

REGULAR MEETING

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, April 7, 1924, at 7:30 o'clock in regular session, President Walter W. Wise, in the chair.

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

By Mr. Claycombe:

City of Indianapolis, Ind.
April 7, 1924.

I move that the Journal of the special meeting of Monday March 21, 1924, be corrected to read as follows:

On motion of Mr. Claycombe all of the communication from the City Controller were ordered expunged from the Journal of proceedings of the Council except the following:

At the request of Lloyd Claycombe, chairman of Special Investigating Committee, in investigation of City Offices and City Officials, I am submitting this Ordinance for the appropriation of funds for the special investigation by a special council committee.

I recommend this Appropriation Ordinance.

Respectfully submitted,

JOS. L. HOGUE,
City Controller.
LLOYD D. CLAYCOMBE,

Carried.

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

COMMUNICATIONS FROM THE MAYOR

March 25, 1924.

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. Rhodhamel, City Clerk, the following Ordinances:

SPECIAL ORDINANCE NO. 4, 1924, an ordinance authorizing the sale of certain personal property of the City of Indianapolis, by and through its Board of Public Safety and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 27, 1924, an ordinance providing a permit for testing materials; providing fees for testing to be paid the City Controller; providing a certain copy of all tests made, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 25, 1924, an ordinance regulating the handling and transportation of moving picture films, dynamite, gunpowder, crude petroleum or any of its products, inflammable fluids or compounds, explosive tablets or any other explosives in or upon any street car, interurban car, railroad car, or motor vehicle within the City of Indianapolis while the same are being used for carrying passengers. Providing a penalty for the violation thereof and declaring a time when the same shall take effect.

Very truly yours,

S. L. SHANK,

Mayor.

April 7, 1924.

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

Gentlemen—I return herewith with my approval Special Appropriation Ordinance No. 6, 1924, appropriating the sum of Five Thousand (\$5,000.00) Dollars out of any unappropriated funds of the City of Indianapolis to the Department of Finance for the use of the Special Investigating Committee.

I hope that your committee will be careful in the expenditure of this money. I would have vetoed this ordinance, but it might have left the impression that I was against the investigation. I am for the investigation, but still think that it should have been public and not behind closed doors, and will co-operate with you if any of my employes have criminally violated the law.

When your committee wishes to hear my evidence, if they care to, I ask that they give me a few days' time.

Very truly yours,

S. L. SHANK,

Mayor.

REPORTS FROM CITY OFFICERS

By Mr. Bernd:

RESOLUTION NO. 2, 1924.

WHEREAS, Jos. L. Hogue, Controller of the City of Indianapolis has seen fit to transmit to the Common Council a letter accompanying special Appropriation Ordinance No. 6, 1924, which letter is to the Common Council highly offensive and insulting and which letter in the main was ordered expunged from its record, and

WHEREAS, said letter is devoid of the most ordinary courtesy which should be observed between the several departments of the City and is an offense and a contempt of the dignity of the Common Council of the City of Indianapolis.

THEREFORE BE IT RESOLVED that until such time as said Controller shall send to the Common Council a satisfactory apology and retraction of his offending words no further communications be received from such official, but that the clerk on receipt of any

communications other than an apology and retraction promptly return the same to the Controller, and

BE IT FURTHER RESOLVED, that a copy of this resolution, together with a copy of the offending letter be sent to the Mayor and that said Mayor be, and he hereby is, requested to procure from said Controller an apology and retraction satisfactory to the Council or dismiss said officer and notify the Council that said officer has been relieved from his official duties, and that said action be taken before the next regular meeting of the Council.

THEO. J. BERND.

Mr. Claycombe moved that Resolution No. 2, 1924, be adopted. The roll was called and the motion to adopt Resolution No. 2, 1924, failed to carry by the following vote:

Ayes, 3, viz.: Messrs. Bernd, Bramblett and Claycombe.

Noes, 6, viz.: Messrs. Buchanan, Clauer, King, Ray, Thompson and President Walter W. Wise.

From the City Controller:

April 7, 1924.

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 Health and Charities, asking for the passage of an ordinance authorizing the sale of 280 bonds of One Thousand (\$1,000.00) Dollars each of the City of Indianapolis, payable from the general revenue and funds of said city or from the sinking fund of said city, or as may be required by law.

I respectfully recommend the passage of this ordinance.

Yours truly,

JOS. L. HOGUE,
City Controller.

April 7, 1924.

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

Dear Sir—I am directed by the Board of Health and Charities of the City of Indianapolis to submit for your approval and transmission to the Common Council an ordinance authorizing the sale of 280 bonds of One Thousand (\$1,000.00) Dollars each of the City of Indianapolis, payable from the general revenue and funds of said city or from the sinking fund of said city, or as may be required by law.

Yours truly,

CLIFFORD C. KEALING,
Attorney for the Board of Health and Charities
of the City of Indianapolis.

April 7, 1924.

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, asking for the passage of an ordinance transferring the sum of Five Thousand Dollars from the “New Equipment Street Cleaning Fund” in the Department of Public Works to a fund to be created and known as the “Team Hire Fund” in the Department of Public Works and reappropriating said amount to the latter fund.

I respectfully recommend the passage of this ordinance.

Yours truly,

JOS. L. HOGUE,
City Controller.

April 7, 1924.

Mr. Joseph L. Hogne,
City Controller,
City.

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 Five Thousand (\$5,000.00) Dollars from the “New Equipment Street Cleaning Fund” in the Department of Public Works to a fund to be created and known as the “Team Hire Fund” in the Department of Public Works and reappropriating the said amount to the latter fund.

The transfer is made necessary on account of this amount, which was in the original budget for team hire being by mistake placed in the item of New Equipment Street Cleaning Fund. The transfer does not increase the budget and merely carries out the original intention of all parties concerned.

Yours truly,

ELMER WILLIAMS,
Clerk Board of Public Works.

From the Board of Public Works:

March 25, 1924.

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 am handing you herewith for passage an ordinance ordering the Board of Public Works of the City of Indianapolis to improve Warman Avenue from the north property line of Walnut street to the south line of pavement in Sixteenth street, except the intersection of Tenth street, by grading the roadway and constructing curb as provided for under Improvement Resolution No. 11,530, adopted by the Board of Public Works of the City of Indianapolis, Indiana, on the first day of February, 1924.

Yours truly,

ELMER WILLIAMS,
Clerk Board of Public Works.

March 25, 1924.

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 am handing you herewith for passage an ordinance ordering the Board of Public Works of the City of Indianapolis to improve Warman avenue from the north property line of Walnut street to the south line of pavement of Sixteenth street, except the intersection of Tenth street by paving with asphalt, asphaltic concrete, concrete or brick, as provided for under Improvement Resolution No. 11,550, adopted by the Board of Public Works of the City of Indianapolis, on February 8th, 1924.

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

From the City Plan Commission:

April 5, 1924.

To the 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 Ordinances Nos. 20 and 26, 1924, for consideration and report with recommendations, begs leave to report that it has had said ordinances under consideration and recommends the following:

That General Ordinance No. 20, 1924, be passed as originally submitted to your body, and

That General Ordinance No. 26, 1924, be passed as originally submitted.

Respectfully submitted,
CITY PLAN COMMISSION,
Chas. E. Coffin, President.

REPORTS OF STANDING COMMITTEES.

From the Committee on Finance:

Indianapolis, Ind., April 7, 1924.

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

Gentlemen—We, your committee on Finance, to whom was referred Appropriation Ordinance No. 5, 1924, entitled, "An ordinance appropriating the sum of Nine Thousand Four Hundred Twelve and 72-100 (\$9,412.72) Dollars from any unappropriated funds to the Judgments, Compromises and Costs Fund in the Department of Law, for the purpose of paying the judgment, interest and costs in the case of Alfred Barthel, Administrator, vs. City of Indianapolis, and declaring a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

I. L. BRAMBLETT
JOHN E. KING
THEO. J. BERND
L. D. CLAYCOMBE

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By the City Controller:

GENERAL ORDINANCE NO. 33, 1924.

AN ORDINANCE, authorizing the sale of Two Hundred Eighty (280) bonds of One Thousand (\$1,000.00) Dollars each of the City of Indianapolis, payable from the General Reserve and funds of said city or from the sinking fund of said city or as may be required by law for the purpose of procuring money to be used for the purpose of, to construct a connecting corridor, a detention ward, to dig wells to furnish the water supply for the City Hospital, for the completion of the third and fourth floors of the Nurses' Home and for general repairs of and remodeling the old hospital building, and for equipping the same; providing for legal notice, providing for the time and manner of advertising sales of bonds and all receipts of bids for the same, together with the mode of terms of sale, appropriating the proceeds of said sale of bonds to the Department of Health and Charities of said city and fixing the time when the same shall take effect.

WHEREAS, it is necessary and proper for the best interests of the City of Indianapolis and its inhabitants thereof to improve and better the conditions with reference to proper and adequate health protection for the City of Indianapolis and its inhabitants, and

WHEREAS, an emergency now exists at the City Hospital on account of inadequate and insufficient accommodations for patients and the operation of the hospital, and that the same exists to such an extent that it will be necessary to construct a certain connecting corridor; to construct a detention ward; to dig wells for the purpose of furnishing the water supply for said hospital; for the completion of the THIRD and FOURTH floors known as the "NURSES' HOME," and for general repairs and remodeling of the old buildings at said hospital, and for equipment to operate the same, to meet the necessary requirements and emergencies that now exist.

WHEREAS, this Board, after being duly advised, is of the opinion that the cost of such necessary improvements will be approximately Two Hundred Eighty Thousand (\$280,000.00) Dollars, and

WHEREAS, there is not now, and will not be, sufficient money in the funds of the Board of Health and Charities of the City of Indianapolis with which to meet the aforesaid expenditure of money for the purpose aforesaid, and it being necessary for the City of Indianapolis to borrow the sum of Two Hundred Eighty Thousand (\$280,000.00) Dollars and to issue and sell its bonds for that amount. Now, Therefore,

BE IT RESOLVED by the Board of Health and Charities of the City of Indianapolis, that an ordinance be prepared and presented to the Common Council of the City of Indianapolis, and to the City Controller for passage authorizing the issuance and sale by the City of Indianapolis of a Bond Issue of Two Hundred Eighty Thousand (\$280,000.00) Dollars for the use of the Board of Health and Charities for the erection of a certain connecting corridor, detention ward, completion of the Nurses' Home and for general repairs to said hospital, and for the employment and payment of all necessary

architectural services needed in the inspection, construction and completion of the aforesaid.

WHEREAS, it is by the Common Council of the City of Indianapolis deemed necessary and proper for the best interests of the City of Indianapolis and the inhabitants thereof to improve and better its condition with reference to proper and adequate health protection for the City of Indianapolis and its inhabitants, and for such purpose to construct a connecting corridor, detention ward, completion of the Nurses' Home, and for general repairs and equipment of the same, and for other hospital purposes for and in connection with the City Hospital of the City of Indianapolis, and

WHEREAS, there is not now and will not be sufficient funds in the treasury of said city with which to accomplish said purpose aforesaid, and it will be necessary for the City of Indianapolis to borrow the sum of Two Hundred Eighty Thousand (\$280,000.00) Dollars for said purpose and to provide for and secure the repayment thereof and to evidence said indebtedness to issue bonds in said amount payable from the general funds or from the sinking fund of said city, or as may be required by law. Therefore,

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 for the purpose of procuring money with which to improve and better conditions with reference to proper and adequate health protection for the City of Indianapolis and its inhabitants and for such purpose to construct a connecting corridor; a detention ward; dig wells to furnish the water supply for the City Hospital; for completion of the third and fourth floors of the Nurses' Home and for general repairs and remodeling of the old hospital building and for equipping the same, to prepare, issue and sell Two Hundred Eighty (280) New Bonds of the City of Indianapolis, Marion County, Indiana, of the sum of One Thousand (\$1,000.00) Dollars each, which bonds shall bear the date of....., 1924, and shall be numbered from One (1) to Two Hundred Eighty (280) both inclusive, and shall be designated "City Hospital Bonds, 1924," shall bear interest at the rate of four and three-quarters (4¾) per cent, payable semi-annually on the first day of January and the first day of July of each year of the period of said bonds, and said installments of interest shall be evidenced by interest coupons attached to said bonds. Ten of said bonds shall mature and be payable at the rate of Ten Thousand (\$10,000.00) Dollars in each year for twenty-eight (28) consecutive years, beginning in the year 1926 and ending in the year 1953. The first coupon attached to each bond shall be for interest on said bond from date of issue until the first day of January, 1925, said bonds and interest coupons shall be negotiable and payable at the City Treasurer's office of the City of Indianapolis at Indianapolis, Indiana. Said bonds shall be signed by the Mayor and the City Controller of said City of Indianapolis and attested by the City Clerk, who shall affix the seal of said city to each of said bonds and the interest coupons attached to said bonds shall be authorized by a lithographed fac simile of the signature of the Mayor and City Controller of said city engraved thereon, which shall be for all purposes, taken and deemed to equivalent of a manual signing thereof. Said bonds shall be prepared by the City Controller in due form, irrevocably

pledging the faith and credit of the City of Indianapolis to the payment of the principal and interest stipulated therein, respectively.

It shall be the duty of the City Controller, at the time of the issue and negotiation of said bonds to register in a book, kept for that purpose, all of said bonds so issued and negotiated in serial number beginning with number one (1) giving also the date of their issuance, their amount, date of maturity, rate of interest and the time and place where said interest shall be payable; said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled before the issuance thereof.

No..... \$1,000.00

UNITED STATES OF AMERICA
CITY OF INDIANAPOLIS
MARION COUNTY, STATE OF INDIANA
CITY HOSPITAL BONDS, 1924.

For value received, the City of Indianapolis, in Marion County, in the State of Indiana, hereby promises to pay to the bearer, without any relief from valuation or appraisement laws on January at the City Treasurer's office of the City of Indianapolis at the City of Indianapolis, One Thousand (\$1,000.00) Dollars in lawful money of the United States of America, together with interest thereon, at the rate of four and three-quarters (4¾) per centum per annum from date until paid, the first interest payable on the first day of January, 1925, and the interest thereafter payable semi-annually on the first day of July and January respectively, upon the presentation and surrender of the proper interest coupons hereunto attached, and which are made a part of this bond.

This bond is one of an issue of Two Hundred Eighty (280) Bonds each, numbered from one (1) to Two Hundred Eighty (280) both inclusive of date of....., 1924, issued by the City of Indianapolis, pursuant to an ordinance passed by the Common Council of said city on....., 1924, and an Act of the General Assembly of the State of Indiana, entitled "An Act concerning Municipal Corporations," approved March 6, 1905, and Acts amendatory thereof and supplemental thereto.

It is hereby certified that all the conditions, acts and things essential to the validity of this bond exist, have happened and have been done, and that every requirement of law affecting the issue thereof, has been duly complied with and that this bond is within every debt and other limit prescribed by the Constitution and the laws of the State of Indiana, and that the faith and credit of the City of Indianapolis, Indiana, are hereby irrevocably pledged to the punctual payment and interest of this bond according to its terms.

IN WITNESS WHEREOF, The Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and the City Controller and attested by the City Clerk, and the corporate seal of said city to be affixed this as of the day of, 1924.

.....
Mayor.
.....
City Controller.

Attest:
.....
City Clerk.

Section 2. The City Controller shall, as soon as practicable after the passage of this ordinance and after the publication of the notice of the herein determination to issue such bonds as provided in Section Eight (8) of this ordinance, advertise for bids or proposals for said bonds by at least two (2) insertions each, one week apart, in the Indianapolis Star and the Indianapolis Times, daily newspapers of general circulation, printed and published in the City of Indianapolis, and may otherwise advertise for such bids or proposals as he may deem advisable. Said advertisements shall describe said bonds with such minuteness and particularity as the City Controller may see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they shall bear, that the bidder may bid for all or any part of said bonds, the date of opening bids or proposals therefor, the right of the City Controller to reject any or all bids, the amount of deposit each bidder will be required to make, and when and where the bonds shall be delivered and paid for.

Section 3. Each and every bid and proposal shall be presented to the City Controller sealed, and shall be accompanied by a duly certified check upon some responsible bank of the City of Indianapolis, Indiana, payable to the order of the City Treasurer, for a sum of money which shall equal two and one-half (2½) per cent of the face or par value of the bonds bid for, or proposed to be purchased. The City Controller shall continue to receive all bids or proposals therefor, at the office of the City Controller until twelve (12) o'clock noon, on the day fixed by the Controller and designated in the advertisement for receiving bids and proposals, at which time and place and between the said hour and two o'clock P. M. of said day, he shall open said bids or proposals. The City Controller shall award said bonds, or if he shall see fit, a part of any number thereof, to the highest bidder therefor; but said Controller shall have the full right to reject any and all such bids or proposals, or any part thereof, and shall have the right to accept any part of any bid, and to award upon any bid the whole or less number of bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply to the case of re-offering and re-advertisement of said bonds as hereinafter provided.

Section 4. In case the City Controller shall reject all bids submitted, or if he shall award only a part of said bonds, he shall re-advertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such re-advertisement he is authorized and directed to fix the date and the time, both for receiving and opening bids or proposals and for the purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time, in like manner, to re-advertise said bonds for sale until said bonds are sold.

Section 5. In case any bid or proposal shall not be accepted and there shall be no award of bonds, thereon by the Controller, he shall thereupon return to such successful bidder the certified check accompanying the same. If the Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected

thereon until the completion of the purchase and the payment for the bonds awarded. If, for any reason said check shall not be paid upon presentation such non-payment shall be taken and deemed a breach of contract for the purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to re-advertise said bonds for sale at once and shall in such event, retain said check, and shall have the right to collect the same for its own use, and said check and the proceeds thereof when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment to the City. In case any successful bidder shall fail to complete the purchase of bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the City Controller as herein provided, the proceeds of such certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him, pursuant to the provisions hereof, and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or at the option of the City Controller, at the time of the completion of the sale and payment of these bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

Section 6. Delivery of any bonds sold shall be made at the office of the City Treasurer, of the City of Indianapolis, Indiana, upon such day or days as may be specified in the advertisement or re-advertisement for proposals, or within such time thereafter as may be fixed by the Controller or at such time or times as may be agreed upon by the Controller and the purchaser or purchasers, and the Controller may extend the time for such delivery, not more than ten (10) days after the day or days specified or agreed upon as above provided; and the successful bidder or bidders shall take the bonds awarded to him or them and pay for the same at such place and time, and his or her refusal, neglect or omission to do so shall be a breach of the contract of his bid or proposal, on account of which damages shall be retained or recovered as liquidated as provided in this ordinance.

Section 7. The bonds taken and paid for to the satisfaction of the City Controller shall be binding obligations upon the City of Indianapolis, according to their tenor and affect; and the proceeds derived from the sale or sales of bonds as herein authorized, shall be and hereby are appropriated to the use of the Department of Public Health and Charities, to be used for the purpose mentioned and described in Section One (1) of this ordinance, and the City Controller is hereby authorized and directed to draw all proper and necessary warrants and to do whatever act may be deemed necessary to carry out the provisions hereof.

Section 8. The Mayor, City Controller and the Corporation Counsel are hereby authorized and directed to publish notice of the herein determination to issue bonds as required by law.

Section 9. 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 Finance.

By the City Controller:

GENERAL ORDINANCE NO. 34, 1924.

AN ORDINANCE transferring the sum of Five Thousand (\$5,000.00) Dollars from the "New Equipment Street Cleaning Fund" in the Department of Public Works to a fund to be created and known as the "Team Hire Fund" in the Department of Public Works, reappropriating 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 Thousand (\$5,000.00) Dollars from the "New Equipment Street Cleaning Fund" in the Department of Public Works be, and the same is, hereby transferred to and reappropriated to the fund herein created and known as the "Team Hire 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.

Mr. Ray moved thatt he rules be suspended and General Ordinance No. 34, 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. Ray called for General Ordinance No. 34, 1924, for second reading. It was read a second time.

Mr. Ray moved that General Ordinance No. 34, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 34, 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 Board of Public Works:

GENERAL ORDINANCE NO. 35, 1924.

AN ORDINANCE, ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Warman Avenue from the north property line of Walnut street to the south line of pavement in Sixteenth street, except the intersection of Tenth street, by grading roadway and constructing curb as provided for under Improvement Resolution No. 11,530, adopted by the Board of Public Works of the City of Indianapolis, Indiana, on the 1st day of February, 1924, 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 1st day of February, 1924, adopt Improvement Resolution No. 11,530 for the improvement of Warman avenue from the north property line of Walnut street to the south line of pavement in Sixteenth street except the intersection of Tenth street, by grading the roadway and constructing curb.

WHEREAS, the said Board of Public Works did, at the same time, fix February 25th, 1924, at 2 o'clock P. M., as the time to hear all persons interested or whose property is affected by said improvement, and notice of the passage of said Resolution and the said time of hearing was published on February 4th, 1924, and on February 11th, 1924, 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 25th day of February, 1924, and after said hearing in regular session on said February 25th, 1924, took action on said Resolution, the same being confirmed without modification, and

WHEREAS, on the 3rd day of March, 1924, 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 FURTHER 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 Warman avenue from the north property line of Walnut street to the south line of pavement in Sixteenth street except the intersection of Tenth street, by grading the roadway and constructing curb under said Improvement Resolution No. 11,530, 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 Public Works.

By the Board of Public Works:

GENERAL ORDINANCE NO. 36, 1924.

AN ORDINANCE, ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Warman avenue from the north property line of Walnut street to the south line of pavement of Sixteenth street, except the intersection of Tenth street, by paving with asphalt, asphaltic concrete, concrete or brick as provided for under Improvement Resolution No. 11,550, adopted by the Board of Public Works of the City of Indianapolis, Indiana, on February 8th, 1924, 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 8th day of February, 1924, adopt Improvement Resolution No. 11,550 for the improvement of Warman avenue from the north property line of Walnut street to the south line of pavement of Sixteenth street except the intersection at Tenth street by paving the roadway with asphalt, asphaltic concrete, concrete or brick.

WHEREAS, the Board of Public Works did, at the same time, fix March 5th, 1924, at 2 o'clock P. M. as the time to hear all persons interested or whose property is affected by said improvement, and notice of the passage of said Resolution and the said time of hearing was published on February 12, 1924, and on February 19th, 1924, 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 5th day of March, 1924, and after said hearing in regular session on March 5th, 1924, took action on said Resolution, the same being confirmed without modification, and,

WHEREAS, on the 13th day of March, 1924, a written remonstrance signed by more than a majority of the resident freeholders on said street was filed with the said 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 FURTHER ORDAINED by the Common Council of the City of Indianapolis, Indiana, that the Board of Public Works of the City of Indianapolis do, and is hereby ordered to improve Warman avenue from the north property line of Walnut street to the south line of pavement in Sixteenth street, except the intersection at Tenth street, by paving the roadway with asphalt, asphaltic

concrete, concrete or brick under Improvement Resolution No. 11,550, 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 Public Works.

On motion of Mr. Buchanan, April 21, 1924, at 8:00 o'clock p. m., was fixed as a time for a public hearing on General Ordinance No. 36, 1924.

By Mr. Bernd:

GENERAL ORDINANCE NO. 37, 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 U5 or second industrial district, the H2 or 80-foot height district and the A3 or 2400 square foot area district, as established by General Ordinance No. 144, 1922, be and the same is hereby amended, supplemented and changed so as to include the following described territory:

"Beginning at the northwest corner of Van Buren street and State avenue thence north with and along the west property line of State avenue a distance of 233.8 feet; thence west and parallel to the north property line of Van Buren street to the center line of the first alley west of State avenue; thence north with and along the said center line of said alley, a distance of 33.5 feet; thence west and parallel to the north property line of Van Buren street to the east property line of Quill street; thence south with and along the east property line of Quill street to the north property line of Van Buren street; thence east with and along the north property line of Van Buren street; thence east with and along the north property line of Van Buren street, 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 Parks.

On motion of Mr. Bernd, April 21, 1924, at 8:00 o'clock p. m., was fixed as the time for a public hearing on General Ordinance No. 37, 1924, to be held in the Council Chamber.

By Mr. Clauer:

GENERAL ORDINANCE NO. 38, 1924.

AN ORDINANCE, amending Section 4 of General Ordinance No. 64, 1921, the same being an ordinance pertaining to the maintenance and construction of privy-vaults and water-closets within the City of Indianapolis, providing a time when the provisions of said ordinance No. 64, 1921, shall be complied with, fixing a time when this ordinance shall take effect.

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

Section 1. That Section 4 of General Ordinance No. 64, 1921, be and the same is hereby amended to read as follows:

Section 4, of General Ordinance No. 64, 1921: This ordinance shall be in full force and effect from and after its passage and due publication as required by law, except however, that Section 1 of this ordinance shall become effective and be enforced in the following manner to-wit:

All such connections as are required by Section One shall be made in the territory known as the original plat of said city and commonly known as the mile square, within one year from the date of passage and due publication of this ordinance, all such connections within one-half mile of the out-side boundary of the original plat or mile square, shall be made within three years from the date of the passage and due publication of this ordinance, all such connections within one mile of the outside boundary of said original plat or mile of the outside boundary of said original plat or mile square, shall be made not later than four years after the date of the passage of this ordinance, all such connections within the remaining territory inside of the limits of the City of Indianapolis shall be made not later than five years after the date of the passage and due publication of this ordinance.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

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

By Mr. King:

GENERAL ORDINANCE NO. 39, 1924.

AN ORDINANCE, amending that part of Section 1, of General Ordinance No. 37, 1923, which describes the "Congested Districts" amending sub-section F of Section 3, sub-section E of Section 4, and sub-sections H and I of Section 4 of General

Ordinance 37, 1923, known as the Traffic Ordinance of 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, that part of Section 1, of General Ordinance No. 37, 1923, which describes the "Congested District" be and the same is hereby amended so that the same shall read as follows:

The term "Congested District" within the meaning of this ordinance, shall constitute all part of the City of Indianapolis, included within the limits of the center line of Michigan street on the north, the center line of Senate avenue on the west, the center line of Georgia street on the south, and the center line of New Jersey street on the east, excepting that part therein bounded by the center line of Delaware street on the west and the center line of Maryland street on the north, the center line of Alabama street on the east, and the center line of Georgia street on the south.

Section 2. That Sub-section F of Section 3 of General Ordinance No. 37, 1923, be and the same is hereby amended so that the same shall read as follows: (f) Vehicles, city and interurban car stops, all vehicles, city and interurban cars approaching any of the following named streets and avenues within the City of Indianapolis, shall come to complete stop before continuing into or across the same:

North Capitol avenue from Washington street to Maple Road Boulevard, Meridian street from Washington street to the Canal, East New York street from the Big Four Railroad tracks to Emerson avenue, East Michigan street from the Big Four Railroad tracks to Emerson avenue, Washington street from the city limits on the east to the city limits on the west, Maple Road Boulevard from Northwestern avenue to Fall Creek, and Fall Creek Boulevard north, Sixty-third street at the intersection of Bellefontaine street, Northwestern avenue at the intersection of Twenty-fifth and Twenty-ninth streets, Thirtieth street and Thirty-second street and Madison avenue from Ray street to the city limits. That the above named streets, avenue and boulevards as set out in this Sub-section F be and the same are hereby declared to be and are designated as preferential streets for the purpose of regulating traffic upon or crossing over the same.

Section 3. That Sub-section E of Section 4 of General Ordinance No. 37, 1923, be and the same is hereby amended by eliminating the parking of vehicles in the center of Market street from Pennsylvania street to Delaware street, and as so amended said Sub-section E shall read as follows:

(e) ANGLE PARKING. In the following named streets and public places within the City of Indianapolis, vehicles shall be parked at an angle of forty-five (45) degrees: On Washington street from Southeastern avenue to White River except that there shall be no parking at any time on Washington street under the railroad elevation at Noble street, on Virginia avenue from Washington street to Maryland street, on Ohio street from Delaware street to Alabama street, on Kentucky avenue from Washington street to Maryland street in the center part thereof, on the south side of North street from Illinois street to Meridian street, on the south side of Ohio street from Pennsylvania street to Delaware street, on Indiana avenue from Illinois street to Capitol avenue, on the south side of Georgia street from Illinois street to McCrea street, and at right-angles on Market street from Delaware

street to Alabama street, the east side of Senate avenue from Washington street, to Ohio street, and on the south side of Ohio street from Senate avenue to Capitol avenue.

Section 4. That Sub-section H of Section 4 General Ordinance No. 37, 1923, be and the same is hereby amended so that the same shall read as follows:

(h) No vehicles shall be parked at any time within the congested district in any street or alley where the width of the same is less than forty (40) feet from curbing to curbing thereof, provided however, that vehicles may be parked parallel with the curbing on the south side of Court street from Delaware street to Pennsylvania street, between the hours of 6:30 p. m. and 6:30 a. m.

Section 5. That Sub-section I of Section 4 of General Ordinance No. 37, 1923, be and the same is hereby amended so that the same shall read as follows:

(i) There shall be no parking at any time at the following places, unless herein otherwise provided: The west side of Illinois street from Washington street to Court street, the east side of Illinois street from Washington street to Pearl street; the east side of Illinois street from Washington street to Court street; the east side of Meridian street from Washington street to Pearl street; the west side of Pennsylvania street from Washington street to Court street, the north side of Thirtieth street from Fall Creek to White River, the north side of Sixteenth street from the Monon Railroad tracks to Senate avenue, the north side of St. Clair street from the Monon Railroad tracks to Senate avenue, the south side of East Forty-second street from Carrollton avenue to Broadway street, the east side of Clifton street from Roache street to Thirty-fourth street, the north side of New York street from Randolph street to Emerson avenue, the west side of Bird street from Ohio street to New York street, on both sides of Fourteenth street from Illinois street to Meridian street on the south side of Fourteenth street from Meridian street to Pennsylvania street, the south side of Forty-sixth street from Illinois street to Monon Railroad tracks, the north side of Tenth street from Meridian street to Indiana avenue, the north side of Howard Street from Harding street to Belmont avenue, the south side of Nineteenth street from Illinois street to Meridian street, the south side of Nineteenth street from Delaware street to New Jersey street, the west side of Meridian street from Bluff avenue to the Belt Railroad, the south side of Seventeenth street from Meridian street to Pennsylvania street, the east side of Oriental street from Southeastern avenue to Market street, the east side of Muskingum street from New York street to Vermont street, the west side of Station street, the south side of Roosevelt avenue. On both sides of Illinois street under the elevation of the Union Railroad Company's tracks, or within fifty feet approaching either entrance thereto. There shall be no parking of vehicles on the north side of Tenth street from the Massachusetts avenue railroad elevation to Rural street between the hours of seven-thirty (7:30) o'clock a. m. and nine (9:00) o'clock a. m. and there shall be no parking on the south side of East Tenth street from the Massachusetts avenue railroad elevation to Rural street between the hours of four-thirty (4:30) p. m. and six (6:00) p. m. From 7:30 a. m. until 9:00 o'clock 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 o'clock p. m. there shall be no parking on the south side of Washington street from Noble street to Rural 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 6. This ordinance shall be supplemental to General Ordinance No. 37, 1923, and shall amend or repeal only such parts thereof as are in conflict therewith.

Section 7. This ordinance shall be in full force and effect from and after its passage and due publication as provided by law.

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

By Mr. King:

GENERAL ORDINANCE NO. 40, 1924.

AN ORDINANCE to amend General Ordinance No. 156, 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, 1923, as amended by General Ordinance No. 156, 1923, be amended to read as follows:

"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 Sixteenth street, on the west side of Capitol avenue from Fall Creek to Sixteenth 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 Sixteenth street, on the west side of Capitol avenue from Fall Creek to Sixteenth street."

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 Public Safety.

By Mr. Claycombe:

SPECIAL ORDINANCE NO. 5, 1924.

AN ORDINANCE annexing certain territory to the City of Indianapolis, Indiana, and defining a part of the boundary line of said city, 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 City of Indianapolis be and the same is hereby extended so as to include the following described territory, all

of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, in Marion County, Indiana.

Section 2. Beginning on the center line of Troy avenue at a point 647 feet west of the west property line of Shelby street; thence south parallel to and 647 feet distant from the west property line of Shelby street to the center line of Hanna street; thence east with and along the center line of Hanna street to a point 326 feet east of the center line of Shelby street; thence north and parallel to the center line of Shelby street, a distance of 315 feet; thence east and parallel to the center line of Hanna street to a point, said point being 670 feet east of the east property line of Shelby street; thence north parallel to and 670 feet distant from the east property line of Shelby street to the center line of the first alley south of Martin street; thence west with and along said center line of said alley to the west property line of Shelby street; thence north with and along the west property line of Shelby street to the center line of Troy avenue; thence west with and along the center line of Troy avenue to the point or place of beginning.

Section 3. This ordinance shall go into full force and effect from and after its passage.

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

By Mr. Claycombe:

SPECIAL ORDINANCE NO. 6, 1924.

AN ORDINANCE changing the name of certain streets and parts of streets in the City of Indianapolis, Indiana, 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 name of the street and parts of streets herein mentioned be, and the same is hereby altered, changed and shall hereafter be known by the name given it in this ordinance:

Section 2. Sterling street from the north property line of Hampton drive to the south property line of 46th street, shall be changed to and hereafter be known and designated as "Delaware 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 Parks.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

On motion of Mr. King, Mr. Wm. Bailey, Asst. City Attorney, was instructed to prepare an ordinance appropriating money to pay salaries of the Electrical Board of Examiners.

On Motion of Mr. King, General Ordinance No. 28, 1924, was stricken from the files.

ORDINANCES ON SECOND READING.

Mr. Bernd called for General Ordinance No. 19, 1924, for second reading. It was read a second time.

Mr. Bernd moved that General Ordinance No. 19, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 19, 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.

Mr. Bernd called for General Ordinance No. 20, 1924, for second reading. It was read a second time.

Mr. Bernd moved that General Ordinance No. 20, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 20, 1924, was read a third time and placed upon its passage. Carried.

General Ordinance No. 20, 1924, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Bernd, Bramblett, Buchanan, Claycombe, King, and President Walter W. Wise.

Noes, 3, viz.: Messrs. Clauer, Ray and Thompson.

Mr. Bernd called for General Ordinance No. 26, 1924, for second reading. It was read a second time.

Mr. Bernd moved that General Ordinance No. 26, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 26, 1924, was read a third time and passed by the following vote:

Ayes, 5, viz.: Messrs. Bernd, Bramblett, Buchanan, Claycombe and President Walter W. Wise.

Noes, 4, viz.: Messrs. Clauer, King, Ray and Thompson.

By Mr. Buchanan:

Mr. President—I serve notice of my intention to ask for a re-consideration at the next meeting of the Common Council of the vote by which General Ordinance No. 26, 1924, was passed.
H. W. BUCHANAN.

Mr. Bramblett called for Appropriation Ordinance No. 5, 1924, for second reading. It was read a second time.

Mr. Bramblett moved that Appropriation Ordinance No. 5, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 5, 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.

Mr. King called for General Ordinance No. 29, 1924, for second reading. It was read a second time.

Mr. Ray moved that General Ordinance No. 29, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 29, 1924, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, King, Ray and President Walter W. Wise.

Noes, 1, viz.: Mr. Thompson.

Mr. Claycombe called for General Ordinance No. 30, 1924, for second reading. It was read a second time.

Mr. Claycombe moved that General Ordinance No. 30, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 30, 1924, was read a third time and failed to pass by the following vote:

Ayes, 2, viz.: Messrs. Claycombe and King.

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

Mr. King called for General Ordinance No. 31, 1924, for second reading. It was read a second time.

Mr. King moved that General Ordinance No. 31, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 31, 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.

April 7, 1924]

CITY OF INDIANAPOLIS, IND.

143

On motion of Mr. Claycombe, the Common Council at
9:05 o'clock p. m., adjourned.

Walter W. Wise

President.

Attest:

John N. Rhodehamel

City Clerk.