

REGULAR MEETING

Monday, July 18, 1927, 7:30 P. M.

The Common Council of the City of Indianapolis met in regular session in the Council Chamber at 7:30 P. M., Monday, July 18, 1927, President Claude E. Negley in the chair.

The Clerk called the roll.

Present: Hon. Claude E. Negley, President, and seven members, viz: Otis E. Bartholomew, Boyton J. Moore, Robert E. Springsteen, Millard W. Ferguson, Austin H. Todd, O. Ray Albertson and Walter R. Dorsett.

Absent: Edw. B. Raub.

On motion of Mr. Dorsett, seconded by Mr. Todd, the reading of the minutes of the previous meeting was dispensed with.

COMMUNICATIONS FROM THE MAYOR

July 13, 1927.

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

Gentlemen—I have this day approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, Special Ordinance No. 7, 1927.

AN ORDINANCE, authorizing the sale of certain property of the City of Indianapolis by and through its Board of Public Works and declaring a time when the same shall take effect.

GENERAL ORDINANCE No. 71, 1927.

AN ORDINANCE, to amend Section 4 of General Ordinance No. 12, 1927, and adding a Section thereto, by fixing a penalty, and declaring a time when the same shall take effect.

Yours very truly,
JOHN L. DUVALL.
Mayor.

COMMUNICATIONS FROM CITY OFFICERS.

July 18, 1927.

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

Gentlemen—Attached please find copies of a General Ordinance appropriating and transferring certain sums of money as advertised in two Indianapolis newspapers on July 6th, 1927, in accordance with a new law as passed by the 1927 General Assembly of the State of Indiana.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,

City Controller.

July 18, 1927.

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

Gentlemen—Attached please find copies of a General Ordinance authorizing the borrowing of Four Hundred Fifteen Thousand (\$415,000.00) Dollars, and the sale of Four Hundred Fifteen (415) bonds of One Thousand (\$1,000.00) Dollars each, for the purpose of purchasing certain electrical devices and equipment to be used for the establishing of a new Gamewell system for the Indianapolis Police and Fire Departments of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,

City Controller.

REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., July 11, 1927.

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

Gentlemen—We, your Committee on Public Safety, to whom was referred General Ordinance No. 47, 1927, entitled, purchase of two Stutz Patrols, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROBT. E. SPRINGSTEIN, Chairman.
AUSTIN H. TODD
M. W. FERGUSON
O. E. BARTHOLOMEW

Indianapolis, Ind., July 18, 1927.

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

We, your Special Committee to whom was referred General Ordinance No. 15, 1927, entitled Bond issue for Hospital, \$1,700,000.00, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

BOYNTON J. MOORE, Chairman.
A. H. TODD.
O. E. BARTHOLOMEW
M. W. FERGUSON.
WALTER R. DORSETT.

Indianapolis, Ind., July 18, 1927.

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

Gentlemen—We, your Special Committee to whom was referred General Ordinance No. 73, 1927, entitled Bond Issue Morris St. Bridge, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from files.

BOYNTON J. MOORE, Chairman.
A. H. TODD.
O. RAY ALBERTSON.
O. E. BARTHOLOMEW

Indianapolis, Ind., July 18, 1927.

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

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 72, 1927, \$700,000 Temporary Loan, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman.

Indianapolis, Ind., July 18, 1927.

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

Gentlemen—We, your Committee on Board of Works, to whom was referred Special Ordinance No. 5, 1927, entitled Annexation of Territory at A-3, beg leave to report that we have had

said ordinance under consideration, and recommend that the same be passed.

A. H. TODD, Chairman.
BOYNTON J. MOORE.
R. E. SPRINGSTEEN.

Indianapolis, Ind., July 18, 1927.

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

Gentlemen—We, your Committee on Parks, to whom was referred Special Ordinance No. 9, 1927, City and State Trading Lands, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. E. BARTHOLOMEW, Chairman.
ROBT. E. SPRINGSTEEN.
O. RAY ALBERTSON.
AUSTIN H. TODD.

Indianapolis, Ind., July 18, 1927.

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

Gentlemen—We, your Committee on Welfare, to whom was referred General Ordinance No. 39, 1927, entitled, Amend Zoning Ordinance, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from files.

O. RAY ALBERTSON, Chairman.
A. H. TODD.
O. E. BARTHOLOMEW
M. W. FERGUSON.
BOYNTON J. MOORE.

Indianapolis, Ind., July 18, 1927.

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

Gentlemen—We, your committee on Welfare, to whom was referred General Ordinance No. 44, 1927, Amending Zoning Ordinance, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from files.

O. RAY ALBERTSON, Chairman.
A. H. TODD.
O. E. BARTHOLOMEW
M. W. FERGUSON.
BOYNTON J. MOORE.

Indianapolis, Ind., July 18, 1927.

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

Gentlemen—We, your Committee on Welfare, to whom was referred General Ordinance No. 65, 1927, entitled, Amend Zoning Ordinance, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from files.

O. RAY ALBERTSON, Chairman.
A. H. TODD.
O. E. BARTHOLOMEW
M. W. FERGUSON.

Indianapolis, Ind., July 18, 1927.

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

Gentlemen—We, your Committee on Welfare, to whom was referred General Ordinance No. 43, 1927, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from files.

O. RAY ALBERTSON, Chairman.

Mr. Boyce notified the Council that an additional remonstrance against Gen. Ord. No. 57, 1927, rezoning E. 10th St., had been filed with him.

INTRODUCTION OF GENERAL ORDINANCES

By City Comptroller:

GENERAL ORDINANCE No. 75, 1927.

AN ORDINANCE transferring the sum of Five Thousand Four Hundred Twenty-five (\$5,425.00) Dollars and reappropriating the same to the following funds, to-wit:

Transferring from the Department of Public Safety City Dog Pound Fund No. 41, the sum of Five Hundred (\$500.00) Dollars and reappropriating the same to the Department of Public Safety, City Dog Pound Fund \$34; transferring from the City Controller's Department, interest account Fund No. 61, the sum of Five Hundred (\$500.00) Dollars and reappropriating the same to the City Controller's Department, printing and advertising account No. 24; transferring from the Department of Public Works, Administration Account, No. 36, the sum of One Hundred Fifty (\$150.00) Dollars, and reappropriating the same to the Department of Public Works, Admin-

istration Account No. 72; transferring from the Department of Public Works, Public Buildings account No. 72, the sum of Three Hundred Fifty (\$350.00) Dollars and reappropriating the same to the Department of Public Works, Public Buildings account No. 25; transferring from the Department of Public Works, Public Buildings Account No. 41, the sum of Three Hundred (\$300.00) Dollars and reappropriating the same to the Department of Public Works Public Buildings account No. 32; transferring from the Department of Public Works, Street Commissioners Department account No. 32; the sum of Five Hundred (\$500.00) Dollars and reappropriating the same to the Department of Public Works Public Buildings account Fund No. 32; transferring from the Department of Public Works, Public Buildings account Fund No. 41, the sum of One Hundred Twenty-five (\$125.00) Dollars and reappropriating the same to the Department of Public Works, Public Buildings account Fund No. 34; transferring from the Department of Public Works, Street Commissioners Street and Alley materials Fund No. 43, the sum of Two Thousand (\$2,000.00) Dollars and reappropriating the same to the Department of Public Works, Street Commissioners general supplies Fund No. 38; transferring from the City Controller's Department Fund No. 61, the sum of One Thousand (\$1,000.00) Dollars and reappropriating the same to the Barrett Law Department Fund No. 36; and making an additional appropriation of Sixty-two Thousand Five Hundred (\$62,500.00) Dollars from the General Fund of the City of Indianapolis or as may be otherwise authorized or required by law, to the following funds to-wit:

Appropriating One Thousand Five Hundred (\$1,500.00) Dollars to the Department of Public Safety, Gamewell Division Fund No. 44; appropriating the sum of eighty (\$80.00) Dollars to the Department of Public Safety, Police Department Fund No. 31; appropriating the sum of Thirteen Thousand (\$13,000.00) Dollars to the Department of Public Works, Street Commissioners account No. 12-4, salaries and wages temporary; appropriating the sum of Thirty-five Thousand (\$35,000.00) Dollars to the Department of Public Works, Street Commissioners account No. 12-7 salaries and wages temporary; appropriating the sum of Two Thousand (\$2,000.00) Dollars to the Department of Public Works, Street Commissioners account No. 38, General Materials; appropriating the sum of Five Thousand Five Hundred (\$5,500.00) Dollars to the Department of Public Works, City Civil Engineer account No. 11-3, salaries and wages regular; appropriating the sum of Five Thousand (\$5,000.00) Dollars to the Department of Public Works, City Civil Engineer account No. 21 Truck Hire; appropriating the sum of Three Hundred Forty-five (\$345.00) Dollars to the Department of Public Works, City Civil Engineer asphalt street repair department No. 12, salaries and wages temporary; appropriating the sum of One Hundred Seventy-five (\$175.00) Dollars to the Department of Public Works City Civil Engineer, Street Repair Department; providing for the advertising of the same, declaring an emergency 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 pursuant and by virtue of the acts of the General Assembly of the State of Indiana, 1927, Page 247,, entitled an act to amend Section 3, of an act entitled an act to amend Sections 107, 134, 160, 177, 181 and 192 of an act entitled an act concerning taxation, repealing all laws in conflict therewith and declaring an emergency, approved March 11th, 1919, providing for the giving of notices to the taxpayers of the City of Indianapolis of the city's determination to transfer certain funds and make additional appropriations other than those contained in the budget. And it appearing to the Common Council, City of Indianapolis, Indiana, that such notices were given on July 6th, 1927, by one insertion in two daily newspapers in daily circulation, published in the English language, in Marion County, Indiana. And it further appearing that no remonstrances have been filed as required by law, the Common Council of the City of Indianapolis, Indiana now therefore appropriates the sum of Sixty-two Thousand Five Hundred (\$62,500.00) Dollars to the following funds to-wit:

Appropriating One Thousand Five Hundred (\$1,500.00) Dollars to the Department of Public Safety, Gamewell Division Fund No. 44; appropriating eighty (\$80.00) Dollars to the Department of Public Safety, Police Department Fund No. 31; appropriating Thirteen Thousand (\$13,000.00) Dollars to the Department of Public Works, Street Commissioners account No. 12-4, salaries and wages temporary; appropriating Thirty-Five Thousand (\$35,000.00) Dollars to the Department of Public Works, Street Commissioners Account No. 12-7, salaries and wages temporary; appropriating Two Thousand (\$2,000.00) Dollars to the Department of Public Works, Street Commissioners account No. 38, General Materials; appropriating Five Thousand Five Hundred (\$5,500.00) Dollars to the Department of Public Works, City of Civil Engineer account 11-3, salaries and wages regular; appropriating Five Thousand (\$5,000.00) Dollars to the Department of Public Works City Civil Engineer account No. 21 Truck Hire; appropriating Three Hundred Forty-five (\$345.00) Dollars to the Department of Public Works, City Civil Engineer asphalt street repair department No. 12, salaries and wages temporary; appropriating One Hundred Seventy-five (\$175.00) Dollars to the Department of Public Works, City Civil Engineer, Street Repair Department; and transferring the sum of Five Thousand Four Hundred Twenty-five (\$5,425.00) Dollars from and to the following funds, to-wit: Transferring from the Department of Public Safety, City Dog Pound Fund No. 41, the sum of Five Hundred (\$500.00) Dollars and reappropriating the same to the Department of Public Safety, City Dog Pound Fund No. 34; transferring from the City Controller's Department, interest account Fund No. 61, the sum of Five Hundred (\$500.00) Dollars and reappropriating the same to the City Controller's Department, printing and advertising account No. 24; transferring from the Department of Public Works Administration account No. 36, the sum of One Hundred Fifty (\$150.00) Dollars and reappropriating the same to the Department of Public Works Administration account No. 72; transferring from the Department of Public Works,

Public Buildings account No. 72, the sum of Three Hundred Fifty (\$350.00) Dollars, and reappropriating the same to the Department of Public Works. Public Buildings account No. 25; transferring from the Department of Public Works, Public Buildings account No. 41, the sum of Three Hundred (\$300.00) Dollars and reappropriating the same to the Department of Public Works, Public Buildings account No. 32; transferring from the Department of Public Works, Street Commissioners Department account No. 32, the sum of Five Hundred (\$500.00) Dollars and reappropriating the same to the Department of Public Works, Public Buildings account Fund No. 32; transferring from the Department of Public Works, Public Buildings account Fund No. 41, the sum of One Hundred Twenty-five (\$125.00) Dollars and reappropriating the same to the Department of Public Works, Public Buildings account Fund No. 34; transferring from the Department of Public Works, Street Commissioners, Street and Alley Materials Fund No. 43, the sum of Two Thousand (\$2,000.00) Dollars and reappropriating the same to the Department of Public Works, Street Commissioners general supplies Fund No. 38; transferring from the City Controller's Department Fund No. 61, the sum of One Thousand (\$1,000.00) Dollars and reappropriating the same to the Barrett Law Department Fund No. 36.

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

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

GENERAL ORDINANCE No. 76, 1927.

AN ORDINANCE, authorizing the borrowing of Four Hundred Fifteen Thousand (\$415,000.00) Dollars, and the sale of Four Hundred Fifteen (415) bonds of One Thousand (\$1,000.00) Dollars each, of the City of Indianapolis, Indiana, payable from the general revenues or from the Sinking Fund of said city or as may be required by law for the purpose of purchasing certain electrical devices and equipment to be used for the establishing of a new gamewell system for the Indianapolis Police and Fire Departments of the City of Indianapolis, and providing for the time and manner of advertising the sale of bonds and receipt of bids for the same, together with the mode and terms of sale and fixing a time when this ordinance shall take effect.

WHEREAS, heretofore on July 5, 1927, the Board of Public Safety of the City of Indianapolis, Indiana, adopted a resolution providing for the establishing of a new gamewell system in the City of Indianapolis, at a cost of Four Hundred Fifteen Thousand (\$415,000.00) Dollars, and

WHEREAS, the Board of Public Safety deems it necessary for the protection of life and property, that a new gamewell system be

established and that the old system is now inadequate and out-of-date, and

WHEREAS, there is not now and will not be sufficient funds in the treasury of the City of Indianapolis, Indiana with which to meet the aforesaid expenditure, and it being necessary for said City to borrow the sum of Four Hundred Fifteen Thousand (\$415,000.00) Dollars, in order to procure a fund to be devoted to the purpose set out in said resolution and proposed ordinance, and to issue and sell its bonds in said amount, payable from the general revenues and funds of said city or from the Sinking fund of said city, or as may be required by law, NOW THEREFORE,

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

Section 1. That the City Controller of the City of Indianapolis, be and he is hereby authorized for the purpose of procuring money to be used for the purchasing of certain electrical devices, and equipment to be used in the establishing of a new gamewell system in the City of Indianapolis, Marion County, Indiana, as set out by said resolution and ordinance to prepare, issue and sell Four Hundred Fifteen (415) new bonds of the City of Indianapolis, Marion County, Indiana, of One Thousand (\$1,000.00) Dollars

each, which bonds shall bear the date of _____, _____, and shall be numbered from one (1) to Four Hundred Fifteen (415) both inclusive and shall be designated "Gamewell Equipment Bonds of 1927" and shall bear interest at the rate of Four (4%) per cent per annum payable semi-annually on the first day of January and the first day of July of each year of the period of said bonds. These bonds shall run for a period of Twenty-five (25) years beginning with January 1, 1929, and including January 1, 1953. Each series shall be for seventeen (17) bonds of One Thousand Dollars (\$1,000.00) each, with the exception of the last or twenty-fifth series, which shall be for seven (7) bonds of One Thousand (\$1,000.00) Dollars each. The first series or Seventeen (17) of said bonds shall mature and be payable on the first day of January, 1929, and one series of seventeen (17) bonds each year thereafter, with the exception of the last or twenty-fifth series, which shall be for seven (7) bonds and shall mature and be made payable on the first day of January, 1953.

The first coupon attached to each bond shall be for the interest on said bond from the date of issue until the first day of July, 1928. Said bonds and interest coupons thereunto attached shall be negotiable and payable at the City Treasurer's office of the City of Indianapolis, Indiana, at Indianapolis, Indiana; said bonds are to be signed by the Mayor and the City Controller of the City of Indianapolis, and attested by the City Clerk who shall affix the seal of the City to each of the said bonds; and the interest coupons attached to said bonds shall be authenticated by a lithographic fac simile of the signatures of the Mayor and the City Controller of said city engraved thereon, which shall for all purposes be taken and deemed to be equivalent to 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, Indiana, 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 issuance and negotiation of said bonds to register in the book kept for that purpose, all of said bonds so issued and negotiated in serial numbers, beginning with bond number one (1), giving also the date of the issuance, the amount, day of maturity, rate of interest, and the time and place where said interest shall be payable, and said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before the issuance thereof.

No.----- \$1,000.00

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

GAMEWELL EQUIPMENT BONDS OF 1927.

For value received, the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer without any relief from valuation or appraisement

laws, on the-----day of-----, 19,---, at the City Treasurer's office of the City of Indianapolis, Indiana, One Thousand (\$1,000.00) Dollars in lawful money of the United States of America, together with interest thereon at the rate of four (4%) per cent. per annum from date until paid.

The first interest payable on the first day of July, 1928, and the interest thereafter payable semi-annually on the first day of January and July 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 four hundred fifteen (415) bonds of One Thousand (\$1,000.00) Dollars each, numbered from one to four hundred fifteen (1-415), both in-

clusive, of date of----- Said bonds mature in series of seventeen (17) bonds of One Thousand (\$1,000.00) Dollars each, payable on the first day of January, 1929, and one series of seventeen (17) bonds of One Thousand (\$1,000.00) Dollars each mature and are made payable on the first day of January of each year thereafter, with the exception of the last or twenty-fifth (25th) series, which shall be for seven (7) bonds of One Thousand (\$1,000.00) Dollars each, which shall mature and be made payable on the first day of January, 1953. The first interest coupons payable on July 1, 1928. These bonds are issued by the City of Indianapolis pursuant to a resolution adopted by the Board of Public Safety of the City of Indianapolis, on July 5, 1927, and pursuant to an

ordinance passed by the Common Council of the City of

Indianapolis, on the _____ day of _____, 1927, and by virtue of an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto.

It is hereby certified that all conditions, acts and things essential to the validity of this bond exist, have happened and have been done and that all requirements of the law effecting the issuance thereof have been duly complied with and that this bond is within every debt and other limit prescribed by the constitution and laws of the State of Indiana, and that the faith and credit of the City of Indianapolis, Indiana, are irrevocably pledged to the punctual payment of the principal 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 City Controller and attested by the City Clerk and the corporate seal of said city to be

affixed this as of the _____ day of _____, 1927.

Mayor.

Attest:

City Clerk.

City Controller.

Section 2. The City Controller shall, as soon as possible, after the passage of this ordinance advertise for bids or proposals for said bonds by at least one insertion each week for two weeks in two daily newspapers of general circulation printed and published, in the English language in the City of Indianapolis, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisement 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 may 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 accompanied by a duly certified or cashier's check upon some responsible bank or Trust Company 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 11 o'clock A. M. on the day fixed

by the City Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between the said hour and 12 o'clock noon, of said day, he shall open said bids or proposals. The City Controller shall award said bonds, or as he shall see fit, a part of any number thereof, to the highest and best bidder therefor, but said City Controller shall have the right to reject any and all such bids or proposals, or any part thereof, and shall have the right to accept a part of any bid and to award upon any bid the whole or a less number of bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any kind. He may also in his judgement and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply to the case of the reoffering and readvertising 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 readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix the date and the time both of receiving and opening bids or proposals, and for purchasing to take up and pay for the bonds which may be awarded. And he shall continue from time to time in like manner to readvertise 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 City Controller he shall thereupon return to such unsuccessful bidder the certified or cashier's check accompanying the same. If the City Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified or cashier's 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 so awarded. If, for any reason, said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of the contract of purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to readvertise 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 proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract, and as a payment thereof to the city. In case any successful bidder shall fail to complete the purchase price of the 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 or cashier's 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 cer-

tified or cashier's 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 for the bonds said proceeds of said certified or cashier's 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 readvertisement for proposals or within such time thereafter as may be fixed by the City Controller, or at such time or times as may be agreed upon by the City Controller and the purchaser or purchasers and the City 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 times 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 damages 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 effect, and the proceeds derived from the sale or sales of bonds as herein authorized shall be and hereby are appropriated to the Department of Public Safety for the purchase of the equipment described herein to be used for the Gamewell System.

Section 8. The Mayor, the City Controller and the Corporation Counsel are hereby authorized and directed to publish notice of the determination herein 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 a special committee consisting of: Mr. Moore, Chairman, Mr. Ferguson, Mr. Todd, Mr. Dorsett, Mr. Bartholomew.

By Mr. Bartholomew:

GENERAL ORDINANCE NO. 77, 1927.

AN ORDINANCE authorizing the employment of a deputy to assist the City Prosecutor in the discharge of the labors and duties of his office and defining the duties of such deputy, his salary and when his duties shall begin and end, and also fixing the time when this ordinance shall take effect.

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

Section 1. That the City Prosecutor is hereby authorized and

empowered to procure an assistant to assist in the performance of said labors and duties.

Section 2. The assistant procured to assist in the performance of the various duties shall be known and designated as the deputy city prosecutor whose duty it shall be to assist the City Prosecutor in the four Municipal Courts of Marion County, in the prosecution of all traffic violators, and to assist in the prosecution of all appeal cases from said courts.

Section 3. The deputy city prosecutor shall receive an annual salary not to exceed \$1,200.00.

Section 4. The deputy city prosecutor shall be appointed immediately after the passage and publication of this ordinance, and shall continue to discharge the various duties as set out in Section 2 of this ordinance until properly relieved or until this ordinance may be repealed or superseded.

Section 5. This ordinance shall be in full force and effect upon its passage and publication according to law.

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

On motion of Mr. Albertson, seconded by Mr. Moore, the Common Council recessed at 8:45.

The Common Council reconvened at 8:50, with the same members present as before.

ORDINANCES ON SECOND READING.

Mr. Bartholomew called for General Ordinance 47, 1927, for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance 47, 1927, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance 47, 1927, was read a third time by the Clerk, and passed by the following vote:

Ayes, 7, viz: Mr. Bartholomew, Mr. Dorsett, Mr. Ferguson, Mr. Moore, Mr. Springsteen, Mr. Todd and President Claude E. Negley.

Noes, 1, viz: Mr. Albertson.

Mr. Moore called for General Ordinance 39, 1927, for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Albertson, General Ordinance 39, 1927, was ordered stricken from the files.

Mr. Moore called for General Ordinance 44, 1927, for second reading. It was read a second time.

On motion of Mr. Todd, seconded by Mr. Moore, General Ordinance 44, 1927, was ordered stricken from the files.

Mr. Moore called for General Ordinance 65, 1927, for second reading. It was read a second time.

On motion of Mr. Dorsett, seconded by Mr. Moore, General Ordinance 65, 1927, was ordered stricken from the files.

Mr. Moore called for General Ordinance 53, 1927, for second reading. It was read a second time.

On motion of Mr. Moore, seconded by Mr. Dorsett, General Ordinance 53, 1927, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance 53, 1927, was read a third time by the Clerk, and passed by the following vote:

Ayes, 7, viz: Mr. Albertson, Mr. Bartholomew, Mr. Dorsett, Mr. Ferguson, Mr. Moore, Mr. Todd, and President Claude E. Negley.

Noes, 1 viz: Mr. Springsteen.

Mr. Bartholomew called for General Ordinance 72, 1927, for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Moore, General Ordinance 72, 1927, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance 72, 1927, was read a third time by the Clerk, and passed by the following vote:

Ayes, 8, viz: Mr. Albertson, Mr. Bartholomew, Mr. Dorsett, Mr. Ferguson, Mr. Moore, Mr. Springsteen, Mr. Todd, and President Claude E. Negley.

Mr. Moore called for General Ordinance 43, 1927, for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Moore, General Ordinance 43, 1927, was ordered stricken from the files.

Mr. Bartholomew called for Special Ordinance 9, 1927, for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Springsteen, Special Ordinance 9, 1927, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance 9, 1927, was read a third time by the Clerk, and passed by the following vote:

Ayes, 8, viz: Mr. Albertson, Mr. Bartholomew, Mr. Dorsett, Mr. Ferguson, Mr. Moore, Mr. Springsteen, Mr. Todd, and President Claude E. Negley.

Mr. Moore called for General Ordinance 15, 1927, for second reading. It was read a second time.

On motion of Mr. Todd, seconded by Mr. Moore, General Ordinance 15, 1927, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 15, 1927, was read a third time by the Clerk, and passed by the following vote:

Ayes, 7, viz: Mr. Albertson, Mr. Bartholomew, Mr. Dorsett, Mr. Ferguson, Mr. Moore, Mr. Springsteen, Mr. Todd.

Noes, 1, viz: President Claude E. Negley.

Mr. Moore called for Special Ordinance 5, 1927, for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Fer-

guson, Special Ordinance 5, 1927, was ordered engrossed, read a third time, and placed upon its passage.

Special Ordinance 5, 1927, was read a third time by the Clerk, and passed by the following vote:

Ayes, 6, viz: Mr. Bartholomew, Mr. Dorsett, Mr. Ferguson, Mr. Moore, Mr. Todd, President Claude E. Negley.

Noes, 2, viz: Mr. Albertson, Mr. Springsteen.

Mr. Albertson called for General Ordinance 73, 1927, for second reading. It was read a second time.

On motion of Mr. Dorsett, seconded by Mr. Albertson, General Ordinance 73, 1927, was ordered stricken from the files. The motion was carried by the following vote:

Ayes, 7, viz: Mr. Albertson, Mr. Bartholomew, Mr. Dorsett, Mr. Ferguson, Mr. Moore, Mr. Todd, Mr. Springsteen.

Noes, 1, viz: President Claude E. Negley.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Motion by Mr. Albertson:

Indianapolis, Ind., July 18, 1927.

Mr. President:

I move that a committee of three be appointed to investigate why a permanent switch has been placed across a public alley without approving action by this Council inasmuch as an ordinance is now pending providing for such a switch.

O. RAY ALBERTSON,
Councilman.

Mr. Bartholomew made a motion, seconded by Mr. Todd, that such a committee be appointed. President Negley appointed a special committee to consist of Mr. Ferguson, chairman, Mr. Dorsett, Mr. Bartholomew.

On motion of Mr. Albertson, seconded by Mr. Springsteen, the Common Council of the City of Indianapolis adjourned at 9:25 P. M.

We hereby certify that the above and foregoing is a

full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, Indiana, held on the 18th day of July, 1927.

In witness whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

Claude E. Negley

Attest:

President

William A. Boyce

City Clerk

(SEAL)