr. Claycombe moved that the rules be suspended and Appropriation Ordinance No. 1, 1924, be placed upon its passage.

The roll was called and the rules were suspended by the following vote:

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

Mr. Claycombe called for Appropriation Ordinance No. 1, 1924, for second reading. It was read a second time.

Mr. Claycombe moved that Appropriation Ordinance No. 1, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 1, 1924, was read a third time and passed by the following vote:

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

By the City Controller:

APPROPRIATION ORDINANCE NO. 2, 1924.

AN ORDINANCE, appropriating the sum of Three Thousand (\$3,000.00) Dollars to the Salaries Fund of the Department of Buildings 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 there be and is hereby appropriated the sum of Three Thousand (\$3,000.00) Dollars out of any unappropriated funds of the City of Indianapolis, to the Salaries Fund of the Department of Buildings under the Department of Public Safety, said sum to be used for the purpose of paying the salary of the Chief Assistant Smoke Abatement Inspector for the year 1924.

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. 3, 1924.

AN ORDINANCE, appropriating the sum of Fifteen Hundred (\$1500.00) Dollars out of any unappropriated funds of the City of Indianapolis to the Salaries Fund in the Finance Department 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 Fifteen Hundred (\$1500.00) Dollars be and the same hereby appropriated out of any unappropriated funds of the City of Indianapolis, to the Salaries Fund in the Finance Department to be used for the purpose of paying the salary of the Assistant Barret Law Clerk in the Department of Finance for the year 1924.

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. 1, 1924.

AN ORDINANCE authorizing the City Controller to make a temporary loan, or loans of Three Hundred Thousand (\$300,000.00) Dollars in anticipation of current revenues appropriating the sum of Three Hundred Six Thousand (\$306,000.00) Dollars for the payment of same, and fixing a time when same shall take effect.

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

Section 1. That the City Controller be and he is hereby authorized and employed to negotiate a temporary loan or loans in anticipation of the current revenues of said City actually levied and in course of collection for the fiscal year of 1924 not exceeding a total sum of Three Hundred Thousand (\$300,000.00) Dollars for a period not exceeding four months at the rate of interest not exceeding six (6%) per cent per annum. The City Controller is further authorized and empowered to negotiate such loan, or loans, in such amounts at such time as the City Controller may deem necessary, provided that no part of such loan, or loans, shall be made to extend beyond the period herein before mentioned. After the publication of the notice of the determination herein made to issue bonds or other evidence of indebtedness for such temporary loan, or loans, and as provided in this ordinance, said loan shall be let to the lowest bidder at competitive bidding on the annual rate of interest under conditions prescribed in notice of the same, which shall be published for at least one day in at least one daily paper of said City. The Mayor and City Controller are hereby authorized and directed to execute the proper obligations of the City of Indianapolis for the amount so borrowed, and to the payment of such obligations, the faith of the City is hereby irrevocably pledged.

Section 2. The Mayor, City Controller and Corporation Counsel are hereby authorized and directed to publish notice of the determination herein made to issue the bonds or other evidence of indebtedness for such temporary loan, or loans as required by law.

Section 3. That there be and is hereby appropriated out of the current revenue for the fiscal year of 1924 to the Department of Finance the sum of Three Hundred Six Thousand (\$306,000.00) Dollars and the same is hereby pledged for the purpose of the payment of said loan, or loans, at such times as the same shall become due.

Section 4. 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. 2, 1924.

AN ORDINANCE, authorizing the City of Indianapolis, to make a Temporary Loan or Loans, for the use of the Board of Health of the City of Indianapolis, Indiana, in anticipation of its current revenues and payable out of the current revenues of said Board of Health for the year 1924, authorizing the rate of interest to be charged therefor, providing for legal notice and fixing a time when the same shall take effect.

WHEREAS, the Board of Health on the first day of February, 1924, will be and continue to be until the first day of July, 1924, without sufficient funds to pay its salary payroll and other current expenses for Board of Health purposes, and

WHEREAS, the said current expenses and said payrolls for said period will amount to approximately Three Hundred Thousand (\$300,000.00) Dollars, and

WHEREAS, the second semi-annual installment of Taxes levied by the City of Indianapolis, for General Board of Health purposes for the year 1923, and collectible on or before the fifteenth day of May, 1924, will amount to more than Three Hundred Twenty Thousand (\$320,000.00) Dollars.

NOW THEREFORE, Be It Resolved, by the Board of Health of the City of Indianapolis, Indiana, that an ordinance be prepared and presented to the Common Council of Indianapolis, Indiana, for the passage of an ordinance for the making of a Temporary Loan or Loans, by the City of Indianapolis, for the total sum of Three Hundred Thousand (\$300,000.00) Dollars, for the use of said Board of Health for said purposes, at a rate of interest not to exceed six (6%) per cent per annum, and for a period not exceeding five (5) months from the date of such Temporary Loan or Loans, to be made in anticipation of the current revenues of the said Board of Health and collectible in the year 1924, and

BE IT FURTHER RESOLVED, by said Board of Health, that there be and is hereby appropriated out of the current revenues of said Board of Health for the year 1924, for the purpose of paying said Loan or Loans and interest thereon as the same may become due, the sum of Three Hundred Six Thousand, Two Hundred Fifty (\$306,250.00) Dollars. NOW THEREFORE,

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

Section 1. That the City Controller be and is hereby authorized and empowered to negotiate a Temporary Loan or Loans, for the use of the Board of Health of the City of Indianapolis, Indiana, in anticipation of current revenues of said Board of Health for the year 1924, said Loan or Loans to be made for the total sum not to exceed Three Hundred Thousand (\$300,000.00) Dollars, and payable out of the current revenues of said Board at a rate of interest not to exceed six (6%) per cent per annum and for and during a period not exceeding five (5) months from the date thereof.

After the publication of the herein determination to issue such Temporary Loan or Loans, and as provided in Section 2 of this Ordinance, said Loan shall be let to the lowest bidder at competitive bidding on the annual rate of interest under conditions prescribed in notice of the same, which shall be published by at least two insertions one week apart in at least one daily newspaper of general circulation of said city.

The Mayor and City Controller are hereby authorized and directed to execute the proper obligations of said city for the amount or amounts so borrowed, which shall also be countersigned by the President of the Board of Health and to the payment of said obligation, the faith of the city of Indianapolis is hereby irrevocably pledged.

Section 2. The Mayor, City Controller and Corporation Counsel are hereby authorized and directed to publish notice of the determination herein made; to issue the bonds or other evidences of indebtedness for such temporary loans as required by law.

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

Which was read a first time.

Mr. King moved that the rules be suspended and General Ordinance No. 2, 1924, be placed upon its passage.

The roll was called and the rules were suspended by the following vote:

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

Mr. King called for General Ordinance No. 2, 1924, for second reading. It was read a second time.

Mr. King moved that General Ordinance No. 2, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 2, 1924, was read a third time and passed by the following vote:

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

By the City Controller:

## GENERAL ORDINANCE NO. 3, 1924.

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 Barret Law Clerk in the Department of Finance is hereby authorized.

Section 2. The Salary of such assistant Clerk shall be Fifteen Hundred (\$1,500.00) 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 Board of Public Works:

## SWITCH CONTRACT

## GENERAL ORDINANCE NO. 4, 1924.

AN ORDINANCE approving a certain contract granting Otis D. Maurer the right to lay and maintain a sidetrack or switch from a point in Dakota Street, 108 feet North of the North line of Thomas Street to a point on the South line of Thomas Street, 4 feet east of Dakota St. and from a point on the North line of the alley between Thomas and Jones Streets, 8 feet East of the East line of Dakota Street, to a point on the South line of said alley 8 feet East of the East line of Dakota Street, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: on the — day of December, 1923, Otis D. Maurer filed his petition before the Board of Public Works of the City of Indianapolis, as follows:

## PETITION

To Board of Public Works,  
City of Indianapolis.

Gentlemen—I respectfully request that I be granted the right to lay and maintain a switch or side track to my coal yard on Dakota street, between Jones and Thomas streets as follows: In Dakota and Thomas streets, beginning at a point in the center of the main track of the P. C. C. & St. L. R. R., as now located in Dakota street, 108 feet north of the north line of Thomas street; thence on a curve in a southeastwardly direction, a distance of 169 feet, more or less, to a point on the south line of Thomas street, four feet east of the east line of Dakota street. In public alley between Thomas and Jones streets, beginning at a point on the north line of said alley, 8 feet east of the east line of Dakota street, thence south a distance of 11 feet to the south line of said alley, 8 feet east of the east line of Dakota street.

OTIS D. MAURER.

NOW, THEREFORE, this agreement made and entered into this — day of December, 1923, by and between Otis D. Maurer, of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a right of way for a side track or switch over Dakota street and the public alley between Thomas and Jones streets, in the City of Indianapolis, which is more especially described as follows: In Dakota and Thomas streets, beginning at a point in the center of the main track of the P. C. C. & St. L. R. R., as now located in Dakota street, 108 feet north of the north line of Thomas street; thence on a curve in a southeasterly direction, a distance of 169 feet more or less, to a point on the south line of Thomas street, 4 feet east of the east line of Dakota street. In public alley between Thomas and Jones street, beginning at a point on the north line of said alley, 8 feet east of the east line of Dakota street; thence south a distance of 11 feet. to the south line of said alley, 8 feet east of the east line of Dakota street, hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, he will lay, construct and maintain said track upon the terms and conditions hereinafter set forth, to-wit:

(1) They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

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

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

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

(5) The party of the first part agrees to pave between said track to the entire satisfaction of the second party, and in case said tracks shall be or become out of repair or in need of being recon-

structed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification in writing of ten (10) days, said Board shall do or cause the same to be done at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

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

(7) Any violations of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated by said Board as hereinbefore set forth.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled, "An act concerning municipal corporations," approved March 6, 1905, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain an additional side track or switch across Dakota and Thomas streets and the public alley between Thomas and Jones streets, in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A." This contract shall be null and void unless said switch be completed within one year from time ordinance approving same goes into effect.

IN WITNESS WHEREOF, we have hereunto set our hands this 21st day of December, 1923.

OTIS D. MAURER,  
Party of the First Part.

Witness:

Robert MacGregor

CITY OF INDIANAPOLIS,  
By Charles E. Coffin,  
President.

W. H. Freeman,  
Board of Public Works,  
Party of the Second Part.

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

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

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

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



By the City Plan Commission:

GENERAL ORDINANCE NO. 5, 1924.

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 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 U3 or business district, the H1 or 50-foot height district and the A4 or 1200 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 the following territory: Beginning at the northwest corner of E. Washington street and Sheridan avenue, thence north with and along the west property line of Sheridan avenue, to the south property line of the first alley north of Washington street; thence west with and along the said alley to the east property line of Catherwood street; thence south with and along the west property line of Catherwood street, to a point one hundred and twenty (120) feet south of the south property line of Washington street; thence east to a point on the west property line of Sheridan avenue, said point being one hundred and twenty (120) feet south of the south property line of Washington street; thence north with and along the west property line of Sheridan avenue, 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. Thompson:

GENERAL ORDINANCE NO. 6, 1924.

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 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 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 the following described territory: Beginning at the northeast corner of 27th street and Cornell avenue, thence north with the east line of Cornell avenue 157.9 feet, thence east a distance of 118 feet, thence south to the north line of 27th street, thence west to the point or place of beginning.

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

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

By Mr. Ray:

#### GENERAL ORDINANCE NO. 7, 1924.

AN ORDINANCE creating the office of Supervisor of Traffic in the Traffic Department of the Police Department, under the Department of Public Safety of the City of Indianapolis, Indiana, defining the powers and duties thereof, fixing the salary thereof, 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 created and authorized the office of Supervisor of Traffic in the Traffic Department of the Police Department under the Department of Public Safety of the City of Indianapolis, Indiana.

Section 2. That the Supervisor of Traffic shall, under the direction of the Chief of Police and the Inspector of Police, have full control and supervision of all matters pertaining to the direction of traffic, and the enforcement of the traffic laws.

Section 3. That the salary of the Supervisor of Traffic be and is hereby fixed at Three Thousand (\$3,000.00) Dollars per annum.

Section 4. 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 Mr. Ray:

GENERAL ORDINANCE NO. 8, 1924.

AN ORDINANCE requiring the Cleveland, Cincinnati, Chicago and St. Louis Railway Company to station and keep a watchman at the crossing of its tracks and Golay street in the City of Indianapolis, during certain hours on certain days, providing a penalty for the violation thereof and repealing General Ordinance No. 24, 1923.

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

Section 1. The Cleveland, Cincinnati, Chicago and St. Louis Railway Company shall station and keep a watchman at the crossing of Golay street and its tracks in the City of Indianapolis from 7:30 a. m. to 4:30 p. m., of each day in the year except on Saturdays, Sundays and holidays, and during the time the public school of the City of Indianapolis are closed on vacations.

Section 2. Such watchman shall, during the time he is on duty, warn persons about to cross the tracks at said street of the approach of trains and otherwise make reasonable effort to prevent injuries to persons attempting to cross the tracks at said crossing.

Section 3. Any corporation violating this ordinance shall on conviction be fined in any sum not exceeding Fifty (\$50.00) Dollars.

Section 4. General Ordinance No. 24, 1923, is hereby repealed.

Section 5. 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 Works.

By Mr. King:

SPECIAL ORDINANCE NO. 1, 1924.

AN ORDINANCE changing the name of certain streets and parts of streets in the City of Indianapolis, Indiana, 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 names of certain streets and parts of streets herein mentioned be, and the same are hereby altered, changed and shall hereafter be known by the names given them in this ordinance.

Section 2. Gemmer street from the east property line of Draper street to the west property line of State avenue, shall be changed to and hereafter be known and designated as "East Iowa Street."

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 Public Works.

## INTRODUCTION OF MISCELLANEOUS BUSINESS.

At 8:00 o'clock p. m. a public hearing was held on General Ordinance No. 176, 1923.

On motion of Mr. Claycombe, the Clerk was instructed to refer all pending amendments to the zoning ordinance to the City Plan Commission and to refer all such amendments that are presented to the Council in the future to the Plan Commission with a request for recommendations on the same.

On motion of Mr. Bernd the Public Works Committee was granted more time to consider General Ordinance No. 174, 1923.

December 24, 1923.

*President of the City Council, Indianapolis, Indiana:*

Dear Sir—

On behalf of Major Harold C. Megrew Camp, No. 1, United Spanish War Veterans, I certify to the following resolution, which was passed in the meeting of the camp, held Friday night, December 21st, 1923:

WHEREAS, The State of Indiana, by funds received from its patriotic citizens, has erected on the Circle a beautiful War Memorial to commemorate the valor and sacrifices of all Indiana Soldiers and Sailors from the War of the Revolution to and including the Spanish-American War, and

WHEREAS, Selfish interests are seeking to decorate the sacredness of the Circle, and detract from the beautiful War Memorial, by erecting a large garage thereon, which the surviving soldiers and patriotic citizens are endeavoring to prevent,

THEREFORE, BE IT RESOLVED, By Major Harold C. Megrew Camp No. 1, United Spanish War Veterans, having some time ago expressed the strongest disapproval of the construction of this garage on the Circle, does now thank the Common Council for the passing, and Mayor Shank for approving the city ordinances preventing the cutting of sidewalks to aid in the operation of this garage, and

BE IT FURTHER RESOLVED, That Major Harold C. Megrew Camp do upon all civic organizations, soldiers' camps and posts, auxiliaries, patriotic and civic societies and citizens, to prevent the erection of this garage, which is in conflict with the sacredness and beauty of the Circle and Soldiers and Sailors Monument.

This resolution, as you will note, expresses the appreciation of Megrew Camp for the efforts of the Common Council of the City of Indianapolis to prevent the erection of a garage on the Circle.

This resolution was unanimously passed and voices not only the sentiment of the soldier members, but their wives and children, and we hope that the good work that you have undertaken with reference to preventing the erection of the garage on the Circle will continue to be successful.

Very truly yours,  
RUSSELL B. HARRISON,  
708 Bankers Trust Building.

ORDINANCES ON SECOND READING.

Mr. Claycombe called for Appropriation Ordinance No. 49, 1923, for second reading. It was read a second time.

By Mr. Claycombe:

Indianapolis, Ind., January 7, 1924.

Mr. President—

I move that Appropriation Ordinance No. 49, 1923, be amended by striking out Eighteen Thousand Five Hundred (\$18,500.00) Dollars wherever the same appears in said ordinance and inserting in lieu thereof the following: Ten Thousand (\$10,000.00) Dollars.

LLOYD D. CLAYCOMBE, Councilman.

Mr. Buchanan moved that Appropriation Ordinance No. 49, 1923, be laid upon the table until the next regular meeting of the Council.

The roll was called and the motion to table carried by the following vote:

Ayes, 7, viz.: Messrs. Bernd, Buchanan, Clauer, King, Ray, Thompson and President Walter W. Wise.

Noes, 2, viz.: Messrs. Bramblett and Claycombe.

On motion of Mr. Thompson, the Common Council, at 8:45 o'clock p. m., adjourned.

President.

Attest:

City Clerk.