

REGULAR MEETING

Monday, July 1, 1929, 7:30 P. M.

The Common Council met in the Council Chamber at the City Hall Monday, July 1, 1929, at 7:30 o'clock P. M., President Edward B. Raub in the chair.

The Clerk called the roll:

Present: Edward B. Raub and five members, viz: Earl Buchanan, Herman P. Lieber, Meredith Nicholson, Paul E. Rathert, and Robert E. Springsteen.

Absent: Edward W. Harris, Albert F. Meurer and John F. White.

On motion of Mr. Springsteen, seconded by Mr. Rathert the reading of the Journal of the previous meeting was dispensed with.

COMMUNICATIONS FROM THE MAYOR

June 27, 1929.

Mr. 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 William A. Boyce, Jr., City Clerk, the following ordinances:

GENERAL ORDINANCE NO. 31, 1929

AN ORDINANCE transferring moneys from certain funds and reappropriating the same to other numbered funds and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 38, 1929

AN ORDINANCE authorizing the sale of certain appraised property located at the Municipal Airport and aviation field of the City of Indianapolis, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 40, 1929

AN ORDINANCE dividing the City of Indianapolis into Two Hundred Fifty-five (255) Election Precincts, defining the boundaries thereof, repealing all ordinances and parts of ordinances in conflict therewith, and fixing the time when the same shall take effect.

SPECIAL ORDINANCE NO. 8, 1929

AN ORDINANCE accepting the bequest to the City of Indianapolis, Indiana, made in the last will of Margaret Butler Snow, deceased, as probated in the Supreme Court of the District of Columbia on May 9th, 1928, subject to the conditions and terms thereof.

SPECIAL ORDINANCE NO. 9, 1929

AN ORDINANCE authorizing the sale, alienation and conveyance of real estate by the Board of Park Commissioners of the Department of Public Parks, of the City of Indianapolis, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 9, 1929

AN ORDINANCE, appropriating the sum of Eight Hundred Seventy-five Dollars (\$875.00) from the estimated unappropriated balance of the general fund for the year 1929 to the City Controller's office fund No. 11 "Salaries and Wages, Regular" of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

Very truly yours,

L. ERT SLACK,

Mayor.

July 1, 1929.

*Hon. Edward B. Raub, President of the Common Council,
Indianapolis, Indiana.*

Mr. President and Members of the Council:

The City Manager Election Commissioners have advised this office that they have been compelled to employ legal counsel to defend the law suit attacking the validity of the City Manager Law and have employed Judge Fred C. Gause, Judge Charles E. Cox, Mr. Ralph Kane and Mr. Taylor Groninger, who have already appeared in the lower court and are to continue their appearance and defense in the cause on appeal to the Supreme Court of the state. The Election Commissioners further advise that there are not sufficient funds available in the budget for the payment of the counsel fees and recommend the appropriation of \$2,000 for that purpose out of Item 26, Reserve for Contingencies, Finance Department.

In my opinion this appropriation should be made direct and

rendered available for payment to the counsel named, to be in full of all services to date and including all additional services to be performed in this action and in any future litigation involving the validity of the City Manager Law in which the Election Commissioners may be involved. It is quite necessary that this and all other actions attacking the City Manager Law may be properly and adequately defended to the end that it may be completely upheld by the court of last resort and the action of the City Manager Election Commissioners in the employment of counsel and the defense of the validity of the law must be approved and supported. The fee requested is very reasonable, considering the amount of services necessary to be performed and the character and ability of the counsel engaged to defend the Commissioners.

I, therefore, recommend that your honorable body appropriate and make available the sum of \$2,000 for this purpose and cause it to be available for payment directly to the named attorneys and without a transfer to any department. A resolution for that purpose is being prepared and will be presented for attention.

Yours respectfully,

L. ERT SLACK,

Mayor.

I approve the above request.

STERLING R. HOLT,

City Controller.

COMMUNICATIONS FROM CITY OFFICIALS

July 1, 1929.

Hon. L. Ert Slack, Mayor of the City of Indianapolis, City:

Dear Sir:

The City Manager Election Commissioners employed counsel to defend the suits attacking the validity of the City Manager Law, which were filed against them as such commissioners. The decision of the lower court upheld the validity of said law and an appeal was taken to the Supreme Court of Indiana and is now pending.

Judge Fred C. Gause, Judge Chas. E. Cox, Mr. Ralph Kane, and Mr. Taylor Groninger represented the Election Commissioners in the lower court and will appear for us in the Supreme Court.

We recommend that there be paid our counsel one fee of \$2,000.00, to be divided among them as they see fit, which fee shall be in full not only of all services to date and in the Supreme Court, but for all services to be rendered by them to the Election Commissioners in any future litigation involving the City Manager Law or any part thereof, and in which the Election Commissioners are involved.

This fee and employment involved has been agreed upon by said counsel.

We are mindful of the fact that the Common Council has heretofore appropriated \$1,000.00 for an attorney for said Election Commis-

sioners which is not an adequate amount to meet the emergency which has arisen. The Election Commissioners realize that it may be necessary to use all or a part of this \$1,000.00 for various legal services in the busy days preceding the election and desire to conserve this fund for future use. In order that we may preserve said appropriation of \$1,000.00 intact we respectfully recommend that you ask the Common Council to appropriate from the Mayor's contingency fund the sum of \$2,000.00 and authorize its expenditure for the purpose of paying counsel as set forth above.

Respectfully,

City Board of Election Commissioners under
City Manager Law,

By WILLIAM A. BOYCE, JR.,

Approved:

Clerk.

WM. H. REMY,

R. H. SULLIVAN,

Commissioners.

June 26, 1929.

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

Gentlemen:

Attached please find copies of General Ordinance No. 41, 1929, authorizing the transferring and reappropriating of certain funds in the Police Department, Dog Pound and East Market under the Board of Public Safety.

I respectfully recommend the passage of this general ordinance.

Yours very truly,

STERLING R. HOLT,

City Controller.

June 25, 1929.

Sterling R. Holt, City Controller, City of Indianapolis.

Dear Sir:

The Board of Safety respectfully requests you to prepare an ordinance, to present to the Common Council and recommend its passage, transferring and reappropriating certain funds in the Police Department, Dog Pound and East Market under the department of Public Safety:

July 1, 1929)

City of Indianapolis, Ind.

369

Transfer Three Hundred Fifty (\$350.00) Dollars from Police Department Fund No. 11—Salaries and Wages—Second Grade Patrolmen, and reappropriate same to Gamewell Division Fund No. 12—Salaries and Wages Temporary, for the removal of the Gamewell system at Police Headquarters.

Transfer One Hundred (\$100.00) Dollars from Dog Pound Fund No. 25—Repairs; One Hundred (\$100.00) Dollars from Dog Pound Fund No. 33—Garage and Motors; One Hundred (\$100.00) Dollars from Dog Pound Fund No. 34—Institutional and Medical, and reappropriate same to Dog Pound Fund No. 31—Food. This being necessary because of the food fund being practically exhausted.

Transfer Five (\$5.00) Dollars from East Market Fund No. 34--Institutional and Medical, and reappropriate same to East Market Fund No. 33—Garage and Motors. This fund is now depleted.

Very truly yours,

BOARD OF PUBLIC SAFETY,

By: Fred W. Connell,

President.

July 1, 1929.

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

Gentlemen:

Attached please find copies of General Ordinance No. 42, 1929, transferring the sum of Four Thousand Five Hundred Dollars (\$4,500.00) now in Fund No. 25, Repairs, City Civil Engineer's Department, and reappropriating the same to Fund No. 72, Equipment, City Civil Engineer's Department.

I respectfully recommend the passage of this ordinance.

Yours very truly,

STERLING R. HOLT,

City Controller.

June 27, 1929.

Mr. Sterling R. Holt, Controller, City of Indianapolis.

Dear Sir:

The City Civil Engineering Department respectfully submits and

requests you to present and recommend the passage of the enclosed ordinance.

Yours very respectfully,

BADGER WILLIAMSON,
Chief Clerk.

June 28th, 1929.

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

Gentlemen:

Attached hereto are fourteen copies of an ordinance amending General Ordinance No. 114, 1922. This ordinance zones the territory bounded by the Monon Railroad, 59th Street, 62d Street and Evanston Avenue.

The City Plan Commission respectfully recommends the passage of this ordinance.

Very truly yours,

H. B. STEEG,
Secretary, City Plan Commission.

June 28th, 1929.

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

Gentlemen:

Attached hereto are fourteen copies of an ordinance amending General Ordinance No. 114, 1922. This ordinance zones the territory bounded by Minnesota Street, Canby Street, Bethel Avenue and LaSalle Street.

The City Plan Commission respectfully recommends the passage of this ordinance.

Very truly yours,

H. B. STEEG,
Secretary, City Plan Commission.

June 28th, 1929.

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

Gentlemen:

Attached hereto are fourteen copies of an ordinance amending

July 1, 1929)

City of Indianapolis, Ind.

371

General Ordinance No. 114, 1922. This ordinance zones the territory recently annexed to the City by Special Ordinance No. 6, 1929.

The City Plan Commission respectfully recommends the passage of this ordinance.

Very truly yours,

H. B. STEEG,

Secretary, City Plan Commission.

July 1, 1929.

Wm. A. Boyce, Jr., City Clerk, City of Indianapolis.

Dear Sir:

We are submitting herewith an ordinance amending paragraph B of Section D-408 of General Ordinance No. 121, 1925, as amended by General Ordinance No. 97, 1926—relative to the payment of electrical inspection fees to the City of Indianapolis, which we respectfully request you to transmit to the Common Council recommending its passage.

Very truly yours,

BOARD OF PUBLIC SAFETY,

By Fred W. Connell.

June 20, 1929.

Smiley N. Chambers, Assistant City Attorney, City of Indianapolis.

Dear Sir:

The Board of Safety on Tuesday, June 18th, approved a request for setting aside a space for taxicab parking at the entrance of the English Hotel.

Will you kindly draw up an ordinance for presentation to the Council for their approval of this action.

Very truly yours,

BOARD OF PUBLIC SAFETY,

By Fred W. Connell,

President.

July 1st, 1929.

Mr. Wm. A. Boyce, Jr., City Clerk, City.

Dear Sir:

Enclosed find fourteen copies of General Ordinance No. 48, auth-

orizing the purchase of one 30 H. P. tractor. As Superintendent of the Municipal Airport I recommend the purchase of same. The Board of Public Works concur with me in this purchase.

Yours respectfully,

PAUL H. MOORE,

Supt. Municipal Airport.

Approved:

A. H. MOORE,

City Civil Engineer.

July 1, 1929.

Mr. William A. Boyce, Jr., City Clerk, Indianapolis, Ind.

Dear Sir:

Enclosed you will please find fourteen copies of Special Ordinance No. 10, 1929, accepting deed of conveyance by Edwin L. Patrick and Katheryn Cones Patrick, his wife, for certain property. The Legal Department recommends passage of this ordinance.

Very truly yours,

OREN S. HACK,

Corporation Counsel

EDW. H. KNIGHT,

City Attorney.

S. E. CHAMBERS,

Assistant City Attorney.

MID-YEAR REPORT OF CITY CLERK
TRAFFIC FINES FOR 1929

As Compared with 1926, 1927 and 1928

	1926	1927	1928	1929
January -----	\$ 38.00	\$ 1,069.00	\$ 1,267.00	\$ 834.00
February -----	318.00	1,748.00	1,901.00	357.00
March -----	640.00	2,021.00	1,918.00	920.00
April -----	1,507.00	2,630.00	1,870.00	1,806.00
May -----	3,100.00	2,355.00	1,650.00	2,412.00
June -----	3,070.00	1,954.00	1,724.00	2,061.00
Total -----	\$8,673.00	\$12,677.00	\$10,330.00	\$8,390.00

REPORTS OF STANDING COMMITTEES

Indianapolis, Ind., July 1, 1929.

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

Gentlemen:

We, your Committee on Law and Judiciary, to whom was referred Resolution No. 4, 1929, entitled Payment of \$500 from Mayor's Contingency Fund, beg leave to report that we have had said resolution under consideration, and recommend that the same be passed.

MEREDITH NICHOLSON,
EARL BUCHANAN,
PAUL E. RATHERT,
ROBERT E. SPRINGSTEEN.

Indianapolis, Ind., July 1st, 1929.

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

Gentlemen:

We, your Committee on City Welfare, to whom was referred General Ordinance No. 37, 1929, entitled Transfer \$2,500.00 in Finance Dept., beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

EARL BUCHANAN,
Chairman.

HERMAN P. LIEBER,
MEREDITH NICHOLSON,
ALBERT F. MEURER.

Indianapolis, Ind., July 1, 1929.

*To the 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. 36, 1929, entitled Transfer \$5,000 Board of Pub-

lic Safety, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROBT. E. SPRINGSTEEN,
JOHN F. WHITE,
PAUL E. RATHERT,
EARL BUCHANAN,
E. W. HARRIS.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

At this point Mr. Harris and Mr. Meurer entered the Chamber and were counted present.

By City Comptroller.

General Ordinance No. 41, 1929

AND ORDINANCE, transferring moneys from certain funds and reappropriating the same to other numbered funds 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 sum of Three Hundred Fifty Dollars (\$350.00) now in Fund No. 11 "Salaries and Wages, second grade patrolmen, Police Department" be and the same is hereby transferred therefrom and reappropriated to Gamewell Division Fund No. 12 "Salaries and Wages, temporary" for the removal of the Gamewell system to the Police Headquarters.

Section 2. That the sum of One Hundred Dollars (\$100.00) now in Dog Pound Fund No. 25 (Repairs) and One Hundred Dollars (\$100.00) now in Dog Pound Fund No. 33 "Garage and Motors" and One Hundred Dollars (\$100.00) now in Dog Pound Fund No. 34 "Institutional and Medical" be and the entire sum is now hereby transferred therefrom and reappropriated to Dog Pound Fund No. 31 "Food."

Section 3. That the sum of Five Dollars (\$5.00) now in East Market Fund No. 34 "Institutional and Medical" be and the same is now hereby transferred therefrom and reappropriated to East Market Fund No. 33 "Garage and Motors."

Section 4. This ordinance shall take effect from and after its passage and publication according to law.

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

By City Comptroller.

General Ordinance No. 42, 1929

AN ORDINANCE, transferring monies from certain funds and reappropriating the same to other numbered funds 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 sum of Four Thousand Five Hundred Dollars (\$4,500.00) now in Fund No. 25, Repairs, City Civil Engineer's Department, be and is hereby transferred therefrom and reappropriated to Fund No. 72, Equipment, City Civil Engineer's Department.

Section 2. This ordinance shall take effect from and after its passage and publication according to law.

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

At this point Mr. White entered the Chamber and was counted present.

By City Plan Commission.

General Ordinance No. 43, 1929

AN ORDINANCE to amend General Ordinance No. 114, 1922, and amendments thereto, commonly known as the Zoning Ordinance, 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 U1 or residence district, the A2 or 4,800 sq. ft. area district, and the H1 or 50-foot height district be and the same are hereby amended, supplemented, and extended so as to include the following described territory:

Beginning at the intersection of the center line of 59th street and the east right-of-way line of the Monon Railroad; thence east on and along the center line of 59th street to the center line of Evanston avenue; thence north on and along the center line of Evanston avenue a distance of 904 feet to a point; thence west and parallel to the center

line of 59th street to the center line of Ralston avenue; thence north on and along the center line of Ralston avenue to the center line of 62d street; thence west and northwest on and along the center line of 62d street to the center line of Haverford avenue; thence south on and along the center line of Haverford avenue to the north line of section 6, township 16 north, range 4 east; thence west along the north line of said section 6 to the east right-of-way line of the Monon Railroad; thence south on and along the east right-of-way line of the Monon Railroad to the center line of 59th street, the point or place of beginning.

Section 2. This ordinance shall be in full force and effect on and after its passage, approval by the Mayor and publication according to law.

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

By City Plan Commission.

General Ordinance No. 44, 1929

AN ORDINANCE to amend General Ordinance No. 114, 1922, and amendments thereto, commonly known as the Zoning Ordinance, and fixing a time when the same shall take effect.

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

Section 1. That the U3 or business district, the A3 or 2,400 sq. ft. area district and the H1 or 50 foot height district be and the same are hereby amended, supplemented, and extended so as to include the following described territory.

Beginning at the intersection of the south property line of Minnesota street and the west property line of Perkins avenue; thence south on and along the west property line of Perkins avenue a distance of 142.5 feet to a point; thence west and parallel to the south property line of Minnesota street a distance of 127.8 feet to a point; thence north a distance of 142.5 feet to a point in the south property line of Minnesota street; thence east on and along the south property line of Minnesota street a distance of 127.8 feet to the point or place of beginning.

Section 2. That the U1 or residence district, the A2 or 4,800 sq. ft. area district and the H1 or 50 foot height district be and the same are hereby amended, supplemented and extended so as to include the following described territory:

Beginning at the intersection of the center line of Bethel avenue and the center line of Canby street; thence north on and along the center line of Canby street extended north to the center line of Minne-

sota street; thence east on and along the center line of Minnesota street to the center line of Perkins avenue; thence south on and along the center line of Perkins avenue to the center line of Iowa street; thence east on and along the center line of Iowa street to the center line of LaSalle street; thence south along the center line of LaSalle street to the center line of Van Buren street; thence west on and along the center line of Van Buren street to the center line of Bethel avenue; thence northwest on and along the center line of Bethel avenue to the center line of Canby street, the point or place of beginning, excepting that territory previously described in section one (1) preceding.

Section 3. This ordinance shall be in full force and effect on and after its passage, approval by the Mayor and publication according to law.

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

By City Plan Commission.

General Ordinance No. 45, 1929

AN ORDINANCE to amend General Ordinance No. 114, 1922, and amendments thereto, commonly known as the Zoning Ordinance, and fixing a time when the same shall take effect.

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

Section 1. That the U3 or business district, the A3 or 2,400 sq. ft. area district, and the H1 or 50 foot height district be and the same are hereby amended, supplemented and extended so as to include the following described territories:

Beginning in the west property line of Emerson avenue at a point 150 feet north of the north property line of 34th street; thence west 158.29 feet to a point; thence south to a point which is 140 feet south and 157.49 feet west of the southwest corner of 34th street and Emerson avenue; thence east parallel to and 140 feet south of the south property line of 34th street to a point in the west property line of Emerson avenue; thence north on and along the west property line of Emerson avenue to the point or place of beginning.

Beginning in the north property line of 34th street at a point 202 feet west of the west property line of Sherman Drive; thence east on and along the north property line of 34th street to a point 86.8 feet east of the east property line of Sherman Drive; thence north and parallel to the east property line of Sherman Drive 140 feet to a point; thence west and parallel to the north property line of 34th street to a point in the west property line of Sherman Drive, said point being 140 feet north of the north property line of 34th street; thence north on and along the west property line of Sherman Drive 26.8 feet to a point;

thence west and parallel to the north property line of 34th street a distance of 202 feet to a point; thence south 166.8 feet to the point or place of beginning.

Beginning in the north property line of 34th street at a point 107.9 feet west of the west property line of Keystone avenue; thence east on and along the north property line of 34th street to a point 107.5 feet east of the east property line of Keystone avenue; thence north and parallel to the east property line of Keystone avenue 200 feet to a point; thence west and parallel to the north property line of 34th street 107.5 feet to a point in the east property line of Keystone avenue; thence south on and along the east property line of Keystone avenue a distance of 84 feet to a point; thence west and parallel to the north property line of 34th street to a point 107.9 feet west of the west property line of Keystone avenue; thence south 116 feet to the point or place of beginning.

Beginning at the intersection of the east property line of Sutherland avenue and the north property line of 34th street; thence east on and along the north property line of 34th street a distance of 137.3 feet to a point; thence north a distance of 150 feet to a point; thence west and parallel to the north property line of 34th street a distance of 60.85 feet to a point in the east property line of Sutherland avenue; thence southwest on and along the east property line of Sutherland avenue to the point or place of beginning.

Beginning at the intersection of the north property line of 37th street and the east property line of Ralston avenue; thence east on and along the north property line of 37th street a distance of 175.92 feet to a point; thence north parallel to the east property line of Ralston avenue a distance of 80 feet to a point; thence west and parallel to the north property line of 37th street a distance of 175.92 feet to a point in the east property line of Ralston avenue; thence south on and along the east property line of Ralston avenue a distance of 80 feet to the point or place of beginning.

Beginning at the intersection of the south property line of 38th street and the west property line of Keystone avenue; thence south on and along the west property line of Keystone avenue a distance of 131.04 feet to a point; thence west a distance of 88.5 feet to a point; thence north a distance of 134.57 feet to a point in the south property line of 38th street; thence east on and along the south property line of 38th street a distance of 88.57 feet to the point or place of beginning.

Beginning at the intersection of the east property line of Keystone avenue and the south property line of 38th street; thence east on and along the south property line of 38th street a distance of 115 feet to a point; thence south parallel to the east property line of Keystone avenue a distance of 200 feet to a point; thence west a distance of 115 feet to a point in the east property line of Keystone Avenue; thence north on and along the east property line of Keystone Avenue a distance of 200 feet to the point or place of beginning.

Beginning at the intersection of the south property line of 38th street and the west property line of Emerson avenue; thence south on and along the west property line of Emerson avenue a distance of 200 feet to a point; thence west parallel to the south property line of

38th street to a point in the east property line of Bancroft street; thence north on and along the east property line of Bancroft street a distance of 200 feet to the south property line of 38th street; thence east on and along the south property line of 38th street to the point or place of beginning.

Beginning at the intersection of the east property line of Orchard avenue and the north right-of-way of the Union Traction Company; thence north on and along the west property line of Orchard avenue a distance of 308.67 feet to a point; thence northwest a distance of 34 feet to a point in the east property line of Sutherland avenue; thence southwest along the east property line of Sutherland avenue to the north right-of-way line of the Union Traction Company; thence east on and along said north right-of-way line to the point or place of beginning.

Beginning at the intersection of the south property line of Sutherland avenue and the east property line of Orchard avenue; thence northeast along the east property line of Sutherland avenue a distance of 103.38 feet to a point; thence southeast a distance of 154.8 feet to a point in the north property line of Millersville drive; thence southwest on and along the north property line of Millersville drive to the east property line of Orchard avenue; thence north on and along the east property line of Orchard avenue a distance of 35 feet to the point or place of beginning.

Beginning at the intersection of the south property line of Sutherland avenue (Millersville road) and the west property line of Keystone avenue; thence south along the west property line of Keystone avenue a distance of 228 feet to a point; thence west a distance of 100.21 feet to a point; thence north a distance of 195 feet to a point in the south property line of Sutherland avenue; thence northeast along the south property line of Sutherland avenue to the point or place of beginning.

Beginning at the intersection of the south property line of Sutherland avenue (Millersville road) and the east property line of Keystone avenue; thence south along the east property line of Keystone avenue a distance of 91.39 feet to a point; thence east a distance of 165 feet to a point; thence north a distance of 146.38 feet to a point in the south property line of Sutherland avenue; thence southwest on and along the south property line of Sutherland avenue to the point or place of beginning.

Section 2. That the U5 or second industrial district, the A3 or 2,400 sq. ft. area district, and the H2 or 80 ft. height district be and the same are hereby amended, supplemented and extended so as to include the following described territory:

Beginning at the intersection of the center line of Emerson avenue extended south and a line parallel to and 200 feet north of the north property line of 30th street; thence west on and along a line parallel to and 200 feet north of the north property line of 30th street to the south property line of 30th street; thence northeast along the south property line of 30th street to the center line of Emerson avenue; thence south along the center line of Emerson avenue extended south to the point or place of beginning.

Section 3. That the U1 or residence district, the A3 or 2,400 sq.

ft. area district, and the H1 or 50 foot height district be and the same are hereby amended, supplemented, and extended so as to include the following described territory:

Beginning at the intersection of the center lines of 31st street and Lancaster street; thence east on and along the center line of 31st street extended east and the center line of 31st street to the center line of Emerson avenue; thence south on and along the center line of 30th street to the intersection of a line parallel to and 200 feet north of the north property line of 30th street; thence west parallel to and 200 feet north of the north property line of 30th street to the center line of Lancaster street; thence north on and along the center line of Lancaster street to the center line of 31st street, the point or place of beginning.

Section 4. That the U1 or residence district, the A2 or 4,800 sq. ft. area district, and the H1 or 50 foot height district be and the same are hereby amended, supplemented and extended so as to include the following described territory:

Beginning at the intersection of the center line of Emerson avenue and the north property line of 38th street; thence west on and along the north property line of 38th street to the center line of the first alley east of Eastern avenue extended south; thence north on and along the center line of said alley extended south and the center line of said alley to the south property line of Sutherland avenue; thence southwest on and along the south property line of Sutherland avenue to the east right-of-way line of the Nickle Plate Railroad; thence southwest along the east right-of-way line of said railroad to the intersection of the center line of the bridge over Fall creek extended southeast; thence northwest on and along the center line of said bridge to the center line of Fall creek; thence southwest along the center line of Fall creek to the intersection of the center line of 34th street extended west; thence east on and along the center line of 34th street extended west and the center line of 34th street to the center line of School street; thence south on and along the center line of School street to the center line of 31st street; thence east on and along the center line of 31st street and the center line of 31st street extended east to the center line of Emerson avenue; thence north on and along the center line of Emerson avenue to the north property line of 38th street, the point or place of beginning, excepting that territory previously described in Section One (1), preceding.

Section 5. This ordinance shall be in full force and effect on and after its passage, approval by the Mayor and publication according to law.

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

By Board of Public Safety.

General Ordinance No. 46, 1929

AN ORDINANCE, to amend paragraph B of Section D-408 of General Ordinance No. 121, 1925 entitled "An ordinance concerning the

government of the City of Indianapolis," providing penalties for its violation and with stated exceptions repealing all former ordinances as amended by General Ordinance No. 97, 1926, 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 paragraph B of Section D-408 of General Ordinance No. 121, 1925, as amended by General Ordinance No. 97, 1926, be amended by striking out of and from said Section D-408 all of said paragraph B and by substituting in lieu thereof the following:

B. The agency so employed by the Board of Public Safety as provided in paragraph A of this ordinance, shall collect the inspection fee as provided by the ordinance of the City of Indianapolis and shall account for and pay to the City Controller on the first day of each month five per cent (5%) of all fees so collected, which five per cent (5%) shall belong absolutely to the City of Indianapolis. Such payments shall commence as of May 1, 1929. The balance of said fee shall be retained by such agency to cover the cost of performing the services herein provided and as compensation therefor.

Section 2. This ordinance shall take effect from and after its passage and approval by the Mayor.

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

By Board of Public Safety.

General Ordinance No. 47, 1929

AN ORDINANCE, approving and ratifying an order adopted by the Board of Public Safety of the City of Indianapolis, which order designates the location of a taxicab stand in the City of Indianapolis, and fixing the time when the same shall take effect.

WHEREAS, the Board of Public Safety of the City of Indianapolis, Indiana, has adopted an order which designates a taxicab stand in accordance with the provisions of Section 27 and Section 59 of General Ordinance 96, 1928, NOW THEREFORE

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

Section 1. That the order of the Board of Public Safety of the City of Indianapolis, dated June 18, 1929, designating a taxicab stand on Monument Circle, in front of the English Hotel, located east of the hotel entrance, being in length approximately thirty (30) feet, be in all things approved and ratified.

Section 2. This ordinance shall take effect from and after its passage and approval by the Mayor.

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

By Supt. Airport.

General Ordinance No. 48, 1929

AN ORDINANCE, authorizing the purchase by the Board of Public Works or its duly authorized agent, of one 30 H. P. caterpillar or crawler type tractor, authorizing payment for the same out of the Municipal Airport Bond Fund 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 Board of Public Works of the City of Indianapolis or its duly authorized agent be and it is hereby authorized to purchase one 30 H. P. caterpillar or crawler type tractor. Said tractor to be bought only after competitive bids have been advertised therefor according to law.

Section 2. It is further ordained and directed that payment for said purchase shall be made out of the Municipal Airport Bond Fund.

Section 3. This ordinance shall take effect from and after its passage.

Which was read a first time and referred to a Special Airport Committee consisting of Mr. White, chairman, and Messrs. Harris, Lieber, Meurer and Nicholson.

By Department of Law.

Special Ordinance No. 10, 1929

AN ORDINANCE, accepting the deed of conveyance to the City of Indianapolis of certain real property, and fixing a time when the same shall take effect.

WHEREAS, Edwin L. Patrick and Katheryn Cones Patrick, his wife, have by their warranty deed, signed and acknowledged on the 24th day of June, 1929, conveyed to the City of Indianapolis Lots Nos. 72, 73, 74, 75, 76, 78, 79, 80, 81 and 82 in Nicholas & Co.'s addition to Brightwood, now in the City of Indianapolis, as appears from plat thereof recorded in Plat Book No. 4, page 97, in the office of the Recorder of Marion County, Indiana; and

WHEREAS, said grantors have executed this deed without condition and have delivered and tendered it to the grantee for acceptance, nevertheless it is stated in the deed, as expressive of said grantors' desire, that the purpose for the conveyance is that the land be used by the grantee, City of Indianapolis, for a Dog Pound to be operated and maintained by said city on said land; and

WHEREAS, it is deemed to the best interest of the city that said deed and real estate be accepted and that said land be now prepared and used for the purposes stated therein; THEREFORE,

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

Section 1. That the City of Indianapolis hereby accepts the deed described in the preamble and accepts the real estate thereby conveyed to said city.

Section 2. That, in accord with the expressed desire of said grantors, the said lands shall be prepared for use and maintained and used for a municipal Dog Pound, as soon as any funds for that purpose shall become available; but such use shall not limit or qualify the fee simple title vested in said city by said deed.

Section 3. 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 Public Safety.

By the Mayor.

Resolution No. 5, 1929

WHEREAS, the mayor of the City of Indianapolis has determined that a contingency has arisen requiring the expenditure of Two Thousand Dollars (\$2,000.00) from the reserve for contingencies otherwise known as the "Mayor's Contingent Fund" and the controller of the City of Indianapolis has given his approval thereto and notified the City Council thereof, and

WHEREAS, the City Council concurs in the reasons requiring said expenditure, THEREFORE,

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

FIRST: That it is advisable and necessary and to the benefit of the City of Indianapolis that the attorneys employed by the City Election Commissioners as counsel for the said commissioners in the litigation involving the maintaining and upholding of the city manager law,

continue as such and render service to the said City of Indianapolis in the aforesaid litigation.

SECOND: That it is deemed advisable and necessary that the said attorneys, namely, Judge Charles E. Cox, Taylor Groninger, Ralph Kane and Judge Fred C. Gause, be paid in equal shares, a total sum of Two Thousand Dollars (\$2,000.00) for their said services already rendered and to be rendered in the matter of the city manager law litigation.

THIRD: That the Mayor be and he is hereby authorized to expend an amount up to Two Thousand Dollars (\$2,000.00) for the purposes set out above and that the controller of the City of Indianapolis be authorized to issue warrants and vouchers to an amount equal to Two Thousand Dollars (\$2,000.00) therefor.

FOURTH: This resolution shall become effective and operative after its passage.

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

On motion of Mr. Springsteen, seconded by Mr. Harris, the Council took a ten minute recess at 8:10 o'clock, P. M.

The Council reconvened from its recess at 9:45 o'clock, P. M., the same members being present as before.

Mr. Meurer, chairman of the Committee on Public Works, asked for more time to consider General Ordinance No. 39, 1929. Which request was granted by consent.

ORDINANCES ON SECOND READING

Mr. Buchanan called for General Ordinance No. 37, 1929, for second reading. It was read a second time by the Clerk.

On motion of Mr. Buchanan, seconded by Mr. Rathert, General Ordinance No. 37, 1929, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance No. 37, 1929, was read a third time by the Clerk and passed by the following roll-call vote:

“Ayes, 9, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White and Pres. Raub.”

Mr. Springsteen called for General Ordinance No. 36, 1929, for second reading. It was read a second time by the Clerk.

On motion of Mr. Springsteen, seconded by Mr. Harris, General Ordinance 36, 1929, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance No. 36, 1929, was read a third time by the Clerk and passed by the following roll-call vote:

“Ayes, 9, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White and Pres. Raub.”

Mr. Nicholson called for Resolution No. 4, 1929, for second reading. It was read a second time by the Clerk.

On motion of Mr. Nicholson, seconded by Mr. Springsteen, Resolution No. 4, 1929, was ordered engrossed, read a third time, and placed upon its passage.

Resolution No. 4, 1929, was read a third time by the Clerk and adopted by the following roll-call vote:

“Ayes, 9, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White and Pres. Raub.”

On motion of Mr. Harris, seconded by Mr. Rathert, the Common Council adjourned at 9:50 o'clock P. M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council held Monday, July 1st, 1929, at 7:30 o'clock P. M.

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

Edward B. Raub,

Attest:

President.

William A. Boyce, Jr.

(SEAL)

City Clerk.