

## REGULAR MEETING

MONDAY, NOVEMBER 18, 1929, at 7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, November 18, 1929, following a public hearing at 7:30, by the Committee on Safety, on General Ordinances 84 and 94, 1929.

President Edward B. Raub took the chair.

The Clerk called the roll:

Present: Hon. Edward B. Raub, President, and eight members, viz: Earl Buchanan, Edward W. Harris, Herman P. Lieber, Albert F. Meurer, Meredith Nicholson, Paul E. Rathert, Robert E. Springsteen and John F. White.

On motion of Mr. Meurer, seconded by Mr. Harris, the reading of the Journal for the previous meeting was dispensed with.

## COMMUNICATIONS FROM CITY OFFICIALS

November 18, 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. 95, 1929, transferring the following funds:

\$	35.00	from Board of Public Works Administration Fund No. 25
	2,000.00	from Board of Public Works Administration Fund No. 26
	400.00	from Board of Public Works Administration Fund No. 36
	100.00	from Board of Public Works Administration Fund No. 51
	1,800.00	from Board of Public Works Administration Fund No. 53
	150.00	from Board of Public Works Administration Fund No. 72

a total of \$4,485.00 to be reappropriated to Board of Public Works Administration Fund No. 24, Printing and Advertising.

I respectfully recommend the passage of this ordinance.

Yours very truly,

STERLING R. HOLT,  
City Controller.

November 15th, 1929.

*Mr. Sterling R. Holt, City Controller, City Hall:*

Dear Sir:

The Board of Public Works respectfully request that you cause to be prepared an ordinance transferring the following sums out of Board of Public Works Administration, to-wit:

\$ 35.00 out of Fund No. 25  
 2,000.00 out of Fund No. 26  
 400.00 out of Fund No. 36  
 100.00 out of Fund No. 51  
 1,800.00 out of Fund No. 53  
 150.00 out of Fund No. 72

And that said total sum of \$4,485.00 be transferred into Fund No. 24, Board of Public Works, Printing and Advertising.

Kindly submit same to the Common Council at their next meeting with the recommendation of the Board of Public Works that the same be passed.

Yours very truly,

ERNEST F. FRICK,  
 Secretary, Board of Public Works.

November 18, 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. 96, 1929, appropriating and transferring to the Street Commissioner's Gasoline Tax Fund the sum of \$20,000.00 out of the Gasoline Tax Fund, now unappropriated, for the maintenance and repair of unimproved streets, bridges and culverts.

I respectfully recommend the passage of this ordinance.

Yours very truly,

STERLING R. HOLT,  
 City Controller.

November 15th, 1929.

*Mr. Sterling R. Holt, City Controller, City Hall:*

Dear Sir:

Upon recommendation of the Street Commissioner, the Board requests that you cause to be prepared an ordinance transferring the

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sum of twenty thousand (\$20,000.00) dollars out of the Gasoline Tax Fund into Street Commissioner's Gasoline Tax Fund.

It is absolutely essential that this appropriation be made inasmuch as the street commissioner will not be able to maintain the unimproved streets as his fund is now practically depleted.

Kindly submit the same to the Common Council at their next meeting, with recommendation of the Board of Public Works that the same be passed.

Yours very truly,

ERNEST F. FRICK,  
Secretary, Board of Public Works.

November 18, 1929.

*Wm. A. Boyce, Jr., City Clerk; City of Indianapolis:*

Dear Sir:

We are sending you herewith fifteen copies of an ordinance repealing Section A-430 of Section 865 of General Ordinance No. 121, 1925.

We would respectfully request this be submitted to the Council with our recommendation that this ordinance be passed.

Very truly yours,

BOARD OF PUBLIC SAFETY,  
By Fred W. Connell, President.

November 18, 1929.

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

Dear Sir:

We are submitting herewith fifteen copies of an ordinance regulating the installation of safety signal devices for railroad crossings and repealing Section 652—General Ordinance No. 121, 1925, and Section 2 of General Ordinance No. 102, 1925.

Will you please submit this to the Honorable Council with our recommendation that same be passed?

Very truly yours,

BOARD OF PUBLIC SAFETY,  
By Fred W. Connell, President.  
November 15th, 1929.

*Mr. Wm. A. Boyce, Jr., City Clerk, Indianapolis, Ind.:*

Dear Sir:

I am enclosing herewith resolution and also, a copy of the min-

utes of the Board of Public Works calling for the permanent improvement of Ethel street, under I. R. 14462, by overriding the remonstrance, which I desire you to present to the Common Council at their next meeting, with the recommendation of the Board of Works that the same be passed.

Yours very truly,

ERNEST F. FRICK,  
Secretary, Board of Public Works.

November 13th, 1929.

IN RE: I. R. 14462—ETHEL STREET

The Board having heretofore on the 30th day of September, 1929, adopted a preliminary resolution upon the above entitled improvement and having confirmed the same on the 23d day of October, 1929, and plans and specifications having been prepared thereon, and a remonstrance containing a majority of the resident property owners abutting on said contemplated improvement having been filed there against, within the time provided by law, and the Board having also received a report from the City Civil Engineer recommending that said resolution be referred to the City Council of the City of Indianapolis for an ordinance ordering said improvement, and now being duly advised in the premises approves the recommendation of the City Civil Engineer.

The Board of Public Works hereby resolves that the proposed improvement covered by I. R. 14462, for the permanent improvement of Ethel street, from 31st street to 32d street, is of public utility, general benefit and convenience, and hereby directs that an ordinance be prepared pursuant to law, ordering said improvement and that the same be presented to the Common Council of the City of Indianapolis at their next meeting with the recommendation of the Board of Public Works that the same be passed.

November 16th, 1929.

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

Gentlemen:

Herewith you will find fourteen (14) copies of Special Ordinance No. 17, 1929, for the annexation of the airport to the city of Indianapolis, respectfully submitted for your consideration.

Yours very truly,  
A. H. MOORE,  
City Civil Engineer.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 17, 1929, appropriating the sum of \$7,000.00 from the estimated unexpended

and unappropriated balance of the General Fund for the year 1929, as follows: \$5,000.00 to Municipal Garage Fund No. 33, Garage and Motor Supplies, and \$2,000.00 to Board of Public Works, Administration, Fund No. 24, Printing and Advertising.

I respectfully recommend the passage of this ordinance.

Yours very truly,  
STERLING R. HOLT,  
City Controller.

November 18th, 1929.

*Mr. Sterling R. Holt, City Controller, City Hall:*

Dear Sir:

The Board of Public Works respectfully requests that you cause to be prepared an ordinance appropriating the sum of five thousand (\$5,000.00) dollars into Municipal Garage No. 33, and the further sum of two thousand (\$2,000.00) dollars into Board of Works Administration No. 24, and submit the same to the Common Council at their next meeting, with the recommendation of the Board of Works that the same be passed.

ERNEST F. FRICK,  
Secretary, Board of Public Works.

### INTRODUCTION OF APPROPRIATION ORDINANCES

By City Controller:

#### APPROPRIATION ORDINANCE 17, 1929

AN ORDINANCE, appropriating the sum of seven thousand dollars (\$7,000.00) from the estimated unexpended and unappropriated balance of the General Fund for the year 1929 to certain 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 there be and is hereby appropriated out of the estimated unexpended and unappropriated balance of the General Fund for the year 1929, the sum of five thousand (\$5,000.00) and said sum appropriated and transferred to Municipal Garage Fund No. 33, Garage and Motor Supplies.

Section 2. That there be and is hereby appropriated out of the estimated unexpended and unappropriated balance of the General Fund for the year 1929, the sum of two thousand dollars (\$2,000.00) and said sum appropriated and transferred to Board of Public Works, Administration, Fund No. 24, Printing and Advertising.

Section 3. This ordinance shall be in full force and effect from 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 Finance.

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By City Controller:

### GENERAL ORDINANCE 95, 1929

AN ORDINANCE, transferring certain sums of money from certain funds and reappropriating the same to other department funds of the City of Indianapolis, 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 thirty-five dollars (\$35.00) now in Fund No. 25, Board of Public Works Administration; and the sum of two thousand dollars (\$2,000.00) now in Fund No. 26, Board of Public Works Administration; and the sum of four hundred dollars (\$400.00) now in Fund No. 36, Board of Public Works Administration; and the sum of one hundred dollars (\$100.00), now in Fund No. 51, Board of Public Works Administration; and the sum of eighteen hundred dollars (\$1,800.00), now in Fund No. 53, Board of Public Works Administration; and the sum of one hundred fifty dollars (\$150.00), now in Fund 52, Board of Public Works Administration, all of said funds, totaling the sum of four thousand four hundred eighty-five dollars (\$4,485.00), be and the same are hereby transferred from said respective funds and the said total sum of four thousand four hundred eighty-five dollars (\$4,485.00) be and is hereby reappropriated to Fund No. 24, Board of Public Works, Printing and Advertising.

Section 2. This ordinance shall be in full force and effect from 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 Finance.

By City Controller:

GENERAL ORDINANCE 96, 1929

AN ORDINANCE, appropriating and transferring to the Street Commissioner's Gasoline Tax Fund the sum of twenty thousand dollars (\$20,000) out of the Gasoline Tax Fund, now unappropriated, for the maintenance and repair of unimproved streets, bridges and culverts during the year 1929, of the city of Indianapolis, 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 twenty thousand dollars (\$20,000.00), now in the Gasoline Tax Fund, which sum is now unappropriated, be and the same is hereby appropriated and transferred to the Street Commissioner's Gasoline Tax Fund for the purpose of repair and maintenance of unimproved streets, bridges and culverts.

Section 2. This ordinance shall be in full force and effect from 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 Finance.

By Board of Safety:

GENERAL ORDINANCE 97, 1929

AN ORDINANCE, repealing Section A-430 of Section 865 of General Ordinance No. 121, 1925.

Section 1. BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA, that Section A-430 of Section 865 of General Ordinance No. 121, 1925, which reads as follows:

"No windows shall hereafter be constructed in the outside walls located on the inside property line of any first class building. However, when such walls are maintained, at least four (4) feet from the inside property line, windows may be placed therein.

Exception: One-story non-residence buildings," be and the same is hereby repealed.

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 Welfare.

By Board of Safety:

### GENERAL ORDINANCE 98, 1929

AN ORDINANCE, providing for the installation and maintenance of railroad crossing danger signal devices at the 13th street intersection where the same crosses the tracks of the New York, Chicago and St. Louis Railroad Company and the Chicago, Indianapolis and Louisville Railroad Company, within the city of Indianapolis, providing a penalty for the violation thereof and declaring a time when the same shall take effect.

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

Section 1. THIRTEENTH STREET. At the location where the tracks of the Chicago, Indianapolis and Louisville Railroad Company and the New York, Chicago and St. Louis Railroad Company crosses 13th street in the city of Indianapolis there shall be installed three flashing light warning signals, two on the east side and one on the west side of said tracks; said signals to be manually operated by an operator in an elevated tower located at 16th street, who shall be on duty eighteen (18) hours every day between the hours of 6:00 a. m. and 12:00 midnight. The installation and maintenance of said signals shall be subject to the approval of the Board of Public Safety and the Board of Public Works of the city of Indianapolis. Any person, firm or corporation who shall fail to comply with the provisions of this ordinance, shall, upon conviction, be fined in any sum, not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) and each day's failure so to do shall constitute a separate offense after the taking effect of this ordinance.

Section 2. Section 652 of General Ordinance No. 121, 1925, and section 20 of General Ordinance c. 102, 1925, and all ordinances and parts of ordinances in so far as the same may be in conflict with this ordinance are hereby repealed.

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

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

By Board of Works:

### GENERAL ORDINANCE 99, 1929

AN ORDINANCE, authorizing the permanent improvement of Ethel street by grading and paving the same pursuant to Improvement Resolution No. 14462 of the Board of Public Works of the City of In-



dianapolis, Indiana, and fixing a time when the same shall take effect.

WHEREAS, the Board of Public Works of the city of Indianapolis, Indiana, having heretofore on the 23d day of October, 1929, confirmed Improvement Resolution No. 14462 for the permanent improvement of Ethel street from 31st street to 32d street in the city of Indianapolis by grading and paving the same and remonstrances having been filed thereagainst within the time provided by law and the Board of Public Works of the city of Indianapolis, Indiana, having resolved that the proposed improvement covered by Improvement Resolution No. 14462 is of public utility, general benefit and convenience, NOW THEREFORE,

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

Section 1. That the permanent improvement of Ethel street from 31st street to 32d street is of public utility, general benefit and convenience and that such improvement be made and completed pursuant to Improvement Resolution No. 14462 of the Board of Public Works of the city of Indianapolis, Indiana. Said improvement to be done all in accordance with details, plans and specifications submitted by the City Civil Engineer in said resolution and pursuant to the laws of the state of Indiana governing improvements of the nature contained in said Resolution No. 14462.

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 Works:

By Mr. Springsteen:

#### GENERAL ORDINANCE 100, 1929

AN ORDINANCE, concerning billiard rooms, providing for the licensing of the same, providing penalties for the violation thereof, repealing all ordinances in conflict therewith, 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. The term "billiard" as used in this section shall mean any of the several games played on a table surrounded by an elastic ledge or cushions, with balls which are impelled by cue and shall include all forms of the game known as pool. The term "billiard room" shall mean any public place wherein the game of billiards is permitted to be played.

Section 2. No person, society, club, firm or corporation shall open, conduct, maintain or operate a billiard room within the city of Indianapolis, unless such person, society, club, firm or corporation shall have first been duly licensed by the city of Indianapolis for such purposes and shall have obtained a permit therefor; provided, however, that the provisions of this section shall not apply to private residences or schools.

Section 3. Every person, society, club, firm or corporation desiring to open or maintain a billiard room must make application to the City Controller of the city of Indianapolis for a permit therefor, which application shall be in the form prescribed herein. Said application shall be filed at least ten (10) days prior to the time of granting such license.

Section 4. No license shall be granted to a person who is not a citizen of the United States.

Section 5. Every applicant for a license shall file with the Controller of the city of Indianapolis a written application provided for this purpose, stating the full name and address, including street and number of the applicant or if more than one person or if an association or firm, the full names of all parties interested and the addresses, including street and number. If the applicant be a club, society or corporation, the application shall contain a complete list of the officers of such club, society or corporation with their names and addresses, including street and number, and shall also give the state in which said club, society or organization is organized, and the names of one or more persons whom the said club, society or corporation desires to designate as its manager or managers, person or persons in charge, with their addresses. The application shall also state the following:

(A) The premises where said billiard room is to be conducted, including street and number.

(B) The number of billiard tables installed or to be installed on the premises.

(C) The age of the applicant in the case of individuals, and the age of the manager and officers in the case of a club, society or corporation.

(D) Whether the applicant or manager is a citizen of the United States.

(E) Whether the applicant has ever been engaged in operating a billiard room and when, where and how long in each place.

(F) The name of the owner of the premises in which said billiard room is located and the complete address of such owner. The application shall be signed by the applicant or applicants or in the case of a club, society or corporation, the application shall be signed by the manager or any of its officers.

Section 6. The Controller of the city of Indianapolis by himself or through one of his deputies shall cause an investigation to be made as to the character of the applicant or applicants; of the officers of the club, society or corporation and of the person who is to be general

manager of the business. The application shall be rejected if the said Controller shall find any of the persons named in the application not of good moral character or that any of said persons have previously been connected with any billiard room where the license has been revoked, or where any of the provisions with reference to billiard rooms have been violated, or if the billiard room sought to be licensed does not comply in every way with the regulations, ordinances and laws applicable thereto. If rejection of his application is made the applicant for license shall be notified in writing of the reasons for rejection and shall have the right to appeal to the mayor of the city of Indianapolis, who shall have the power, after full hearing, to confirm the rejection or order the license issued. In case of appeal the applicant shall, within ten (10) days after receiving notice of rejection, file in the controller's office in writing a notice of his intention to appeal. Said appeal shall be set for hearing by the mayor within ten (10) days after said notice is filed with the said Controller.

Section 7. The controller of the city of Indianapolis shall appoint one or more inspectors of billiard rooms whose duty it shall be to obtain information pertaining to all applicants for licenses concerning their character, the physical condition of the place in which said billiard room is to be located and all other information required by the Controller in determining the fitness of said applicant generally; said inspector shall have the assistance and co-operation of the commissioner of buildings, the Board of Health, the Board of Public Safety, the chief of police and any other department of the city in procuring such information. Such inspector or inspectors shall furnish such information in writing to the Controller of the city of Indianapolis and such inspector or inspectors shall be under the direction of the said controller. Such inspector or inspectors shall have admittance at all times to all billiard rooms where application for a license is pending or to any parts of the building wherein they are located. They shall investigate all complaints and at intervals shall inspect all billiard rooms within the city and make a report of such inspection to the said controller and also report all violations of this sub-division or the rules governing the same to said controller, in writing. The salary of such inspector or inspectors shall not be less than \$2,500 per year.

Section 8. Every person, society, club, firm or corporation to whom a license is granted shall pay an annual fee therefor in the sum of Ten Dollars (\$10.00) for the first table and Fifty Cents (50c) for each additional table provided, however that where the applicant is a society or club not organized for profit, no license fee shall be charged for the use of any table or tables. All moneys received by the way of license fees shall be paid in the general fund of the city.

Section 9. All licenses granted under the provision of this ordinance shall expire one year after date of issue.

Section 10. No transfer of a license, either as to person or place, shall be permitted, except with the consent of the Controller of the City of Indianapolis, which consent shall be endorsed upon the license, provided, however, that the applicant applying for the transfer of any license shall comply with all provisions of this sub-division.

Section 11. It shall be unlawful for any person, society, club, firm or corporation to operate a billiard room between the hours of twelve

midnight and five A. M., or to harbor or permit any person or persons to be or remain in any such billiard room any day of the week between the hours of twelve midnight and five A. M. This section, however, shall not be construed to prevent regular employees from performing necessary work in the premises.

Section 12. It shall be unlawful for any person to play billiards or be permitted to remain in a billiard room for any purpose who has not reached the age of eighteen years, and it shall be unlawful for any person to represent himself to have reached the age of eighteen years in order to obtain admission to such billiard rooms or to be permitted to remain therein when such person in fact is under eighteen years of age.

Section 13. No dice shall be thrown nor shall a pea ball be used nor shall cards or other games of chance or any form of gambling be permitted in any billiard room or in the room in which said tables are located or at any cigar stand or other business in the same room, whether or not said room is divided by a partition, or in any other room or rooms in which access may be had directly from the room or rooms in which the billiard tables are located, nor shall any checks be given which can be redeemed for merchandise or cash.

Section 14. All billiard rooms shall be kept at all times in a clean, healthful and sanitary condition, approved by the inspector of billiard rooms and the controller shall have the power to determine if such room or rooms are so kept and for such purpose shall, when desired, have the assistance of the Commissioner of Buildings and the Board of Health.

Section 15. Every licensee shall keep his license conspicuously posted in his billiard room.

Section 16. No billiard room operating under the provision of this ordinance shall allow or permit any screens, curtains, blinds, partitions or other obstructions to be placed between the front windows and back or rear wall of such billiard rooms. A clear view of the entire interior from the front entrance to the rear of such room must be maintained at all times. No partitions forming rooms, stalls or other enclosures where the public congregate, shall be permitted. This provision, however, shall not be construed to include the maintenance of wash rooms and toilet rooms for proper purposes, or the maintenance of closets for storing purposes exclusively.

Section 17. The license of any billiard room may be revoked by the Controller of the City of Indianapolis for disorderly or immoral conduct on the premises or for the violation of any of the rules, regulations, ordinances and laws governing and applying to billiard rooms or for misstatement of facts later discovered in the application blank of the licensee of a billiard room. Ten (10) days before a license shall be revoked the said controller shall notify the licensee in writing of the reason for such proposed revocation and the licensee shall have the right to appeal to the mayor of the City of Indianapolis who after full hearing shall have the power to revoke the license or continue the same in force and his action shall be final. In order to perfect his appeal a licensee shall leave notice in writing of his intention to appeal at the office of the city controller before the expiration of ten (10) days.

Section 18. Any person, society, club, firm or corporation who shall violate any of the provisions of this ordinance shall upon conviction thereof be fined not less than Fifty Dollars (\$50.00) or imprisoned not less than thirty (30) days or both.

Section 19. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 20. This ordinance shall be in full force and effect from 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 Public Safety.

By Engineer.

### SPECIAL ORDINANCE 17, 1929

AN ORDINANCE annexing certain territory to the City of Indianapolis, 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 continuous territory, all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, Marion County, Indiana:

Section 2. Beginning at a point in the present corporation line of the City of Indianapolis, said point being the intersection of the north right-of-way line of the P. C. C. & St. L. Railroad with the center line of Tibbs Avenue; thence southwest on and along the north right-of-way line of said railroad to a point, said point being the intersection of the west line of the first alley east of Banner Avenue produced south and said right-of-way line; thence north on and along the west line of said alley, and said west line produced north to its intersection with the south property line of the National Road (Washington Street); thence southwest on and along the south property line of the National Road to its intersection with a line, said line being 30 feet north of and parallel to the south property line of Minnesota Street; thence east on and along the last described line to its intersection with the east line of the first alley west of Banner Avenue produced north; thence south on and along the west line of said alley and the same produced south to its intersection with the south right-of-way line of the T. H. I. & E. Traction Company; thence southwest on and along the last described right-of-way line to its intersection with the east property line of the road centered on the west line of the northeast

quarter of Section 22, Township 15 north, Range 2 east, produced north; thence south on and along the east property line of the last mentioned road to its intersection with the south line of said Section 22; thence east on and along the south line of Sections 22 and 23 in Township 15 north, Range 2 east, to the southeast corner of the west half of the southeast quarter of Section 23, Township 15 north, Range 2 east; thence north on and along the east line of said half-quarter Section to the north property line of Southern Avenue; thence east on and along the north property line of Southern Avenue to its intersection with the west property line of the road centered on the east line of said Section 23 (also known as the High School Road); thence north on and along the west property line of the last mentioned road to its intersection with the north line of said Section 23; thence west on and along the north line of Section 23, Township 15 north, Range 2 east, to a point 202.5 feet east of the east property line of Banner Avenue; thence north on and along a line 202.5 feet east of and parallel to the east property line of Banner Avenue to its intersection with a line one foot south of, measured at right angles, and parallel to the north right-of-way line of the P. C. C. & St. L. Railroad; thence northeast on and along the last described line to its intersection with the center line of Tibbs Avenue; thence north on and along the center line of Tibbs Avenue one foot, more or less, to the point or place of beginning.

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

## INTRODUCTION OF RESOLUTIONS

By Mr. Lieber:

### RESOLUTION 6, 1929

WHEREAS, the Common Council has provided in its 1929 budget the sum of \$3,000 in Municipal Election Fund account 12, for the payment of three election commissioners at \$1,000 each under the theory that the City Manager law would prevail in the Municipal Election, and

WHEREAS, the City Manager law was declared invalid by the Supreme Court of the State of Indiana, and a Municipal Election was held on November 5, 1929, under the general election law of the State of Indiana, under which law the City Clerk cannot receive pay as ex-officio election commissioner, and

WHEREAS, it was the intention of the Common Council that the three members of the Election Board receive equal remuneration, now therefore,

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

That the City Controller be and hereby is directed to pay the

\$3,000 heretofore appropriated in Municipal Election Fund account 12, Election Commissioners, to William A. Boyce Jr., Russell Ryan and Ira M. Holmes as members of the official Board of Canvassers of the Municipal Election, and said sums when paid shall be considered as payment in full for services rendered the city by Messrs. Ryan and Holmes as Election Commissioners and by Mr. Boyce and Messrs. Ryan and Holmes as members of the official Board of Canvassers.

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

By Mr. Harris:

### RESOLUTION 7, 1929

WHEREAS, an emergency has arisen of importance to the people of the City of Indianapolis in reference to the official conduct of the business of the City of Indianapolis, which emergency requires the expenditure of public funds for the reasonable and necessary legal expense made necessary thereby and in connection therewith, and

WHEREAS, the Common Council of the City of Indianapolis by appropriation ordinance No. 4, 1928, has heretofore duly appropriated to the Department of Finance for the year 1929 the sum of Fifty Thousand Dollars (\$50,000.00) as a reserve for contingencies listed under item 2-26 in the budget for that department, and

WHEREAS, the mayor and controller of said city have joined in a recommendation to the Common Council that James W. Noel, Attorney, be appointed legal counsel to the Common Council for the purpose of assisting in the said investigation at a total compensation for said James W. Noel as counsel, not to exceed \$----- NOW THEREFORE

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

First: That an emergency now exists and should forthwith be and the same is hereby met in all respects as set out in the preamble, which is hereby adopted and included herein by this reference thereto.

Second: James W. Noel, Attorney, is hereby appointed as special counsel to the Common Council of the City of Indianapolis for the purpose of said investigation and his compensation therefor is hereby fixed at \$----- in full for said services.

Third: The Controller of the City of Indianapolis be and he is hereby authorized and directed at the conclusion of Mr. Noel's services to the said Common Council to pay him for his services as special counsel as set out herein, the sum of \$----- in full for his services.

Fourth: This resolution shall become effective upon its passage and approval by the mayor.

Which was read a first time and referred to the Special Committee on the Investigation, Mr. Lieber, Chairman.

On motion of Mr. Springsteen, seconded by Mr. Meurer, the Council recessed for ten minutes at 8:30 P. M.

The Council reconvened from its recess at 9:10, with the same members present at before.

### COMMITTEE REPORTS

Indianapolis, Ind., November 18, 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. 93, 1929, entitled Re: Garage Buildings, Sprinklers, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROBT. E. SPRINGSTEEN,  
Chairman.

EARL BUCHANAN.  
JOHN F. WHITE.  
PAUL E. RATHERT.  
E. W. HARRIS.

Indianapolis, Ind., November 18, 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. 94, 1929, entitled Bus Stops on Circle, beg leave to report that we have had said ordinance under consideration, and recommend that the same be not passed.

ROBT. E. SPRINGSTEEN,  
Chairman.

EARL BUCHANAN.  
JOHN F. WHITE.  
PAUL E. RATHERT.  
E. W. HARRIS.



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

Indianapolis, Ind., November 18, 1929.

Gentlemen:

We, your Committee on Elections, to whom was referred Resolution No. 6, 1929, entitled Election Commissioners' Salaries, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed under suspension of rules.

PAUL E. RATHERT,  
Chairman.

HERMAN P. LIEBER.  
JOHN F. WHITE.  
MEREDITH NICHOLSON.  
ALBERT F. MEURER.

#### ORDINANCES ON SECOND READING

Mr. Springsteen called for General Ordinance 93, 1929, for second reading. It was read a second time.

On motion of Mr. Springsteen, seconded by Mr. Harris, General Ordinance 93, 1929, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 93, 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 94, 1929, for second reading. It was read a second time.

On motion of Mr. Harris, seconded by Mr. Buchanan, General Ordinance 94, 1929, was ordered stricken from the files.

Mr. Rathert presented the following written motion:

Indianapolis, Ind., November 18, 1929.

*Mr. President:*

I move that the rules be suspended to consider on second reading and final passage Resolution No. 6, 1929.

PAUL E. RATHERT,  
Councilman.

The motion was seconded by Mr. Harris, and the rules suspended 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. Rathert called for Resolution 6, 1929, for second reading. It was read a second time.

On motion of Mr. Rathert, seconded by Mr. Harris, Resolution 6, 1929, was ordered engrossed, read a third time, and placed upon its passage.

Resolution 6, 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.

On motion of Mr. Harris, the Council adjourned at 9:15 P. M.

We hereby certify that the above and foregoing is a full, true and complete copy of the proceedings of the Common Council held Monday, November 18, 1929, at 7:30 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.