

REGULAR MEETING

Monday, June 16, 1930, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, June 16, 1930, at 7:30 p. m., in regular session. President Ernest C. Ropkey took the chair.

The Clerk called the roll.

Present: Ernest C. Ropkey, President; and seven members, viz.: Fred C. Gardner, George A. Henry, James A. Houck, Charles C. Morgan, C. A. Hildebrand, Leo F. Welch, Clarence I. Wheatley.

Absent: Maurice E. Tennant.

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

COMMUNICATIONS FROM THE MAYOR

June 3, 1930.

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 Henry O. Goett, the following ordinance:

GENERAL ORDINANCE No. 48, 1930

AN ORDINANCE amending Section 1 of General Ordinance No. 22, 1930, and fixing a time when the same shall take effect.

Very truly yours,

R. H. SULLIVAN,
Mayor.

June 4, 1930.

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 Henry O. Goett, City Clerk, the following ordinances:

GENERAL ORDINANCE No. 17, 1930

AN ORDINANCE to amend General Ordinance No. 9, 1925, known as the Official Thoroughfare Plan of the City of Indianapolis, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 32, 1930

AN ORDINANCE ordering the Terre Haute, Indianapolis & Eastern Traction Company to install a safety signal device at the Terre Haute, Indianapolis & Eastern Traction Company crossing at Tibbs avenue, just south of Tenth street, in the City of Indianapolis, requiring the approval of the Board of Public Safety, providing a penalty, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 43, 1930

AN ORDINANCE ratifying and approving a contract entered into between the City of Indianapolis by and through its Board of Public Safety, with the approval of its Mayor and Indiana Inspection Bureau, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 44, 1930

AN ORDINANCE amending Section 1 of General Ordinance No. 8, 1929, as amended by an ordinance approving and ratifying an order of the Board of Public Safety of the City of Indianapolis, designating

the location of bus stops and taxicab stands in the City of Indianapolis by adding thereto the designation of a bus zone on the east side of South Illinois Street from the south end of the Union Station elevation, thence extending under the elevation to a point sixty feet north, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 45, 1930, AMENDED

AN ORDINANCE to amend Section 25 of Article 6 of General Ordinance No. 96, 1928, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 46, 1930

AN ORDINANCE amending Sections 77, 78 and 79 of General Ordinance No. 121, 1925, being "An ordinance concerning the government of the City of Indianapolis, providing penalties for its violation, with stated exceptions, repealing all former ordinances," appropriating certain money received from the sale of dogs to non-residents to the Board of Public Safety, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE No. 2, 1930

AN ORDINANCE changing the name of Elmira Street, from Thirty-sixth Street north through Golden Hill, to Totem Lane, and fixing a time when the same shall take effect.

Very truly yours,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

June 16, 1930.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 9, 1930, appropriating and transferring to the City Civil Engineer Gasoline Tax

Fund the sum of Twenty-five Thousand Dollars (\$25,000.00) out of the Gasoline Tax Fund, now unappropriated, for the repair and maintenance of improved streets and public thoroughfares and bridges and for labor, material, supplies and equipment necessary thereto.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,
City Controller.

June 16, 1930.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 10, 1930, appropriating and transferring to the Street Commissioner's Department the sum of Forty-one Thousand Dollars (\$41,000.00) out of the Gasoline Tax Fund, now unappropriated, for the repair and maintenance of unimproved streets and public thoroughfares and bridges and for labor, material, supplies and equipment necessary thereto.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,
City Controller.

June 13, 1930.

Mr. Wm. L. Elder, City Controller, Indianapolis:

Dear Sir:

I am handing you herewith fourteen (14) copies of an appropriation ordinance with request for your favorable consideration.

This money is to be used in repairing our permanently improved streets, this being the third unit of \$25,000.00 originally allocated to

this department for this particular purpose. After this ordinance is passed there will be a balance of \$25,000.00 in this fund.

Yours truly,

A. H. MOORE,
City Civil Engineer.

June 16, 1930.

*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. 52, 1930, authorizing the sale of sixty-five (65) bonds of One Thousand Dollars (\$1,000.00) each of the City of Indianapolis, designated "City Hospital Bonds, 1930, Issue No. 1," dated September 1, 1930, for the purpose of procuring money with which to complete and equip for ward use the second floor of the new Out-Patient, Service and Laboratory Building at the Indianapolis City Hospital to pay additional architect's fees in connection therewith; also to buy necessary hospital equipment and supplies for the wards adjacent to and connected with the Research Department on the third floor of said building and other necessary hospital equipment and supplies for Ward Three in the Administration Building at the Indianapolis City Hospital.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,
City Controller.

June 16, 1930.

Mr. William L. Elder, City Controller, City Hall, Indianapolis, Indiana:

Dear Sir:

Under instructions of the Board of Health I am transmitting herewith fifteen (15) copies of General Ordinance No. 52, 1930, an ordinance authorizing the sale of sixty-five new bonds of One Thousand Dollars (\$1,000.00) each for the purpose of procuring money with which to

complete and equip for ward use the second floor of the new Out-Patient, Service and Laboratory Building at City Hospital and to pay additional architect's fees in connection therewith; also to buy necessary hospital equipment and supplies for the wards adjacent to and connected with the Research Department in said building and other hospital equipment and supplies for Ward Three in the Administration Building at the Indianapolis City Hospital.

The Board of Health respectfully asks that you present this ordinance to the Common Council with the recommendation that the same be passed.

Very truly yours,

H. G. MORGAN,
Secretary, Board of Health.

June 16, 1930.

Mr. Henry O. Goett, City Clerk, Indianapolis, Indiana:

Dear Sir:

Acting under instructions of the Board of Health I am transmitting herewith fourteen (14) copies of General Ordinance No. 53, 1930, being an ordinance ratifying, confirming and approving a certain contract entered into on May 2, 1930, between the City of Indianapolis, acting through its Board of Health and with the approval of the Mayor, and Eli Lilly and Company of this city.

The Board of Health respectfully requests that you present this ordinance to the Common Council at its next meeting, with the recommendation of said board that the same be passed.

Very truly yours,

H. G. MORGAN,
Secretary, Board of Health.

Mr. Welch asked for a recess. The motion was seconded by Mr. Henry, and the Council recessed at 7:45 p. m.

The Council reconvened from its recess at 8:40 p. m.

COMMITTEE REPORTS

Indianapolis, Ind., June 16, 1930.

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. 7, 1930, entitled "Appropriating \$4,000 for Refrigerating Plant at City Market," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
LEO F. WELCH.
C. A. HILDEBRAND.
F. C. GARDNER.

Indianapolis, Ind., June 16, 1930.

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. 8, 1930, entitled "Appropriating \$90,000 from Municipal Funding Bonds of 1930 to Board of Public Works," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
LEO F. WELCH.
C. A. HILDEBRAND.
F. C. GARDNER.

Indianapolis, Ind., June 16, 1930.

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. 47, 1930, entitled "Amending Section 30, Article VI,

of General Ordinance No. 96, 1928—Traffic Ordinance,” beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

LEO F. WELCH.
F. C. GARDNER.
CHAS. C. MORGAN.
C. I. WHEATLEY.

Indianapolis, Ind., June 16, 1930.

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. 49, 1930, entitled “Authorization for Trade-in or Sale of Personal Property,” beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

LEO F. WELCH.
F. C. GARDNER.
CHAS. C. MORGAN.
C. I. WHEATLEY.

Indianapolis, Ind., June 16, 1930.

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. 50, 1930, entitled “Amending Section A-104, Part I, of Division A of Section 865 of General Ordinance No. 121, 1925,” beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

LEO F. WELCH.
F. C. GARDNER.
CHAS. C. MORGAN.
C. I. WHEATLEY.

Indianapolis, Ind., June 16, 1930.

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. 51, 1930, entitled "Transfer of Moneys—Sanitary Department," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
LEO F. WELCH.
C. A. HILDEBRAND.
F. C. GARDNER.

INTRODUCTION OF APPROPRIATION ORDINANCES

By City Controller:

APPROPRIATION ORDINANCE No. 9, 1930

AN ORDINANCE appropriating and transferring to the City Civil Engineer Gasoline Tax Fund the sum of Twenty-five Thousand Dollars (\$25,000.00) out of the Gasoline Tax Fund, now unappropriated, for the repair and maintenance of improved streets and public thoroughfares and bridges and for labor, material, supplies and equipment necessary thereto, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the sum of Twenty-five Thousand Dollars (\$25,000.00) of the Gasoline Tax Fund, now unappropriated, be and the same is hereby appropriated and transferred to the City Civil Engineer Gasoline Tax Fund for the repair and maintenance of improved streets and public thoroughfares, bridges and for labor, material, supplies and equipment necessary thereto.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By City Controller:

APPROPRIATION ORDINANCE No. 10, 1930

AN ORDINANCE appropriating and transferring to the Street Commissioner's Department the sum of Forty-one Thousand Dollars (\$41,000.00) out of the Gasoline Tax Fund, now unappropriated, for the repair and maintenance of unimproved streets and public thoroughfares and bridges and for labor, material, supplies and equipment necessary thereto, 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 Forty-one Thousand Dollars (\$41,000.00) out of the Gasoline Tax Fund, now unappropriated, be and the same is now hereby appropriated and transferred to the Street Commissioner's Department for the repair and maintenance of unimproved streets, public thoroughfares and bridges and for labor, material, supplies and equipment necessary thereto.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

INTRODUCTION OF GENERAL ORDINANCES

By City Controller:

GENERAL ORDINANCE No. 52, 1930

AN ORDINANCE authorizing the sale of sixty-five (65) new bonds of One Thousand Dollars (\$1,000.00) each of the City of Indianapolis, Indiana, payable from the revenues and funds or from the Sinking Fund of said city, or as may be required by law, for the purpose of procuring money with which to complete and equip for ward use the second floor of the new Out-Patient, Service and Laboratory Building at the Indianapolis City Hospital, to pay additional architect's fees in connection therewith; also to buy necessary hospital equipment and supplies for the wards adjacent to and connected with the Research Department on the third floor of said building and other necessary hospital equipment and supplies for Ward Three in the Administration Building at the Indianapolis City Hospital; providing for legal notice; providing for the time and manner of advertising the sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale; appropriating the proceeds of the sale of said bonds to the Department of Public Health and Charities of said City, and fixing a time when the said ordinance shall take effect.

WHEREAS, The Board of Health of the City of Indianapolis, Indiana, on the 9th day of June, 1930, passed a resolution to the effect that, owing to the temporary postponement of the construction of the proposed Principal Hospital Ward Building at the Indianapolis City Hospital, it was deemed necessary, and of great public interest, to alter the original plans with reference to the new Out-Patient, Service and Laboratory Building now in course of construction at said Indianapolis City Hospital by completing and equipping for ward use the second floor of said building; also to buy necessary hospital equipment and supplies for the wards adjacent to and connected with the Research Department on the third floor of said building; also to buy other necessary hospital equipment and supplies for Ward Three in the Administration Building at said Indianapolis City Hospital; and,

WHEREAS, The Common Council, after being duly advised, is of the opinion that an extraordinary emergency exists for the completion of said second floor of said Out-Patient, Service and Laboratory Building and for the purchase of the aforementioned and described hospital equipment and supplies; and,

WHEREAS, It is estimated that all the aforementioned items, together with the architect's fees for the supervision of the proper completion of said second floor, will require the expenditure of approximately Sixty-five Thousand Dollars (\$65,000.00); and,

WHEREAS, There are not now and will not be sufficient funds in the treasury of said city with which to accomplish the purposes aforesaid, and it will be necessary for the City of Indianapolis to borrow for said purposes the sum of Sixty-five Thousand Dollars (\$65,000.00) and to provide for and secure the payment thereof, and to evidence said indebtedness by the issuance and sale of its bonds in said amount payable from the general funds or from the Sinking Fund of said city, or as may be required by law. Now, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the City Controller be and he is hereby authorized and empowered, for the purpose of procuring money with which to complete and equip the second floor of the new Out-Patient, Service and Laboratory Building now in course of construction at the Indianapolis City Hospital, according to the plans of Robert Frost Daggett, the architect, and to pay architect's fees for supervision of the completion of said second floor, and to buy necessary hospital equipment and supplies for the wards adjacent to and connected with the Research Department on the third floor of said building, and to purchase other needed and necessary hospital equipment and supplies for Ward Three in the Administration Building at said Indianapolis City Hospital, to prepare, issue and sell sixty-five (65) new bonds of One Thousand Dollars (\$1,000.00) each of the City of Indianapolis, Indiana, which bonds shall bear date of September 1, 1930, shall be numbered from 1 to 65, both inclusive, and shall be designated "City Hospital Bonds, 1930, Issue Number 1." Said bonds shall bear interest at the rate of 4% per annum, payable semi-annually on the 1st day of January and 1st day of July of each year for the period of said bonds, and said installments of interest shall be evidenced by interest coupons attached to said bonds. Forty-five of said bonds shall mature and be payable at the rate of Three Thousand Dollars (\$3,000.00) each year for a period of fifteen (15) years, beginning with July 1, 1932, and ending with July 1, 1946; the remaining twenty of said bonds shall mature and be payable at the rate of Four Thousand Dollars (\$4,000.00) on the first day of July of each year beginning with July 1, 1947, and ending with July 1, 1951. The first coupon attached to each of said bonds shall be for the interest on said bond from date of issue until the 1st day of July, 1931. Said bonds and interest coupons shall be negotiable and payable at the City Treasurer's office at Indianapolis, Indiana. Said bonds shall be signed by

the Mayor and City Controller of said City of Indianapolis and attested by the City Clerk, who shall affix the seal of said city to each of said bonds, and the interest coupons attached to said bonds shall be authenticated by a lithographic fac-simile of the signatures of the Mayor and City Controller of said city engraved thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof. Said bonds shall be prepared by the City Controller in due form, irrevocably pledging the faith and credit of the City of Indianapolis to the payment of the bonds and interest stipulated therein, respectively.

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

No..... \$1,000.00

UNITED STATES OF AMERICA

CITY OF INDIANAPOLIS

TOTAL ISSUE \$65,000.00

MARION COUNTY

STATE OF INDIANA

CITY HOSPITAL BONDS

1930

ISSUE NUMBER 1

For value received, the City of Indianapolis, in the County of Marion, in the State of Indiana, hereby promises to pay to the bearer, without any relief from valuation or appraisement laws, on the.....day of....., 19...., at the office of the City Treasurer of said City of Indianapolis, in the City of Indianapolis, One Thousand Dollars (\$1,000.00) in lawful money of the United States of America, together with interest thereon at the rate of four per cent (4%) per annum from date until paid. The first interest payable on the 1st day of July, 1931, and the interest thereafter payable semi-annually on the 1st day of January and July, respectively, upon the presentation and surrender of the proper interest coupons hereunto attached and which are made a part of this bond.

This bond is one of a series of sixty-five (65) bonds of One Thousand Dollars (\$1,000.00) each, numbered from one (1) to sixty-five (65), both inclusive, of date of September 1, 1930, issued by said City of Indianapolis, pursuant to an ordinance passed by the Common Council of the said City of Indianapolis, Indiana, on the.....day of, 1930, and an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and acts amendatory thereof and supplemental thereto.

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

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and the City Controller of said city, and attested by the City Clerk and the corporate seal of said city to be hereunto affixed on the..... day of....., 1930, as of the 1st day of September, 1930.

.....
Mayor.

.....
City Controller.

Attest:

.....
City Clerk.

Sec. 2. The City Controller shall, as soon as practicable after the passage of this ordinance and after the publication of the notice of the herein determination to issue such bonds, as provided in Section Eight (8) hereof, advertise for bids or proposals for said bonds by at least one (1) insertion each week for two (2) weeks in two (2) daily newspapers of general circulation, printed and published in the City of Indianapolis, Indiana, and may otherwise advertise for such bids or proposals as he may deem advisable. Said advertisements shall describe said bonds with such minuteness and particularity as the City Controller may see fit and shall set forth the amount of the bonds to be sold and the rate of interest they may bear; that the bidder may bid for all or any part of said bonds, the date of opening bids or proposals therefor, the right

of the City Controller to reject any or all bids, the amount of deposit which each bidder will be required to make, and when and where the bonds shall be delivered and paid for.

Sec. 3. Each and every bid and proposal shall be presented to the City Controller sealed and shall be accompanied by a duly certified or cashier's check upon some responsible bank or trust company of the City of Indianapolis, Indiana, payable to the order of the City Treasurer of said city for a sum of money which shall equal two and one-half (2½%) per cent of the face or par value of the bonds bid for or proposed to be purchased. The City Controller shall continue to receive all bids or proposals therefor at the office of the City Controller in said city until eleven (11) o'clock on the day fixed by the City Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between the said hour of eleven (11) o'clock and twelve (12) o'clock noon of said day he shall open said bids or proposals. The City Controller shall award said bonds or, as he shall see fit, a part or any number thereof to the highest and best bidder therefor, but said City Controller shall have the right to reject any and all bids or proposals or any part or parts thereof and shall have the right to accept a part of any bid and to award upon any bid the whole or less number of bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another bidder. These provisions shall apply to the case of reoffering and readvertising of said bonds as hereinafter provided for.

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

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

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

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

Sec. 7. The bonds taken and paid for to the satisfaction of the City Controller shall be binding obligations upon the City of Indianapolis, according to their tenor and effect, and the proceeds derived from the sale or sales of bonds as herein authorized shall be and hereby are appropriated to the Department of Public Health and Charities to be used by it for the purposes mentioned in Section One (1) of this ordinance.

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

Sec. 9. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By Board of Health:

GENERAL ORDINANCE No. 53, 1930

AN ORDINANCE ratifying, confirming and approving a certain contract entered into on the 2d day of May, 1930, between the City of Indianapolis, Indiana, acting through the Board of Health with the approval of the Mayor, and Eli Lilly and Company, and fixing a time when the same shall take effect.

WHEREAS, The City of Indianapolis, acting through the Board of Health with the approval of the Mayor of said city, on the 2d day of May, 1930, entered into a certain contract with Eli Lilly and Company, an Indiana corporation with its principal place of business at Indianapolis, Indiana, providing for the installation, operation and maintenance of a research laboratory in the new Out-Patient, Service and Laboratory Building at the Indianapolis City Hospital, which contract is in words and figures as follows:

"AGREEMENT

THIS AGREEMENT made and entered into by and between the City of Indianapolis, a municipal corporation of the first class under the laws of the State of Indiana, hereinafter designated 'the City,' by and through the Board of Health, and Eli Lilly and Company, a corporation organized and existing under the laws of said state, with its office and laboratories in Indianapolis, in said state, by its president, thereunto duly authorized, hereinafter designated 'the Company,' WITNESSETH:

WHEREAS, The city in the management and operation of its City Hospital is in need of modern scientific facilities for medical research for the benefit of the patients of said Hospital in the treatment, alleviation and cure of their diseases and disabilities, and for the assistance of the medical profession in its services at said hospital; and,

WHEREAS, The company is willing to furnish, equip and maintain such facilities for such purposes as a donation to the city and an aid to medical science, on the terms and conditions herein stated, and in further consideration of such indirect benefits as may accrue to it by observation of the results of the research that shall be conducted at such hospital.

NOW, THEREFORE, In consideration of the mutual benefit to the parties hereto, it is HEREBY AGREED:

1. The city will provide adequate and suitable quarters in the proposed Out-Patient, Service and Laboratory Building to be erected at the Indianapolis City Hospital for a medical research laboratory and wards connected therewith and designated for such purposes on the plans for said building heretofore prepared by Robert Frost Daggett, architect, and approved by the Board of Health, will keep the same available for such purpose and will furnish and provide therefor adequate and modern lights, heat, water, gas, telephone and laundry service necessary for the operation of such research wards, laboratories and offices connected therewith, and for the patients, attendants, nurses and employees thereof, except as hereinafter provided, all at its own expense.

2. The Company will select, furnish and compensate, at its own expense, a director of research, who shall be the executive head of the research laboratories and wards connected therewith. Such director shall be a licensed physician and shall be selected from time to time by the Company and thereupon such selection shall be formally approved by the proper authorities of the City.

With the approval of the Board of Health of the City such director of research will appoint, and the Company will fix the compensation of and compensate, a qualified supervisor of nurses and a dietitian for the research wards of said hospital, who, respectively, shall serve in conformity with the general rules and regulations of the hospital applicable to such positions at the time.

The director of research, with the approval of the superintendent of the City Hospital, will also select from time to time such resident physicians, clerks and employees other than graduate nurses as may be necessary for the exclusive conduct of the research laboratories and wards. The compensation of all such appointees and employees shall be fixed and paid by the Company, but the quarters and subsistence of all such as are residents at the hospital, not to exceed six in number, shall be furnished by the City.

3. For these and all other maintenance expenses undertaken herein by the Company it will provide annually during the term of this contract and all renewals thereof approximately Twenty-five Thousand Dollars (\$25,000.00), which sum shall include the salary of the director of research in the sum of Five Thousand Dollars (\$5,000.00) per year.

In addition the Company will, on the requisition of the director of research, furnish movable equipment for the conduct of such laboratory, office and wards at a cost to the Company of approximately Twenty-five Thousand Dollars (\$25,000.00) the first year, and will from time to time thereafter so long as this contract is in force, on requisition of the director of research, furnish additional laboratory instruments and other physical equipment and drugs as needed on the requisition of such director.

The title to all such permanent equipment shall be and remain in the Company for the term of five years from the date of the formal opening of such laboratory, but in the event such laboratory and its appurtenances shall be operated continuously for that period under this or any similar contract between the parties thereto, then the Company will, by proper instrument, transfer and assign unconditionally to the City all such property and equipment theretofore furnished and thereafter to be furnished by the Company hereunder.

4. Subject to alteration by mutual consent of the parties, the following details of management of the proposed research laboratories and wards are now hereby adopted and agreed upon:

(a) Such laboratories and wards and the activities to be carried on therein will be available for instruction of nurses in the nurses' training school at the City Hospital, but such laboratories and wards shall not be a part of the rotating service for internes of the City Hospital.

(b) Such research service as herein contemplated shall become and be a part of the general City Hospital service to the extent that consultation services of visiting staff men of the general wards and the research staff shall follow the general regulations of the hospital, except as herein otherwise expressly provided.

(c) No patients shall be admitted to or remain in the research laboratory or wards without the consent of the patient, the director of research, the superintendent of the hospital, and the visiting staff man at whose instance the case was admitted to the hospital.

(d) Should any patient be admitted to the research laboratory who is not a resident of the City of Indianapolis, and for that reason is not

a proper charge on the City, then the Company agrees to pay the City Hospital for the care and maintenance of such patient the per diem charge in effect at the time.

(e) Accurate records of admission, treatment and discharge of all patients and of all facts of a professional or scientific nature concerning the conduct of the research laboratory and wards shall be kept in duplicate, and one complete copy of same shall be available to and be the property of each party hereto.

5. Wherever in this contract powers have been conferred upon the superintendent of the Indianapolis City Hospital, it is understood and agreed that said superintendent shall exercise such powers only after approval of the Board of Health, and all his acts and decisions thereunder shall always be subject to the approval of the said Board of Health or ratification by it.

6. This contract shall remain in full force and effect until December 31, 1930, and from year to year thereafter, providing the City shall have legally appropriated during the previous year the necessary funds for the performance by the City of its obligations hereunder from year to year of the contemplated renewals of this contract. But either party hereto may terminate this contract and all its obligations hereunder as of the end of any calendar year of such renewed term upon giving written notice to the other party not later than July 15 of such year.

Executed in duplicate this 2d day of May, 1930.

CITY OF INDIANAPOLIS.

By HENRY S. LEONARD, M. D.,
W. F. KELLY, M. D.,
FREDERICK E. JACKSON, M. D.,
OBIE J. SMITH,

Its Board of Health.

ELI LILLY AND COMPANY.

By JOSIAH K. LILLY,

President.

Approved:

REGINALD H. SULLIVAN,
Mayor.

(Seal.)

Attest:

CHAS. J. LYNN,
Secretary."

AND, WHEREAS, Said contract has been submitted to the Common Council for approval, pursuant to law. Now, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the aforementioned contract be and the same is hereby in all things ratified, confirmed and approved.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

ORDINANCES ON SECOND READING

Mr. Welch called for General Ordinance No. 47, 1930, for second reading. It was read a second time.

On motion of Mr. Welch, seconded by Mr. Gardner, General Ordinance No. 47, 1930, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance No. 47, 1930, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz.: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Welch called for General Ordinance No. 49, 1930, for second reading. It was read a second time.

On motion of Mr. Welch, seconded by Mr. Gardner, General Ordinance No. 49, 1930, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 49, 1930, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz.: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Welch called for General Ordinance No. 50, 1930, for second reading. It was read a second time.

On motion of Mr. Welch, seconded by Mr. Wheatley, General Ordinance No. 50, 1930, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance No. 50, 1930, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz.: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for Appropriation Ordinance No. 7, 1930, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Morgan, Appropriation Ordinance No. 7, 1930, was ordered engrossed, read a third time, and placed upon its passage.

Appropriation Ordinance No. 7, 1930, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz.: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for Appropriation Ordinance No. 8, 1930, for second reading. It was read a second time.

On motion of Mr. Houek, seconded by Mr. Welch, Appropriation Ordinance No. 8, 1930, was ordered engrossed, read a third time, and placed upon its passage.

Appropriation Ordinance No. 8, 1930, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz.: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houek, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houek called for General Ordinance No. 51, 1930, for second reading. It was read a second time.

On motion of Mr. Houek, seconded by Mr. Wheatley, General Ordinance No. 51, 1930, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance No. 51, 1930, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz.: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houek, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

MISCELLANEOUS BUSINESS

Mr. Hildebrand announced that the Committee on Public Works was not ready to report on General Ordinance No. 42, 1930, and asked for further time for consideration of said ordinance, which was granted.

Mr. Welch made the following motion: "Upon the request of the Superintendent of the Municipal Airport, I move you that a committee of three be appointed, to be known as the Airport Committee, consisting of the Presi-

dent and two other members. Said committee to act in an advisory capacity to the Airport Superintendent.”

The motion was seconded by Mr. Gardner and passed by the unanimous vote of the Council.

Mr. Ropkey announced that the Airport Committee would consist of the following members: Leo F. Welch, Maurice E. Tennant and Ernest C. Ropkey.

On motion of Mr. Welch, seconded by Mr. Wheatley, the Common Council adjourned at 9:00 p. m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 16th day of June, 1930, 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.

Ernest C Ropkey

President.

Attest:

Henry O Gott

City Clerk.

(SEAL.)