

## REGULAR MEETING

Monday, December 2, 1929

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, December 2, 1929, at 7:30 p. m., President Edward B. Raub in 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, John F. White.

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

## COMMUNICATIONS FROM THE MAYOR

November 20, 1929.

*To the 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 ordinance:

## GENERAL ORDINANCE NO. 93, 1929

AN ORDINANCE, amending Section A-411 of General Ordinance No. 121, 1925, being an ordinance concerning the government of the city of Indianapolis, Indiana, by adding sub-section (E) thereto, and fixing a time when the same shall take effect.

Very truly yours,

L. ERT SLACK,

Mayor.

November 20, 1929.

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

Gentlemen:

I have this day delivered to William A. Boyce, Jr., City Clerk,

the following ordinances, which were approved with my signature on November 19th, 1929:

GENERAL ORDINANCE NO. 85, 1929

AN ORDINANCE, transferring monies from certain funds, re-appropriating the same to other numbered funds, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 86, 1929

AN ORDINANCE, authorizing the sale, alienation and conveyance of certain real estate by the Board of Public Works of the city of Indianapolis, and fixing a time when the same shall take effect.

Very truly yours,

L. ERT SLACK,

Mayor.

November 27, 1929.

*To the 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 resolution:

RESOLUTION NO. 6, 1929

authorizing the City Controller to pay \$3,000.00 heretofore appropriated in Municipal Election Fund, Account 12, Election Commissioners, to Wm. 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.

Very truly yours,

L. ERT SLACK,

Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

November 29, 1929.

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

Gentlemen:

We are submitting herewith two copies of a contract with the broadcasting station WFBM, operated by the Indianapolis Power and

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City of Indianapolis, Ind.

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Light Company, which contracts have been signed by the Mayor, the Board of Public Safety and representatives of the Indianapolis Power and Light Company, together with fifteen copies of an ordinance ratifying said contract by your honorable body.

We are submitting this to the honorable council with the request that same be approved by the council at as early a date as possible in order that we may be able to have our entire machinery of the Police Radio Broadcasting Bureau properly functioning within a very short time.

Very truly yours,

BOARD OF PUBLIC SAFETY,

By Fred W. Connell, President.

December 2, 1929.

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

Dear Sir:

We are sending you herewith fifteen copies of an ordinance amending certain sections of General Ordinance No. 121, 1925, and General Ordinance No. 10, 1928, of the Building Code, pertaining to elevators.

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

Very truly yours,

BOARD OF PUBLIC SAFETY,

By Fred W. Connell, President.

December 2, 1929.

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

Gentlemen:

Attached hereto are fourteen copies of General Ordinance No. 103, 1929, amending General Ordinance No. 114, 1922, the General Zoning Ordinance.

The purposes of this Ordinance is to zone three tracts of ground which have been annexed to the City of Indianapolis recently.

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

Respectfully submitted,

H. B. STEEG,

Secretary-Engineer, City Plan Commission.

November 22, 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. 104, 1929, transferring the sum of thirteen hundred dollars (\$1,300.00), from Park Department Fund No. 53, "Refunds, Awards and Indemnities" and re-appropriating the same to Park Department Fund No. 51, "Insurance and Premiums."

I respectfully recommend the passage of this ordinance.

Yours very truly,

STERLING R. HOLT,

City Controller.

November 21, 1929.

*Hon. Sterling R. Holt, City Controller, Indianapolis, In-  
diana:*

Dear Sir:

I am handing you herewith fourteen copies of an ordinance providing for the transfer of funds for the park department. If the same meets with your approval, I wish that you would kindly submit same to the City Clerk prior to the next meeting of the Common Council.

Yours very truly,

(S) EDWARD B. RAUB, Jr.

November 30, 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. 105, 1929, transferring moneys from certain numbered funds and reappropriating the same to other numbered funds of the Department of Public Health and Charities.

I respectfully recommend the passage of this ordinance.

Yours very truly,

STERLING R. HOLT,

City Controller.

November 29, 1929.

*Mr. Sterling R. Holt, City Controller, Indianapolis, Indiana:*

Dear Sir:

Acting under instructions of the Board of Health, I am forwarding you herewith fifteen copies of a general ordinance transferring moneys from certain numbered funds and reappropriating the same to other numbered funds and reappropriating the same to other numbered funds of the Department of Public Health and Charities, and fixing a time when the same shall take effect. The Board of Health requests that you submit this ordinance to the Common Council with recommendation for its passage.

Very truly yours,

(Signed) B. HOWARD CAUGHRAN,  
Attorney for the Board of Health.

Upon motion of Mr. Springsteen, seconded by Mr. Meurer, the Council recessed for ten minutes at 9 o'clock p. m.

The Council reconvened from its recess at 9:25 p. m., with the same members present as before.

## COMMITTEE REPORTS

December 2, 1929.

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

Gentlemen:

We, your Committee on Finance, to whom was referred General Ordinance No. 88, 1929, entitled Transfer of Funds, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

E. W. HARRIS, Chairman,  
JOHN F. WHITE,  
ROBT. E. SPRINGSTEEN,  
HERMAN P. LIEBER,  
ALBERT F. MEURER.

December 2, 1929.

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

Gentlemen:

We, your Committee on Finance, to whom was referred General

Ordinance No. 89, 1929, entitled Transfer of Funds, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

E. W. HARRIS, Chairman,  
JOHN F. WHITE,  
ROBT. E. SPRINGSTEEN,  
HERMAN P. LIEBER,  
ALBERT F. MEURER.

December 2, 1929.

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

Gentlemen:

We, your Committee on Finance, to whom was referred General Ordinance No. 90, 1929, entitled Transfer of Funds, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

E. W. HARRIS, Chairman,  
JOHN F. WHITE,  
ROBT. E. SPRINGSTEEN,  
HERMAN P. LIEBER,  
ALBERT F. MEURER.

December 2, 1929.

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

Gentlemen:

We, your Committee on Finance, to whom was referred General Ordinance No. 95, 1929, entitled Transfer of Funds, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

E. W. HARRIS, Chairman,  
JOHN F. WHITE,  
ROBT. E. SPRINGSTEEN,  
HERMAN P. LIEBER,  
ALBERT F. MEURER.

December 2, 1929.

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

Gentlemen:

We, your Committee on Finance, to whom was referred General Ordinance No. 96, 1929, entitled "\$20,000 Appropriation from Gas Tax

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

E. W. HARRIS, Chairman,  
JOHN F. WHITE,  
ROBT. E. SPRINGSTEEN,  
HERMAN P. LIEBER,  
ALBERT F. MEURER,

December 2, 1929.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 17, 1929, entitled "\$7,000 to Board of Works and Garage," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

E. W. HARRIS, Chairman,  
JOHN F. WHITE,  
ROBT. E. SPRINGSTEEN,  
HERMAN P. LIEBER,  
ALBERT F. MEURER.

December 2, 1929.

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

Gentlemen:

We, your Committee on Public Works, to whom was referred General Ordinance No. 99, 1929, entitled "Improvement of Ethel Street," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ALBERT F. MEURER, Chairman,  
EARL BUCHANAN,  
HERMAN P. LIEBER,  
MEREDITH NICHOLSON.

December 2, 1929.

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

Gentlemen:

We, your Committee on Public Works, to whom was referred General Ordinance No. 91, 1929, entitled "Improvement of Morgan

Street," beg leave to report that we have had said ordinance under consideration, and recommend that the same be not passed.

ALBERT F. MEURER, Chairman,  
EARL BUCHANAN,  
ROBT. E. SPRINGSTEEN,  
HERMAN P. LIEBER,  
MEREDITH NICHOLSON.

December 2, 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. 98, 1929, entitled "Railroad Safety Signals," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

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

December 2, 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. 84, 1929, entitled "Regulation of Vehicles and Trailers," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed when amended.

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

December 2, 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. 100, 1929, entitled "Licensing Billiard Rooms," beg



leave to report that we have had said ordinance under consideration, and recommend that the same be passed when amended.

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

December 2, 1929.

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

Gentlemen:

We, your Committee on City's Welfare, to whom was referred General Ordinance No. 97, 1929, entitled "Amending: Re-Windows," 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,  
E. W. HARRIS,  
A. F. MEURER.

December 2, 1929.

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

Gentlemen:

We, your Committee on Public Health, to whom was referred General Ordinance No. 92, 1929, entitled "\$17,000 Bond Issue—City Prison," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

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

## INTRODUCTION OF GENERAL ORDINANCES

By Board of Safety:

### GENERAL ORDINANCE 101, 1929

AN ORDINANCE, ratifying, confirming and approving a certain contract made and entered into between the City of Indianapolis by

and through its Board of Public Safety, its mayor and the Indianapolis Power and Light Company for the use of broadcasting equipment in connection with the Police Radio Signal Bureau and fixing a time when the same shall take effect.

WHEREAS, heretofore on the ----- day of -----, 1929, the City of Indianapolis by and through its Board of Public Safety and with the approval of the mayor of the City of Indianapolis and in full compliance with the law, duly entered into a certain contract and agreement in writing, which said contract and agreement is in the words and figures as follows, to-wit:

THIS AGREEMENT made and entered into this ----- day of -----, 1929, by and between the Indianapolis Power & Light Company, hereinafter known as the power company, hereinafter known as the city,

WITNESSETH:

WHEREAS, the power company operates a broadcasting radio station with certain emergency equipment as hereinafter described; and

WHEREAS, the city contemplates and hereby signifies its intention to establish a radio signal bureau under the supervision of its Board of Public Safety—purpose of said bureau being to install, operate and maintain necessary broadcasting and receiving equipment for the object of transmitting police calls to police squad cars which will be equipped with said receiving equipment sets, and also to transmit calls to such other receiving sets as the city may determine to be necessary; and

WHEREAS, power company is willing to lease to the city use of certain of its broadcasting apparatus as hereinafter specified, for purposes aforesaid;

NOW, THEREFORE, it is agreed between parties as follows:

Power company will lease to the city for the sum of one dollar (\$1.00) per year, the use of its 500-watt broadcasting transmitting station now located on top floor of Knights of Pythias building in Indianapolis, Indiana, the following conditions, to-wit:

Necessary changes shall be made in said station to adapt it to the short wave operation necessary for said purpose, wholly at the expense of city and in a manner approved by power company.

Convenient arrangements will be furnished by city in connection with said change, so that the station can be changed to its present wave length quickly in case of emergency for broadcasting power company's regular radio programs—said arrangements to be acceptable to power company.

After said changes and arrangements are made by city, power company will furnish maintenance labor on said broadcasting set—city to furnish all supplies including tubes for the same. Power company will reimburse city, however, for its share of said supplies, including tubes, said share being determined by prorating the actual hours use of the station by power company, to total hours use of the station

by both parties—it being understood that total hours used will be the actual hours that the set is energized during the year.

The power company will pay the present rent on present quarters of station in the Knights of Pythias building, as long as it desires to keep said set for emergency use. Thereafter, city will pay necessary rent for Knights of Pythias building, or the city, at its option may move said set to other quarters at city's expense.

City will secure necessary federal licenses or any other licenses which may be necessary in the future for operating set for city purposes.

Power company assumes no liability whatever for successful operation of said set or system. City will save power company harmless from any claims for damages in connection with the operation and maintenance of said set while used for city purposes.

City will purchase necessary power from power company for operating said set, at power company's regular scheduled rates, providing, however, that power company will reimburse city for the portion of electric current used by the power company, for the time set is used by it, in the manner hereinbefore described.

Power company may cancel this lease any time at its option on 30 days written notice to the city.

City will furnish necessary operators for operating said station, said operators to be qualified as may be required by law or Federal Radio Commission rules. and further, said operators must at all times be satisfactory to the power company.

City will furnish necessary telephone connections to said set for city purposes, also any other appurtenances necessary for city operation of said set.

Power company may use said set for emergency use for broadcasting its radio programs when its regularly used transmitting station is out of service. However, during this period, police calls of an emergency nature will be given preference.

At termination of this lease, city agrees to return set to power company in substantially its present condition, ordinary wear and tear excepted.

INDIANAPOLIS POWER & LIGHT COMPANY,  
Per: E. A. Ralston, Vice-President.

Attest:

Elmer E. Scott, Secretary.  
(Seal)

CITY OF INDIANAPOLIS,  
Per: L. Ert Slack, Mayor

Approved:  
BOARD OF SAFETY,  
Fred W. Connell, Pres.  
Ira Haymaker,  
Robert F. Miller.

and

WHEREAS, to be valid this contract must be approved by the

Common Council of the City of Indianapolis, NOW, THEREFORE,

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

Section 1. That in consideration of the premises mentioned in the contract the same be and the same is in all things ratified, confirmed and approved in accordance with all the terms, provisions and conditions thereof.

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.

By Board of Safety:

### GENERAL ORDINANCE 102, 1929

AN ORDINANCE, amending section one of General Ordinance No. 10, 1928, being an ordinance amending and supplementing section 865 of General Ordinance, 121, 1925, and amending sub-section (e) of section C-303 of General Ordinance 121, 1925, and amending sub-section (e) of Section C-403 of General ordinance 121, 1925, 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 section one of General Ordinance No. 10, 1928, be amended to read as follows:

"Section 1. That section C-216 of the above entitled ordinance be amended to read as follows: Section C-216, 'Hoistway Door Interlocks.' (a) Hoistway landing door interlocks shall be provided on all power elevators hereinafter installed. (b) Interlocks may be either electrical or mechanical and the interlocks must so function that all doors in the shaftway must be closed and locked before the elevator can be moved. (c) If electrical contacts are used in connection with door closures as interlocks, each door must be equipped with a rack and pawl that will not permit the opening of any door until after it has been fully closed. Doors with this device will be considered interlocked within four (4) inches of the fully closed position. (d) No shaftway landing door interlock shall be constructed or installed so that its functioning is dependent upon the action of a spring (or springs) in tension, or upon the closure of the electric circuit. (e) Exception to interlock ruling: The interlock shall not prevent the movement of the car within the leveling zone when the car is being moved by a car leveling device. (f) Each elevator with electrical interlock shall be equipped with an emergency release switch, that will per-

mit operation of the elevator with doors open, to be used only in case of emergency. This switch shall be placed in a position plainly visible to the occupants of the car and reasonably, but not easily accessible to the operator. Connection and wiring used in the operation of the emergency release shall be enclosed to prevent being tampered with readily."

Section 2. That sub-section (e) of section C-303 of General Ordinance 121, 1925, be amended to read as follows:

"Subsection (e) A car door or gate shall be provided at each entrance to all power passenger cars and each door or gate shall be equipped with either a mechanical or electrical interlocking device which will prevent the car from moving until said door is closed. Exception—'Button control' elevators may be operated with an open gate if there is no passenger in the car."

Section 3. By striking out sub-section (e) of section C-403 of General Ordinance 121, 1925, and substituting therefor the following:

"Sub-section (e). A car door or gate shall be provided at each entrance to all power freight elevators and each door or gate shall be equipped with an electric or mechanical interlocking device which shall prevent the car from moving until said door is closed."

Section 4. 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 Welfare.

By City Plan Commission.

### GENERAL ORDINANCE 103, 1929

AN ORDINANCE, amending General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

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

Section 1. That the V1 or residence district, the A1 or 7,500 square foot 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 a point, said point being the intersection of the west property line of College avenue and the center line of White river; thence north on and along the west property line of College avenue to a point 360.91 feet south of the south property line of 71st street; thence west a distance of 125 feet to a point; thence north, parallel to the west

property line of College avenue, to the south property line of 71st street; thence west on and along the south property line of 71st street to a point, said point being 312.2 feet east of the east property line of Washington boulevard; thence south a distance of 193.0 feet to a point; thence west 85 feet to a point; thence south 22 feet to a point; thence west a distance of 262.2 feet to a point in the center line of Washington boulevard; thence north on and along the center line of Washington boulevard a distance of 35 feet to a point; thence west a distance of 378.78 feet to a point; thence north a distance of 180 feet to a point in the south property line of 71st street; thence west on and along the south property line of 71st street to its intersection with the east property line of Pennsylvania street; thence south and southeast along the east property line of Pennsylvania street to its intersection with the center line of White river; thence northeast on and along the center line of White river to its intersection with the west property line of College avenue, the point or place of beginning.

Section 2. That the U3 or business district, the A1 or 7,500 square foot 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 71st street with the west property line of College avenue; thence south on and along the west property line of College avenue a distance of 360.91 feet to a point; thence west a distance of 125 feet to a point; thence north parallel to the west property line of College avenue to the south property line of 71st street; thence east on and along the south property line of 71st street a distance of 125 feet to the west property line of College avenue, the point or place of beginning.

Section 3. That the U1 or residence district, the A2 or 4,800 square foot 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 East 10th street and the west property line of Anderson avenue; thence south on and along the west property line of Anderson avenue to the north property line of St. Clair street; thence west on and along the north property line of St. Clair street to a point which is 173.61 feet east of the east property line of Arlington avenue; thence north to a point in the south property line of East 10th street, said point being 170.04 feet east of the east property line of Arlington avenue; thence east on and along the south property line of East 10th street to the west property line of Anderson avenue, the point or place of beginning.

Section 4. That the U1 or residence district, the A2 or 4,800 square foot 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 Keystone avenue and the center line of 46th street; thence east on and along the center line of 46th street a distance of 661 feet to a point; thence northeast a distance of 206 feet to a point, said point being 713.5 feet east of the center line of Keystone avenue; thence west a distance of 713.5 feet

to a point in the center line of Keystone avenue; thence south on and along the center line of Keystone avenue a distance of 200 feet to the center line of 46th street, the point of place of beginning.

Section 5. 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.

By Controller:

GENERAL ORDINANCE 104, 1929

AN ORDINANCE, transferring money from certain funds, 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 thirteen hundred dollars (\$1,300.00) now in Park Department Fund No. 53 Refunds, Awards and Indemnities, be and the same is hereby transferred therefrom and re-appropriated to Park Department Fund No. 51 Insurance and Permiums.

Section 2. This Ordinance shall take 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.

By Controller:

GENERAL ORDINANCE 105, 1929

AN ORDINANCE, transferring moneys from certain numbered funds and reappropriating the same to other numbered funds of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

WHEREAS, there is a deficit in certain numbered funds and surplus in other numbered funds of the Department of Public Health and Charities of the City of Indianapolis; and

WHEREAS, an extraordinary emergency exists for the transfer and reappropriation of the funds hereinafter described for the proper carrying on of the necessary functions and duties of the Department of Public Health and Charities of said city.

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

Section 1. That the sum of eight thousand four hundred (\$8,400.00) dollars, now in Tuberculosis Industrial Hygiene Fund No. 11, of the Department of Public Health and Charities, be, and the same is hereby, transferred therefrom and reappropriated to the following numbered funds of said Department: five hundred (\$500.00) dollars thereof to Tuberculosis Fund No. 11; twelve hundred (\$1,200.00) dollars thereof to Tuberculosis Fund No. 12; two hundred (\$200.00) dollars thereof to Tuberculosis Fund No. 343; one hundred forty-one (\$141.00) dollars thereof to Board of Health Fund No. 214; one hundred forty (\$140.00) dollars thereof to Board of Health Fund No. 215; seventy-five (\$75.00) dollars thereof to Board of Health Fund No. 241; eighty (\$80.00) dollars thereof to Board of Health Fund No. 252; two hundred (\$200.00) dollars thereof to Board of Health Fund No. 322; two hundred (\$200.00) dollars thereof to Board of Health Fund No. 331; fifteen hundred (\$1,500.00) dollars thereof to Board of Health Fund No. 3431; four hundred sixty-four (\$464.00) dollars thereof to Board of Health Fund No. 3433; two hundred (\$200.00) dollars thereof to Board of Health Fund No. 36; four hundred (\$400.00) dollars thereof to Board of Health Fund No. 38; one hundred (\$100.00) dollars thereof to Board of Health Fund No. 53; three thousand (\$3,000.00) dollars thereof to Board of Health Fund No. 61.

Section 2. That the sum of four hundred eighty-five (\$485.00) dollars, now in Tuberculosis Industrial Hygiene Fund No. 331, in said Department of Public Health and Charities, be, and the same is hereby, transferred therefrom and reappropriated to the following numbered funds of said Department: Seventy (\$70.00) dollars thereof to Tuberculosis Fund No. 341; three hundred fifty (\$350.00) dollars thereof to Child Hygiene Fund No. 316; sixty-five (\$65.00) dollars thereof to Child Hygiene Fund No. 341.

Section 3. That the sum of twenty-seven hundred (\$2,700.00) dollars, now in Tuberculosis Industrial Hygiene Fund No. 724 of the Department of Public Health and Charities, be, and the same is hereby transferred therefrom and reappropriated to the following numbered funds of said department: Five hundred fifty (\$550.00) dollars thereof to Board of Health Fund No. 724; seventy-five (\$75.00) dollars thereof to Child Hygiene Fund No. 242; fifteen hundred (\$1,500.00) dollars thereof to Child Hygiene Fund No. 343; five hundred (\$500.00) dollars thereof to Child Hygiene Fund No. 54; seventy-five (\$75.00) dollars thereof to Prenatal and Dental Fund No. 3432.

Section 4. That the sum of one hundred (\$100.00) dollars, now in Tuberculosis Industrial Hygiene Fund No. 334 of the Department of Public Health and Charities, be, and the same is hereby transferred therefrom and reappropriated to the following numbered funds of said Department: eighty-five (\$85.00) dollars thereof to Child Hygiene Fund No. 38; fifteen (\$15.00) dollars thereof to Child Hygiene Fund No. 54.

Section 5. That the several sums now in the different numbered Tuberculosis Industrial Hygiene Funds of the Department of Public Health and Charities, be, and the same are hereby, transferred therefrom and reappropriated to other numbered funds in said department,



as follows: one hundred (\$100.00) dollars from Tuberculosis Industrial Hygiene Fund No. 333, to Child Hygiene Fund No. 54; twenty (\$20.00) dollars from Tuberculosis Industrial Hygiene Fund No. 332 to Child Hygiene Fund No. 54.

Section 6. That the sum of three hundred (\$300.00) dollars, now in Prenatal and Dental Fund No. 3431, of the Department of Public Health and Charities, be, and the same is hereby, transferred therefrom and reappropriated to the following numbered funds of said department: one hundred (\$100.00) dollars thereof to Tuberculosis Fund No. 214; one hundred fourteen (\$114.00) dollars thereof to Tuberculosis Fund No. 26; eighty-six (\$86.00) dollars thereof to Tuberculosis Fund No. 315.

Section 7. That the several sums now in the different numbered tuberculosis funds of the Department of Public Health and Charities, be, and the same are hereby, transferred therefrom and reappropriated to other numbered funds of said department, as follows: Ten (\$10.00) dollars from Tuberculosis Fund No. 431 to Tuberculosis Fund No. 221; ten (\$10.00) dollars from Tuberculosis Fund No. 322 to Tuberculosis Fund No. 222; fourteen (\$14.00) dollars from Tuberculosis Fund No. 242 to Tuberculosis Fund No. 315; thirty (\$30.00) dollars from Tuberculosis Fund No. 722 to Tuberculosis Fund No. 341; one hundred thirty (\$130.00) dollars from Tuberculosis Fund No. 251 to Tuberculosis Fund No. 214.

Section 8. That the several sums, now in the different numbered Board of Health Laboratory Funds of the Department of Public Health and Charities, be, and the same are hereby, transferred therefrom and reappropriated to other numbered funds of said department, as follows: Five hundred (\$500.00) dollars from Board of Health Laboratory Fund No. 345 to Tuberculosis Fund No. 343; five hundred fifty (\$550.00) dollars from Board of Health Laboratory Fund No. 343 to Board of Health Fund No. 334; three hundred (\$300.00) dollars from Board of Health Laboratory Fund No. 334 to Child Hygiene Fund No. 316.

Section 9. That the several sums, now in the different numbered child hygiene funds of the Department of Public Health and Charities, be, and the same are hereby, transferred therefrom and reappropriated to other numbered funds of said department, as follows: One hundred (\$100.00) dollars from Child Hygiene Fund No. 36 to Tuberculosis Fund No. 36; thirty-five (\$35.00) dollars from Child Hygiene Fund No. 722 to Tuberculosis Fund No. 721; twenty-five (\$25.00) dollars from Child Hygiene Fund No. 722 to Board of Health Fund No. 212; twenty (\$20.00) dollars from Child Hygiene Fund No. 722 to Board of Health Fund No. 26.

Section 10. That the several sums now in the different numbered Board of Health Funds of the Department of Public Health and Charities, be, and the same are hereby, transferred therefrom and reappropriated to other numbered funds of said department, as follows: thirty (\$30.00) dollars from Board of Health Fund No. 341 to Tuberculosis Fund No. 36; ten (\$10.00) dollars from Board of Health Fund No. 341 to Board of Health Fund No. 242; one hundred (\$100.00) dollars from Board of Health Fund No. 351 to Board of Health Fund No. 212; ten (\$10.00) dollars from Board of Health Fund No. 721 to Board of Health Fund No. 332.

Section 11. That the sum of six thousand and eighty-nine

(\$6,089.71) dollars and seventy-one cents, now in City Hospital General Fund No. 31, of the Department of Public Health and Charities, be, and the same is hereby, transferred therefrom and reappropriated to the following numbered funds of said department: Three thousand six hundred nine (\$3,609.71) dollars and seventy-one cents thereof to City Hospital General Fund No. 51; one hundred eighty (\$180.00) dollars thereof to City Hospital Laboratory Fund No. 726; fifty (\$50.00) dollars thereof to City Hospital Laundry Fund No. 252; two thousand (\$2,000.00) dollars thereof to City Hospital Laundry Fund No. 342; one hundred (\$100.00) dollars thereof to City Hospital Training School Fund No. 241; fifty (\$50.00) dollars thereof to City Hospital Training School Fund No. 242; one hundred (\$100.00) dollars thereof to Board of Health Fund No. 13.

Section 12. That the sum of seven thousand eight hundred sixty-one (\$7,861.00) dollars, now in the several numbered city hospital funds of the Department of Public Health and Charities, be, and the same is hereby, transferred therefrom and said entire sum of seven thousand eight hundred sixty-one (\$7,861.00) dollars is hereby reappropriated to City Hospital General Fund No. 315, of said department, as follows: one hundred (\$100.00) dollars thereof from City Hospital General Fund No. 211; thirty-six (\$36.00) dollars from City Hospital General Fund No. 215; three hundred twelve (\$312.00) dollars thereof from City Hospital General Fund No. 242; one hundred (\$100.00) dollars thereof from City Hospital General Fund No. 251; three thousand two hundred (\$3,200.00) dollars thereof from City Hospital General Fund No. 314; ninety-seven (\$97.75) dollars and seventy-five cents thereof from City Hospital General Fund No. 321; twenty-seven (\$27.00) dollars thereof from City Hospital General Fund No. 342; twenty-five hundred (\$2,500.00) dollars thereof from City Hospital General Fund No. 343; twelve hundred (\$1,200.00) dollars thereof from City Hospital Surgery Fund No. 343; ten (\$10.25) dollars and twenty-five cents thereof from City Hospital Surgery Fund No. 344; fifty-nine (\$59.00) dollars thereof from City Hospital Surgery Fund No. 36; twelve (\$12.00) dollars thereof from City Hospital Surgery Fund No. 381; fifty-six (\$56.00) dollars thereof from City Hospital Surgery Fund, No. 451; thirty-six (\$36.00) dollars thereof from City Hospital Surgery Fund No. 452; twenty-eight (\$28.00) dollars thereof from City Hospital Surgery Fund No. 55; one (\$1.00) dollar thereof from City Hospital Surgery Fund No. 721; fifty (\$50.00) dollars thereof from City Hospital Surgery Fund No. 726.

Section 13. That the sum of nine hundred twenty-one (\$921.50) dollars and fifty cents, now in the several numbered city hospital funds of the Department of Public Health and Charities, be, and the same is hereby, transferred therefrom and said entire sum of nine hundred twenty-one (\$921.50) dollars and fifty cents is hereby reappropriated to City Hospital General Fund No. 312, of said Department, as follows: seventy-two (\$72.00) dollars thereof from City Hospital X-Ray Fund No. 221; five hundred (\$500.00) dollars thereof from City Hospital X-Ray Fund No. 343; forty-nine (\$49.00) dollars thereof from City Hospital X-Ray Fund No. 451; three hundred (\$300.00) dollars thereof from City Hospital X-Ray Fund No. 726.

Section 14. That the sum of six hundred nineteen (\$619.50) dollars and fifty cents, now in the several numbered city hospital funds of the Department of Public Health and Charities, be, and the same

is hereby transferred therefrom and said entire sum of six hundred nineteen (\$619.50) dollars and fifty cents is hereby reappropriated to City Hospital General Fund No. 252, of said Department, as follows: Forty-five (\$45.00) dollars thereof from City Hospital Training School Fund No. 214; one hundred forty-four (\$144.00) dollars thereof from City Hospital Training School Fund No. 341; thirty (\$30.50) dollars and fifty cents thereof from City Hospital Training School Fund No. 55; four hundred (\$400.00) dollars thereof from City Hospital General Fund No. 11.

Section 15. That the sum of twelve hundred (\$1,200.00) dollars, now in the several numbered city hospital funds of the Department of Public Health and Charities, be, and the same is hereby, transferred therefrom and said entire sum of twelve hundred (\$1,200.00) dollars is hereby reappropriated to City Hospital General Fund No. 311, of said department, as follows: Three hundred (\$300.00) dollars thereof from City Hospital Power Plant Fund No. 252; two hundred (\$200.00) dollars thereof from City Hospital Power Plant Fund No. 38; four hundred (\$400.00) dollars thereof from City Hospital Power Plant Fund No. 451.

Section 16. That the sum of seven hundred ninety-four (\$794.00) dollars, now in the several numbered city hospital funds of the Department of Public Health and Charities, be and the same is hereby, transferred therefrom and said entire sum of seven hundred ninety-four (\$794.00) dollars is hereby appropriated to City Hospital X-Ray Fund No. 12, of said department, as follows: Fifty (\$50.00) dollars thereof from City Hospital Laboratory Fund No. 252; four hundred (\$400.00) dollars thereof from City Hospital Laboratory Fund No. 344; two hundred (\$200.00) dollars thereof from City Hospital Laboratory Fund No. 722; one hundred forty-four (\$144.00) dollars thereof from City Hospital Fund No. 723.

Section 17. That the sum of one hundred (\$100.00) dollars, now in City Hospital Training School Fund No. 344, of the Department of Public Health and Charities, be and the same is hereby transferred therefrom and reappropriated to City Hospital X-Ray Fund No. 344, of said department.

Section 18. That the sum of seven hundred (\$700.00) dollars, now in City Hospital Laboratory Fund No. 343 of the Department of Public Health and Charities, be, and the same is hereby, transferred therefrom and reappropriated to City Hospital General Fund No. 317, of said department.

Section 19. 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 Health:

By Mr. White:

## GENERAL ORDINANCE 106, 1929

AN ORDINANCE, amending section 569 of General Ordinance

No. 121, 1925, being an ordinance concerning the government of the city of Indianapolis, and fixing a time wehn the same shall take effect.

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

Section 1. That section 569 of General Ordinance 121, 1925, as amended to read as follows:

"Section 569—Advertising. Any person painting, printing, stenciling, marking or otherwise placing upon or attaching to or suspending from any fence, bridge, building, or telegraph, telephone, electric light, fire alarm or gas pole or post, any word, letter, character, figure, sign, sentence or device, or any handbill, poster, notice or advertisement of any character, without first obtaining the consent of the parties owning or controlling the same, and also without first obtaining the privilege and consent of the Board of Public Safety of the City of Indianapolis, shall be fined in any sum not exceeding one hundred dollars (\$100.00); and provided that in no event shall such consent of the Board of Public Safety be given except for the placing of advertisements in the interest of public safety or public welfare.

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 Parks.

By Mr. Springsteen:

### GENERAL ORDINANCE 107, 1929

AN ORDINANCE amending sub-section (h) of section F-117 of General Ordinance 121, 1925, being an ordinance concerning the government of the City of Indianapolis, and fixing a time when the same shall take effect.

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

Section 1. That sub-section (h) of section F-117 of General Ordinance 121, 1925, be amended to read as follows:

"Subsection (h). Every person who shall desire to practice the business of plumbing in the city of Indianapolis shall comply with the following requirements: Each applicant before taking the examination shall pay to the controller the sum of five dollars (\$5.00) as the preliminary fee for the examination, and file the receipt of the controller with the secretary of the Board for such payment. If applicant is found to be qualified, the Board shall issue to said applicant a certificate

of registration directed to the controller of the City of Indianapolis, and said controller, upon the receipt of such certificate of registration and the further payment of fifty dollars (\$50.00), shall grant a license to said person, as named in the certificate of registration, for a period of one (1) year, or the remainder of the calendar year after the date of the granting of such license. All licenses and the renewal of same shall expire on the thirty-first day of December of each year and renewal shall be made on or before January 31 of the following year. No license shall be granted by the controller to any person except as provided in this ordinance, and such license so granted shall be evidence in court of the business for which it is granted. Every firm or corporation who shall desire to practice the business of plumbing, so provided in this ordinance, shall comply with the following requirements, if a firm, some member thereof, or if a corporation, some officer or duly authorized representative thereof, shall apply for a license in the name of such firm or corporation.

Section 3. This ordinance shall take effect from and after its passage, approved by the mayor, and publication according to law.

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

#### ORDINANCES ON SECOND READING

Mr. Meurer called for General Ordinance 91, 1929, for second reading. It was read a second time.

On motion of Mr. Meurer, seconded by Mr. Buchanan, General Ordinance 91, 1929, was ordered stricken from the files.

Mr. Meurer called for General Ordinance 99, 1929, for second reading. It was read a second time.

On motion of Mr. Meurer, seconded by Mr. Buchanan, General Ordinance 99, 1929, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 99, 1929, was read a third time by the clerk, and passed by the following roll-call vote:

Ayes, 8, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. White, and Pres. Raub.

Noes, 1, viz: Mr. Springsteen.

Mr. Harris called for General Ordinance 88, 1929, for second reading. It was read a second time.

On motion of Mr. Harris, seconded by Mr. Buchanan, General Ordinance 88, 1929, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 88, 1929, was read a third time by the Clerk, and passed by the following roll-call vote:

Mr. Harris called for General Ordinance 89, 1929, for second reading. It was read a second time.

On motion of Mr. Harris, seconded by Mr. Buchanan, General Ordinance 89, 1929, was ordered engrossed, read a third time, and placed upon its passage.

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

General Ordinance 89, 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. Harris called for General Ordinance 90, 1929, for second reading. It was read a second time.

On motion of Mr. Harris, seconded by Mr. Rathert, General Ordinance 90, 1929, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance 90, 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. Harris called for General Ordinance 95, 1929, for second reading. It was read a second time.

On motion of Mr. Harris, seconded by Mr. Rathert, General Ordinance 95, 1929, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance 95, 1929, as 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. Harris called for General Ordinance 96, 1929, for second reading. It was read a second time.

On motion of Mr. Harris, seconded by Mr. Rathert, General Ordinance 96, 1929, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance 96, 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. Harris called for Appropriation Ordinance 17, 1929, for second reading. It was read a second time.

On motion of Mr. Harris, seconded by Mr. Rathert, Appropriation Ordinance 17, 1929, was ordered engrossed, read a third time, and placed upon its passage.

Appropriation Ordinance 17, 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. Buchanan called for General Ordinance 97, 1929, for second reading. It as read a second time.

On motion of Mr. Buchanan, seconded by Mr. Harris,

General Ordinance 97, 1929, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance 97, 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 100, 1929, for second reading. It was read a second time.

Mr. Springsteen presented the following written motion to amend General Ordinance 100, 1929.

Indianapolis, Ind., December 2, 1929.

*Mr. President:*

I move that General Ordinance 100, 1929, be amended to read as follows:

ROBT. E. SPRINGSTEEN,  
Councilman.

The motion was seconded by Mr. White, 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. Springsteen, seconded by Mr. White, General Ordinance 100, 1929, as amended, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 100, 1929, was read a third time by the Clerk, as amended, 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 98, 1929, for second reading. It was read a second time.

On motion of Mr. Springsteen, seconded by Mr. Harris, General Ordinance 98, 1929, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 98, 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 84, 1929, for second reading. It was read a second time.

Mr. Springsteen presented the following written motion to amend General Ordinance 84, 1929.

#### A MOTION TO AMEND GENERAL ORDINANCE NO. 84, 1929

I move that General Ordinance No. 84, 1929, being an ordinance regulating the use of public streets, providing maximum weights, loads, etc., be amended as follows:

By amending the third sentence of section 2 thereof by adding the words "and bridges," so as to make that sentence read as follows: "The permit shall state the weight, width, state license number and owner of motor vehicles, also streets and bridges to be used, and the time limit for which it is issued." And by amending the second paragraph of section 2 thereof so that the same shall read as follows: "Whenever any applicant shall present to the Board of Public Works his application for a single trip permit to operate a motor vehicle, truck or trailer, the weight, including the load, the width of which exceeds the limits prescribed in this ordinance, he shall furnish to such Board a good and sufficient bond, with surety to the satisfaction of said board, in the sum of five hundred dollars (\$500) and one bond of the same amount for each motor vehicle, truck or trailer applied for and each bond conditioned upon the strict compliance with the terms of said permit as to route to be taken and time limit of trip and to repair, or compensate for repairs, or any pavement, sidewalk, curb or sewer catch basin or sewer manhole and bridges which might be damaged and to pay all damages whatsoever occasioned by said trip. And by amending the third paragraph of said Section 2 by adding the words "or bonds," so that the same shall read as follows: "The said bond or bonds to be released by the Board of Public Works when any damages which might have occurred have been settled." And by amending the fourth paragraph of said Section 2 by changing the words and figures "Five Thousand Dollars (\$5,000) to "Two Thousand Dollars (\$2,000); and after the word "manhole" thereof adding the words "and bridges."

The motion to amend was seconded by Mr. White, 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. Springsteen, seconded by Mr. White, General Ordinance 84, 1929, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance 84, 1929, was read a third time by the Clerk, as amended, 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. White called for General Ordinance 92, 1929, for second reading. It was read a second time.

On motion of Mr. White, seconded by Mr. Harris, General Ordinance 92, 1929, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 92, 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. White called for Appropriation Ordinance 16, 1929, for second reading. It was read a second time.

Mr. White presented a motion to amend, which, after discussion, was recalled by him with the consent of the Council.

On motion of Mr. White, seconded by Mr. Rathert, Appropriation Ordinance 16, 1929, was ordered engrossed, read a third time, and placed upon its passage.

Appropriation Ordinance 16, 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. Lieber, chairman of the Special Committee appointed by Pres. Raub to investigate certain charges made by Charles W. Jewett, presented to the Council and the press his committee report, as follows:

*Hon. Edward B. Raub, President, Common Council, City of Indianapolis:*

The Committee which you appointed to investigate certain charges made by Charles W. Jewett in connection with the administration of municipal affairs by certain designated officials of the City of Indianapolis, begs to report the results of its investigations as follows:

Mr. Jewett's charges were filed with the Committee in a type-written communication of thirty (30) pages, which is attached to this report as a part thereof. This Committee employed James W. Noel as special counsel to assist in the investigation and employed Mr. Walter Carpenter, shorthand reporter, to take and transcribe the evidence. The transcribed evidence, under his certificate, is filed herewith and made a part of this report. The numerous documents offered as part of the evidence have been deposited with William A. Boyce, Jr., City Clerk, and other parts of records introduced but not made a part of the transcript are found in the hands of Mr. Boyce or will be found in the minute books and records of the Board of Public Works of the City of Indianapolis.

I

Those charges made by Mr. Jewett with respect to unlawful purchases through the City Purchasing Department and irregularity and insufficiency in the form of certain city ordinances will be treated as follows:

(1) Prior to July 5, 1929, an officer of the Burke Cadillac Company negotiated with Claude M. Worley, Chief of Police, for the purchase by the City of one Model 328 LaSalle Sedan automobile, to be equipped with six (6) wire wheels, fender wells, two extra tires and trunk rack, tire covers, bullet proof wind shield, two-way shock absorbers and spring-covers, at a proposed price of Twenty-six Hundred Fifty Dollars (\$2,650.00). An invoice for said car was made to the City of Indianapolis under date of June 29, 1929, at said price. Negotiations were also had with Mr. Joel Baker, City Purchasing Agent, and the car was delivered

with the aforementioned equipment as one unit, on or about July 5, 1929. The aforesaid invoice for \$2,650.00 was withdrawn from the City Controller's office by the City Purchasing Department and the Purchasing Department substituted therefor two separate invoices representing the same purchase, one for a seven passenger sedan body at the price of Six Hundred Seventy-five Dollars, and one for a LaSalle chassis at a price of Nineteen Hundred Seventy-five Dollars (\$1,975.00), the aggregate of the two invoices being Twenty-six Hundred Fifty Dollars (\$2,650.00), the agreed purchase price of the car. It was apparent that the city was negotiating for this car from June 25, 1929, until July 5, 1929, during which time there occurred two meetings of the Common Council.

The proposed purchase was made and the car delivered without the Council having been consulted and without any ordinance having been adopted by the Council authorizing such purchase.

The statutes of Indiana limiting purchases by or for the Board of Public Works and the Board of Public Safety provide:

"That when a sum of more than \$2,000.00 is required to be paid for . . . purchase of any real estate or personal property, the same shall not take place unless the . . . purchase is specifically authorized by ordinance."

The evidence shows that in the above case the car was purchased as one unit, it was not intended that the chassis and body should be purchased separately, and that no separate invoice was made by the vendor until after it had rendered its invoice for \$2,650.00 for the car as a unit. Thereafter, the Purchasing Department of the City requested the vendor to make separate invoices, one for the chassis and one for the body, for the respective sums of \$1,975.00 and \$675.00, which was done. Mr. Baker, City Purchasing Agent, testified that he inspected the car when it was delivered, observed that it constituted one unit, but afterwards passed requisitions made by the Department of Public Safety 4190 and 4191 splitting the purchase, which separate requisitions were signed by Fred W. Connell, President of the Board of Safety, and by Claude M. Worley, Chief of Police.

Two receipts were given by the Police Department for the car, one dated July 6th for the chassis and the other dated July 13th for the body, although both were purchased and delivered as one unit and at the same time. The original invoice having been withdrawn by the Purchasing Department from the controller's office, the split invoices, supported by separate requisitions, were passed by the Purchasing Agent, at the request of the Board of Safety, to the Controller for payment, who detected that the two requisitions constituted one purchase in an amount exceeding Two Thousand Dollars; found that no ordinance had been passed authorizing such purchase and the payment was withheld.

Your Committee has concluded from the foregoing statement of facts and all the evidence taken in connection therewith, that the splitting of requisitions on the purchase of said car was done for the purpose of evading the authority of the Common Council with respect to such purchase; that the requisitions and invoices, as so separately made, for the body and the chassis of the car were irregular, not in harmony with the purpose and intent of the statute and that such purchase is voidable. It further finds that under the statute the City Purchasing Agent

is charged with the duty of making purchases for the City upon requisitions of the proper officers, and authority of the Council when the purchase exceeds \$2,000.00, and that it was his duty not to honor such requisitions and not to pass the same for payment, in the absence of authority from the Council. Likewise, those who executed the requisitions clearly violated the law. There was some claim for emergency. The statute makes no provision for such purchases under any emergency. As a matter of fact, the City Council could easily have exercised its authority and authorized such purchase during the time of the negotiations, if it had been requested to do so.

(2) The Committee, in the course of its investigation, did not learn of other splitting of purchases for the purpose of evading the Council. A transaction purchasing a Huber tractor and several transactions where part payment was made by trading in city equipment, was brought to our notice. These had been construed as being purchases of less than \$2,000.00. We believe that good practice and the spirit of the law requires the authority of the Council where the transaction exceeds \$2,000.00, even though the cash outlay of the City is less than \$2,000.00.

The evidence showed that all transactions were made to the advantage of the City, and in the purchase of the LaSalle car in question the price agreed upon was very fair. Neither the charges nor the evidence claimed any collusion, fraud or dishonesty on the part of any city employee.

(3) Charges were made with respect to purchase order No. 1403 for one only three ton White truck chassis with cab, etc., for Sixty-one Hundred Fifty Dollars (\$6150.00). Examination of this transaction shows that this purchase was authorized by the Board of Park Commissioners and paid upon authority of that Board. Purchases made by the Park Commissioners do not come within the jurisdiction of the Common Council, and no ordinance was necessary therefor.

(4) The charges criticize purchases of equipment from the gasoline fund, and cite letters from the State Examiner, as well as the statute applying thereto. The Committee reports that the Common Council has, by budgeting and other general authority entirely complied with the statute in that case, and that so far as the authority of the Common Council is concerned it has found no violation of the law in the making of such expenditure from the gasoline tax funds.

(5) The charges contain criticism of the form of ordinances passed by this Common Council with respect to the authorization of purchases in excess of \$2,000.00, and especially with respect to General Ordinance No. 29-1928, General Ordinance No. 91-1928, General Ordinance No. 10-1929, Appropriation Ordinance No. 5-1929, General Ordinance No. 33-1929, General Ordinance No. 48-1929, General Ordinance No. 55-1929 and Appropriation Ordinance No. 14-1929, upon the ground that said ordinances do not specify in detail the particular thing to be purchased and the exact price to be paid therefor. This Committee, upon examination of the statute, upon opinion of the Corporation Counsel and upon opinion of its special counsel employed for this examination, has concluded that the ordinances criticized are proper in form and comply with the statute, particularly with Section 10,340 (Burns' R. S. 1926). The details which in the opinion of Mr. Jewett are required for

such ordinance, would defeat successful marketing on the part of the Purchasing Agent, after the authority is granted. The statutes require in many cases that advertising be given and sealed bids be taken for such purchasers. Where such advertising and bids are not required by law, it certainly is the duty of the Purchasing Agent to make efforts to secure competition in the matter of such purchases, and by all means to secure the best articles at the least expense to the City. Where too much specification and detail is stated in such ordinance, it ties the hands of the City Purchasing Agent as to such marketing. Besides, he has no authority to spend money for advertising and has no authority to take such bids except as such authority is derived from and based upon the ordinance required under Section 10,340.

In our opinion, the Council, which is the legislative body, is expected "specifically" to grant such authority by ordinance as will permit the purchasing agent and the Department to proceed to make judicious and economical purchases for the City, under authority of the ordinance. The responsibility as to the details of the purchase rests upon the City Purchasing Agent and the Department for which he is buying. The inspection of the articles purchased, to determine whether they are according to contract, likewise rests upon the City Purchasing Agent and the Department for which the purchase is made, and the auditing of the invoices and accounts rests likewise upon the City Purchasing Agent and the office of the City Controller.

This Committee takes opportunity to say at this point that the City Controller's office has displayed great vigilance with respect to the expenditure of moneys from the funds of the City and is entitled to public appreciation therefor.

(6) This Committee calls attention of the Council, as a fact known to each member thereof, that the present Common Council has in no instance adopted an ordinance providing for a purchase in excess of \$2,000.00, without making careful preliminary investigation as to the necessity of the purchase, the exact thing required and the cost thereof if purchased economically. In this respect, it has felt that it was due to the public that all purchases to be made upon the authority of the Council should pass its scrutiny, so that no public funds should be wasted by unnecessary or careless purchases. There is no authority requiring subsequent approval of a purchase made under the authority of an ordinance, in fact, purchases made without the authority of the Common Council, either by appropriation or by special ordinance, are entirely void.

(7) With respect to the use of automobiles now owned by the City of Indianapolis, this Committee appointed a sub-committee consisting of Mr. John F. White, Mr. Albert Meurer, Mr. Paul Rathert and Mr. Robert E. Springsteen, who have made a special report on the subject which is filed herewith and speaks for itself and is made a part of the report of this special Committee.

## II

### Purchase of Land for Flood Prevention Purposes

From February 2, 1927, to April 20, 1927, Mr. Oren S. Hack, together with Mr. Lemon H. Trotter and Roy C. Shaneberger, were the

three members of the Board of Public Works, having been appointed by Mayor Duvall.

On February 2, 1927, the Board of Public Works, Mr. Hack voting, adopted Declaratory Resolution No. 13,258 providing for the condemnation of property for an uncompleted portion of the Indianapolis Flood Prevention Project. At the same time the Board rescinded all action with respect to former pending resolutions on that subject, including an estimate by City Civil Engineer Lingenfelter and approved by Board of Works members Wm. H. Freeman and M. J. Spencer, fixing the value of the Dilling land at \$142,558.00 and the Granite Sand & Gravel lands at \$346,336.00 (Exhibit "Z"). Hearing was had on that Declaratory Resolution on March 28, 1927, and the Board directed the Indianapolis Real Estate Board to appraise the property affected by the resolution. Mr. Hack did not participate in this action. On the same date the Board approved the estimate of the cost of flood prevention work based upon the appraisal furnished by the Indianapolis Real Estate Board, in which case the appraisal and the engineers' estimate gave One Hundred Thirty-nine Thousand Eight Hundred Seventy-six Dollars and Eighty-one Cents (\$139,876.81) as the total estimate and appraisement for the real estate to be taken under the resolution. The property to be taken then owned by Dilling & Company was appraised at fifty-five thousand, five hundred and fifty (\$55,550.00) dollars including improvements valued at \$2,000.00 and the property to be taken then owned by the Granite Sand & Gravel Company et al., was appraised at Sixty-one Thousand Seven Hundred Eighty-seven Dollars and Seventy-five Cents (\$61,787.75). A primary assessment roll was then ordered, awarding damages for these two properties at the above figures.

Mr. Hack did not participate in any action touching this improvement, the engineers' estimates, the appraisements or the adoption of the primary assessment roll, the records showing that he did not participate upon the grounds, as stated by Mr. Hack to the Board, that for several years he had been attorney for Dilling & Company.

On April 20, 1927, the record shows that all three members of the Board, including Mr. Hack, resigned, their resignations were accepted on said date and a new Board took office.

Mr. Hack testified that at some time before remonstrances were filed by Dilling & Company he had, at the instance of Dilling & Company, employed Merle N. A. Walker to act as attorney for that company in the matter of remonstrance against the assessment shown by said assessment roll and appeal therefrom, if necessary.

After resigning from the Board, Mr. Hack became active as attorney for Dilling & Company in an appeal from the final assessment roll, and on June 28, 1927, together with said Walker, filed Dilling & Company's appeal in Room 1 of the Marion Superior Court. He afterwards was active as attorney in that case, consulted with the Corporation Counsel with respect to compromise thereof and was attorney of record in a judgment entered December 2, 1927, against the City for One Hundred Thousand Dollars (\$100,000.00), which was vacated and entered in different form on December 7th, Merle N. A. Walker on said later date appearing in court as counsel for Dilling & Company. The assessment roll was modified so as to award Dilling & Company the sum of One

Hundred Thousand Dollars (\$100,000.00) as damages, instead of the sum of Fifty-five Thousand Five Hundred Fifty Dollars (\$55,550.00) as shown by the engineers' estimate, the Indianapolis Real Estate Board appraisal and the assessment roll as finally adopted by the Board.

It does not appear that Mr. Hack received any confidential information while said matter was pending before the Board of which he was a member that he at any time used or could have used to the detriment of the City of Indianapolis. All of the proceedings were public, including the engineers' estimates, the appraisals and the assessment roll.

The only question as to the propriety of Mr. Hack's conduct in appearing for Dilling & Company would be based upon the principles of ethics. This question of propriety was decided by Mr. Hack for himself. The committee fails to find that his subsequent participation as attorney for Dilling & Company in itself operated to the disadvantage of the City.

It is apparent to the Committee that Mr. Hack's resignation, accepted April 20, 1927, was made for considerations entirely separate and distinct from any expected employment by Dilling & Company, and that when he so resigned and took the employment from Dilling & Company, as above stated, he could not have foretold or expected that he would be reappointed to the Board of Public Works in December of 1927.

### III

(1) As above stated in division II, the Board of Public Works on February 2, 1927, adopted Declaratory Resolution 13,258 in which it proposed to appropriate the lands, among others, then owned by Dilling & Company and by Granite Sand & Gravel Company, et al. The Indianapolis Real Estate Board, on a certificate signed by L. H. Lewis President and Lawrence J. Sexton Secretary under date of March 25, 1927, appraised the property to be taken consisting of approximately fourteen (14) acres then owned by Dilling & Company at Fiftyfive Thousand Five Hundred Fifty Dollars (\$55,550.00), and the property proposed to be taken from Granite Sand & Gravel Company, et al., consisting of approximately fifty (50) acres, about one-fourth of which was land under water, at Sixty-one Thousand Seven Hundred Eighty-seven Dollars and Seventy-five Cents (\$61,787.75). This appraisal was signed by members of the appraisal Board of the Indianapolis Real Estate Board as follows:

D. A. Coulter  
Edson T. Wood,  
George T. Whelden,  
Frank E. Gates,  
James S. Cruse,  
Z. B. Hunt,  
Chester W. Henry and  
William L. Elder.

It was testified that Mr. Coulter was placed upon said appraisal committee at the request of Mr. Shaneberger, of the Board of Works, in order that the City might have a representative on such appraisal committee.



On June 28, 1927, Dilling & Company, after having unsuccessfully remonstrated against an award of damages based upon the above appraisal of \$55,550.00, took its appeal to Room 1 of the Marion Superior Court. The testimony showed that Boyd W. Templeton, one of the regular appraisal committee of the Real Estate Board, refused to join in the appraisal of March 25, 1927, having at the time made a separate appraisal of the Dilling & Company land at One Hundred Six Thousand One Hundred Thirty-six Dollars (\$106,136.00). The testimony showed that preliminary to negotiations by the John W. Holtzman Corporation Counsel with Mr. Walker and Mr. Hack for a compromise settlement of Dilling & Company's claim, the Corporation Counsel asked Mr. Coulter to re-check the Dilling & Company appraisal, after which Mr. Coulter revised his appraisal, increasing it from \$55,550.00 to \$100,478.00, and secured a re-appraisal by Z. B. Hunt increasing his appraisal to \$100,478.00; secured the same increase of appraisal from Edson T. Wood, and filed with the Corporation Counsel the appraisal of Boyd W. Templeton of \$106,-136.00. In Mr. Holtzman's brief, he admits having requested Mr. Coulter to have the real estate board appraisements increased. The testimony shows that attempts to secure re-appraisals for this property were not made to George T. Whelden, Frank E. Gates, James S. Cruse, Chester W. Henry or William L. Elder, the other members of the Real Estate Board appraisal committee. Mr. Coulter testified that so far as he was concerned, the original appraisal made by the Real Estate Board was for trading purposes and that he then regarded the property as of greater value. Mr. Z. B. Hunt testified that he increased his appraisal at the request of Mr. Coulter, but that he now believes that the former appraisal was "about right."

On December 7, 1927, judgment was entered for \$100,000.00, upon the following finding:

**"It appearing to the Court that all the parties, by agreement, in lieu of the submission of oral testimony, have filed, with this Court, to be considered by the Court as the only testimony to be submitted in this cause, the following verified appraisements, by reputable and disinterested men, experienced in the real estate business, and particularly the real estate of the character sought to be condemned, as follows:**

**"The verified appraisal of James Berry of \$159,-500.00; William T. Rasmussen of 159,400.00; Alfred M. Moore of \$146,400.00; H. C. Huffstetter of \$146,000.00; of Harry O. Garman of \$145,000.00; of Joseph J. Schmidt of \$140,000.00; of Edson T. Wood of \$100,478.00; of Z. B. Hunt, \$100,478.00; of D. A. Coulter of \$100,478.00; of Boyd W. Templeton of \$106,136.00."**

The assessment roll was changed accordingly and award made to Dilling & Company for \$100,000.00, which has been subsequently paid from the proceeds of a bond issue authorized by the Council therefor.

Mr. John W. Holtzman, as Corporation Counsel, had authority as such, in his sound judgment, to compromise the case and to agree with counsel for Dilling & Company upon an amount which in his judgment

should be awarded Dilling & Company and made a part of the judgment of the court.

Subsequent investigation shows that the foregoing property for which Dilling & Company was awarded \$6,900.00 per acre has since 1922 been on the tax duplicate at approximately \$2,800.00 per acre.

(2) **The Granite Sand & Gravel Company Award.**

On June 29, 1927, the Granite Sand & Gravel Company took its appeal from the final assessment roll theretofore approved by the Board, in which it was awarded damages in the amount of \$61,787.75, which amount was the exact amount of the appraisal by the Real Estate Board. Mr. Merle N. A. Walker represented the remonstrant and the appellant.

Early attempts at negotiations for settlement were not successful and the case proceeded to trial, in which over thirty (30) witnesses testified.

This property was purchased by Granite Sand and Gravel Company under contract in July, 1924, for Four Hundred Fifty Dollars (\$450.00) per acre. A great deal of the fifty acres taken is directly in the river bed itself, the major part of the whole tract taken being overflow land. Test holes were driven both by plaintiff and the City to determine the value of gravel deposits, and the testimony varied as to the uniformity, value and purity of the deposits. A number of witnesses produced by the plaintiff testified that the ground was worth \$9,946.00 per acre, based upon the valuation per cubic yard of the gravel deposits. It was shown that by reason of the proximity of the Belt Railroad and the location of the property with respect to the City of Indianapolis, the gravel had greater value than similar gravel deposits not so situated. The valuations were put upon the fifty acres by witnesses as follows:

Mr. Huffstetter .....	\$420,000.00	
Mr. Rasmussen .....	435,450.00	
Mr. Moore .....	543,062.52	
Mr. Garman, approximately .....	500,000.00	
Mr. Joe Schmidt, approximately .....	500,000.00	
Mr. J. E. Berry, approximately .....	500,000.00	
Mr. S. H. Montgomery, the Inheritance Tax Appraiser, \$500.00 per acre, aggregating .....	25,000.00	
Mr. McCloskey, \$500.00 per acre, aggregating .....	25,000.00	
Mr. Boyd W. Templeton \$1,300.00 per acre, aggregating .....	65,000.00	
David A. Coulter, \$1,742.00 per acre, aggregating .....	87,100.00	
Lemon H. Trotter \$600.00 to \$700.00 acre, aggregating .....	30,000.00	to 35,000.00
Obie J. Smith, \$1,000.00 to \$1,500 per acre, aggregating .....	50,000.00	to 75,000.00
William C. Smith, \$1,800 per acre, aggregating .....	90,000.00	

H. C. Tuttle, \$1,200.00 to \$1,500.0 per acre, aggregating -----	60,000.00 to 75,000.00
Mr. Cooper, \$3,000.00 per acre, ag- gregating -----	150,000.00
Mr. Radcliffe, Engineer of Indiana- polis Union Railway Company, not more than \$2,000.00 per acre, aggregating -----	100,000.00

The high valuations shown by the foregoing witnesses were based upon mathematical computations and estimates as to the amount and value of the gravel deposits under the land. **Investigation by the Committee shows that this land since 1922 has been assessed for taxation at \$400.00 per acre, an apparently low assessment in view of the sworn testimony of the owners of the land.**

**Note:** The foregoing witnesses Garman, Huffstetter, and Rasmussen had been appointed as appraisers on flood prevention work by the Board of Public Works on October 14, 1927, and when they made the appraisal shown both in the Dilling case and the Granite Sand & Gravel Company case they were employed therefor by the City, and each was afterwards paid the sum of \$500.00 for services in the Dilling and Granite Sand & Gravel Company cases. Mr. Coulter was also paid \$500.00 by the City for his services in said two cases, and the Indianapolis Real Estate Board was paid \$278.00 for the original appraisements which were made the basis of the assessment roll.

After the aforesaid trial both parties filed briefs with the Court, and the testimony showed that the court made suggestions to counsel that they ought to get together on a basis for an award. Thereafter, judgment was entered as of the 30th day of June, 1928, awarding the sum of Two Hundred Twenty-five Thousand Dollars (\$225,000.00) to the Granite Sand & Gravel Company for the taking of said approximately fifty acres of land, and the assessment roll was amended accordingly. The foregoing judgment shows that it was taken "by way of compromise and agreement and consent of the parties." Afterward, the Granite Sand & Gravel Company was allowed interest in the amount of approximately Thirteen Thousand Dollars (\$13,000.00), making the cost to the city of said fifty acres approximately \$238,000.00.

As in the Dilling case, the Corporation Counsel possessed full authority to agree for the City upon such award and have it made in the form of a judgment of the court amending the assessment roll.

In neither the Dilling case nor the Granite Sand & Gravel Company case is there any evidence tending to indicate any collusion, dishonesty or fraud. The soundness of the judgment of the Corporation Counsel in consenting to such awards as made in the Dilling case and the Granite Sand & Gravel Company case could be the only possible subject of question.

This Committee calls attention to the fact that when the foregoing judgments were presented to the Common Council with request for authority for an issue of bonds with which to pay said judgments, there was serious question as to the amount of the awards, but both had

been reduced to judgment and there was nothing for the Council to do but to provide means for payment thereof.

This Committee has for the most part set out in this report a plain statement of the facts as they were disclosed by the evidence and records, without expressing its own conclusions, which are left for the Council itself. The Committee desires to express its appreciation of the ready and willing assistance as to the facts of all the persons called before it. It would not seek to discourage the scrutiny of all the acts of public officials. Such scrutiny ought to be encouraged. On the other hand, criticism given wide publicity should be made only after careful investigation, and the holding of office by men devoted to the public good should not be discouraged or made uncomfortable by vexatious or unfounded criticism.

Respectfully submitted.

HERMAN P. LIEBER,  
EDWARD W. HARRIS  
EARL BUCHANAN.

*To the Special Investigation Committee of the Indianapolis  
Common Council:*

The committee to which was referred the inventory of equipment in the various city departments has made an investigation of the lists of property turned over to it, and are hereby submitting the following report:

While the schedules in our hands substantially cover all the equipment owned by the city in the departments involved in this investigation, it was decided by the committee that it was intended that only that purchased in 1928 and 1929 should be taken into consideration for the purposes of this hearing. Under this decision the committee made a careful check of all such equipment, the park and sanitary departments not being taken into account as not coming under Council supervision, except as to annual appropriations and tax levies.

There were approximately 115 pieces of equipment bought in the years 1928 and 1929 (10 months in 1929), including automobiles and trucks of various kinds, with various types of street repair and street cleaning apparatus. We find that all of this equipment was properly acquired by authority of the annual budget appropriations, with legal Council approval of purchases above \$2,000. A part of such equipment for street repairs and street cleaning purposes was bought out of the gasoline tax fund, for which authority was given by ordinance, under sanction of the legal department, and copies of such ordinances have been made a part of the record.

An investigation of the prices paid for this equipment, bought through the purchasing department, shows an approximate net expenditure of \$104,144, divided as follows, odd cents not taken into account in any of the footings:

Street Commissioners—1928—Gross .....	\$ 29,542.00	
Street Commissioner—1929—Gross .....	33,414.00	
<b>Total .....</b>	<b>\$ 62,956.00</b>	
Trade in credit .....	4,550.00	
<b>Net cost .....</b>	<b>\$ 58,406.00</b>	
Municipal Garage—1928 and 1929 .....	\$ 3,419.00	
Trade in credit .....	734.00	
<b>Net cost .....</b>	<b>\$ 2,685.00</b>	
Municipal Airport—1929 .....	\$ 2,313.00	
Discount .....	181.00	
<b>Net cost .....</b>	<b>\$ 2,132.00</b>	
City Plan—1928 and 1929 .....	\$ 1,410.00	\$ 1,410.00
City Engineer—1928 and 1929 .....	\$ 9,368.00	
Trade in and discount .....	1,091.00	
<b>Net cost .....</b>	<b>\$ 8,277.00</b>	
Police Department—1928 and 1929 .....	\$ 16,077.00	
Trade in and discount .....	819.00	
<b>Net cost .....</b>	<b>\$ 15,258.00</b>	
Fire Department—1928 and 1929 (including Gamewell) .....	\$ 17,262.00	
Trade in and discount .....	1,286.00	
<b>Net cost .....</b>	<b>\$ 15,976.00</b>	
<b>Total .....</b>	<b>\$104,144.00</b>	
Health Department—1928 and 1929 .....	(Not Checked Up)	
<b>SUMMARY—Total gross cost .....</b>	<b>\$112,805.00</b>	
Trade in and discount credits .....	8,661.00	
<b>Net cost .....</b>	<b>\$104,144.00</b>	

It does not appear that there is any warrant to the conclusion that purchases have been made in wholesale lots or outside of the regular channels, except as to the LaSalle automobile involved in this investigation. The records show that the net cost to the city has been materially reduced by the liberal trade in credits secured by the department for old equipment, usually being very much more than the appraised price, or those stipulated in ordinances authorizing the purchase. The committee submits that this is to the credit of the department.

The committee finds that each department is supplied with high-powered, high-priced automobiles, in some instances with several such cars, believed to be necessary under the present division of department responsibility for its own equipment, in which there can be no common use of any such equipment even though it often lies idle. Under our Federal form no plan has ever been worked out by any administration, including that of ex-Mayor Jewett, to provide a central motor department, which would probably afford the means of very considerable eco-

nomics in capital expenditures, as well as in repair costs and efficiency of operation, but until this is done little can be expected, in our opinion, to remedy the present situation.

Regarding the charge that the clerk of the Board of Public Works has been given the use of a car, we find that this has been done under an order by the board, the said clerk having been required to make a number of investigations for the board that had formerly been made by the engineering department. This situation came about, the committee is informed, by a consolidation of certain work by the city engineer, in which four gangs of men were reduced to three, leaving out of use one of the cars formerly used, and this car was assigned to the clerk of the board and is not one bought for the purpose. The board believes this arrangement makes both for efficiency and economy, and the committee sees no reason for disagreement.

The charge of excessive increased costs for gasoline the committee believes is unfounded, and is generally accounted for by additional pieces of equipment made necessary for street cleaning and street repair work, some of which are heavy users of gasoline. The street cleaning department has been completely motorized within the past two years, requiring gasoline power. In this change a large number of expensive-to-keep and inefficient mules and much obsolete equipment were displaced. The old mule barns on Shelby street, a disagreeable offence to the surrounding community for many years, were renovated and remodeled for housing the new equipment, and is now a model institution for its purpose and an agreeable improvement to that part of the city.

JOHN F. WHITE, Chairman,  
ALBERT F. MEURER,  
PAUL E. RATHERT,  
ROBT. E. SPRINGSTEEN.

On motion of Mr. White, seconded by Mr. Nicholson, the Committee report was approved, accepted and the Special Committee discharged with the thanks of the entire Council for its thorough and unbiased work and completeness of its report. Motion carried.

On motion of Mr. White, seconded by Mr. Nicholson, the Clerk was instructed to have the Committee's report, less the exhibits and transcript of evidence, printed in the proceedings. Motion carried.

On motion of Mr. Springsteen, seconded by Mr. White, the Council adjourned at 11:20 p. m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the

Dec. 2, 1929)

City of Indianapolis, Ind.

873

Common Council held Monday, December 2, 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,*

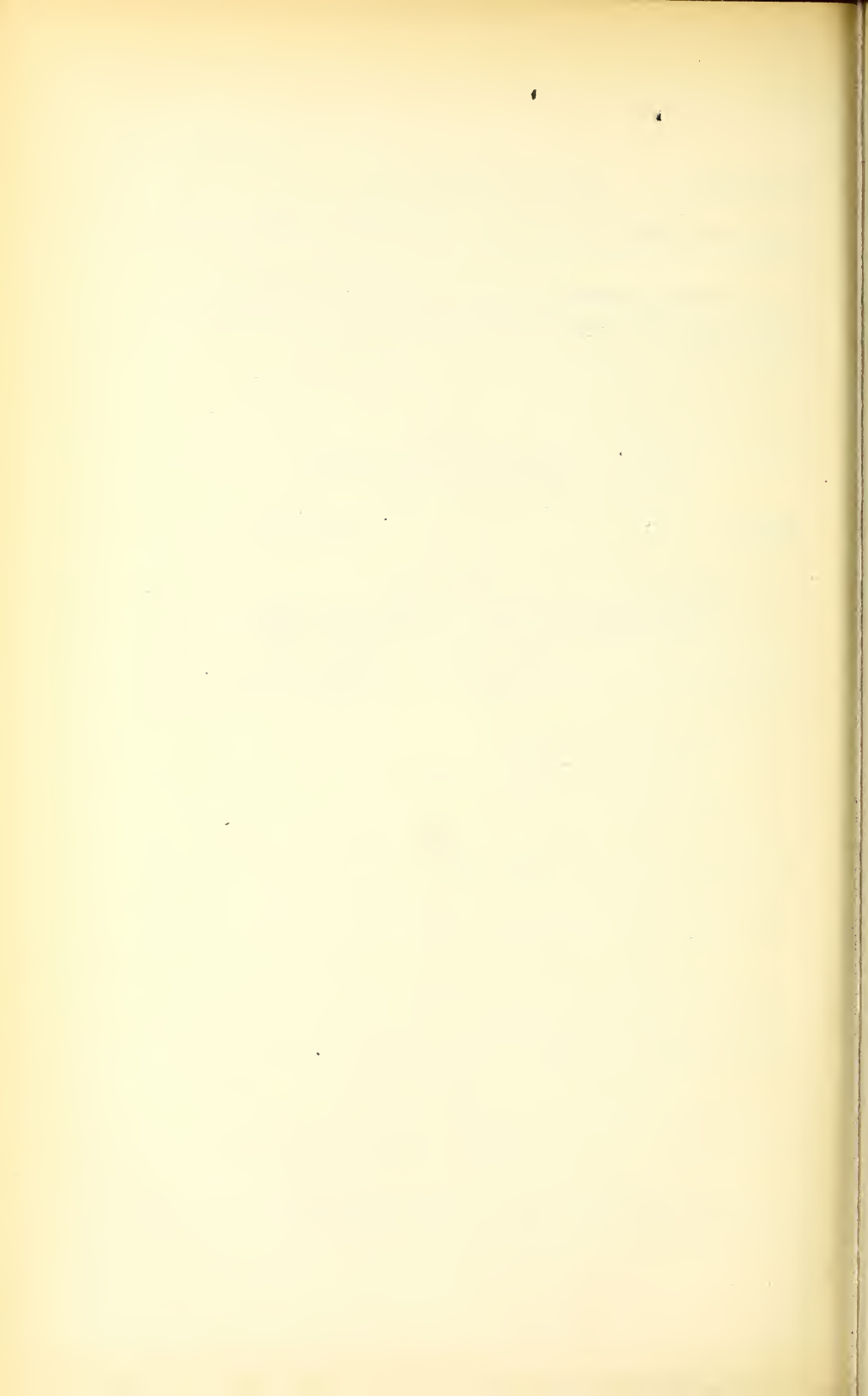
Attest:

President.

*William A. Boyce, Jr.*

(SEAL)

City Clerk.





## SUPPLEMENT

Insert the following after Councilman Springsteen's motion on page 858:

## 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 persons, society, club, firm or corporation shall have 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, and buildings maintained for philanthropic, benevolent, or religious purposes.

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 name 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 the said billiard room is to be conducted, including the 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 each 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 rejections 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 License Inspector now employed in the office of the City Controller shall be the inspector of billiard rooms, and the Controller may appoint other deputy inspectors 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 applications for a license is pending or to any part 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.

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 One Dollar (\$1.00) 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 to be permitted to remain in a billiard room for any purpose who has not reached the age of twenty-one years, and it shall be unlawful for any person to represent himself to have reached the age of twenty-one years in order to obtain admission to such billiard rooms or to be permitted to remain therein when such person in fact is under twenty-one 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 above, below or on the same level, to 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 right 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 five dollars (\$5.00) nor more than fifty dollars (\$50.00) to which may be added imprisonment for not less than ten (10) days nor more than six (6) months.

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.