

REGULAR MEETING

Monday, April 21, 1941.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, April 21, 1941, at 7:30 p. m. in regular session. President Wood in the chair.

The Clerk called the roll.

Present: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

Absent: Mr. Ransom, Mr. Ross.

The reading of the journal for the previous meeting was dispensed with on motion of Mr. Bach, seconded by Mr. Moore.

COMMUNICATIONS FROM THE MAYOR

April 9, 1941.

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

Gentlemen:

I have this day approved with my signature and delivered to Mr. John M. Layton, City Clerk, the following ordinances:

## APPROPRIATION ORDINANCE NO. 1, 1941

AN ORDINANCE of the City of Indianapolis, Indiana, appropriating the sum of One Hundred Eighteen Thousand Six Hundred Seventy-seven Dollars and Fifty-four Cents (\$118,677.54) from the proceeds of sale of certain funding bonds, issued for the purpose of funding certain obligations of said city not provided for in existing budgets and levies; and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 18, 1941

AN ORDINANCE of the City of Indianapolis, Indiana, authorizing the issuance and sale of bonds for the purpose of refunding certain outstanding obligations of said city, and matters connected therewith; and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 19, 1941

As Amended

AN ORDINANCE prohibiting and regulating parking on certain parts of certain streets in the City of Indianapolis, providing a penalty for the violation thereof; and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 20, 1941

AN ORDINANCE authorizing the Board of Public Works and Sanitation to purchase, through its duly authorized purchasing agent, certain materials and supplies to be paid for out of the Gasoline Tax funds heretofore appropriated, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 21, 1941

AN ORDINANCE authorizing the Board of Public Safety of the City of Indianapolis to purchase, through its duly authorized purchasing agent, paint for traffic signs and signals, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 2, 1941

AN ORDINANCE authorizing the sale, alienation and conveyance of certain land of the City of Indianapolis, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 3, 1941

AN ORDINANCE changing the names of certain streets and naming certain unnamed public ways in the City of Indianapolis, and fixing a time when the same shall take effect.

Respectfully,

R. H. SULLIVAN,  
Mayor.

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

Gentlemen:

April 12, 1941.

I have this day approved with my signature the following ordinance:

GENERAL ORDINANCE NO. 23, 1941

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

Respectfully,

R. H. SULLIVAN,  
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS  
PROOF OF POSTING

NOTICE OF DETERMINATION TO ISSUE BONDS

STATE OF INDIANA  
COUNTY OF MARION  
SS:

John M. Layton, being first duly sworn, upon his oath deposes and says:

That he did on the 12th day of April, 1941, post in three public places in the City of Indianapolis a copy of the attached notice of determination to issue bonds; that said notice was posted at the following places:

1. In a corridor of the Police Headquarters Building.
2. Bulletin Board at City Hall.
3. South door of Marion County Courthouse.

JOHN M. LAYTON,  
City Clerk.

Subscribed and sworn to before me this 21st day of April, 1941.

(SEAL) ANNA F. HAMMERBECK,  
Notary Public.

My commission expires April 15, 1942.

NOTICE TO TAXPAYERS  
OF DETERMINATION TO ISSUE BONDS  
CITY OF INDIANAPOLIS

The taxpayers of the City of Indianapolis, Indiana, are hereby notified that the common council of said city, on the 7th day of April, 1941, by the adoption of General Ordinance No. 18, 1941, which ordinance was approved by the mayor of said city on the 9th day of April, 1941, authorized the issuance and sale of refunding

bonds of said city in the sum of \$310,000.00 for the purpose of providing funds to be used in paying and canceling a like amount of outstanding bonds of said city which mature and are payable on June 1, 1941, and for the payment of which no provision has been made in existing budgets and levies. Said refunding bonds will be payable serially over a period of twenty (20) years beginning on January 1, 1943, and are to bear interest at a rate not exceeding 4% per annum, the exact rate to be determined by bidding.

The net assessed valuation of taxable property in the City of Indianapolis is \$511,220,980.00, and the outstanding indebtedness of said city, exclusive of the above mentioned bonds, is in the amount of \$8,579,090.58.

Objections to the issuance of said bonds may be made by ten (10) or more taxpayers by filing a petition in the office of the auditor of Marion County, Indiana, within the time and in the manner prescribed by statute, which petition, if any, will be heard and considered by the State Board of Tax Commissioners in the manner provided by law.

Dated at Indianapolis, Indiana, this 21st day of April, 1941.

CITY OF INDIANAPOLIS,

By JOHN M. LAYTON,  
City Clerk.

PROOF OF POSTING

NOTICE OF HEARING ON ADDITIONAL APPROPRIATION

STATE OF INDIANA  
COUNTY OF MARION  
SS:

John M. Layton, being first duly sworn, upon his oath deposes and says:

That he did on the 12th day of April, 1941, post in three public hearing on additional appropriation; that the said notice was posted in hearing on additional appropriation; that said notice was posted in the following places:

1. In a corridor of the Police Headquarters Building.
2. Bulletin Board in City Hall.
3. South door of Marion County.

JOHN M. LAYTON.

Subscribed and sworn to before me this 21st day of April, 1941.

ANNA F. HAMMERBECK,  
Notary Public.

(SEAL)

My commission expires April 15, 1942.

NOTICE TO TAXPAYERS  
OF HEARING ON ADDITIONAL APPROPRIATION  
CITY OF INDIANAPOLIS

The taxpayers of the City of Indianapolis are hereby notified that the common council of said city will on 21st day of April, 1941, hold a public hearing on the matter of additional appropriation in the amount of \$310,000 to provide for the payment of the principal of outstanding bonds of the city which mature and are payable on June 1, 1941. Said appropriation is in addition to all existing appropriations and items provided for in the existing budget, and is made necessary by reason of the fact that sufficient provision was not made for the payment of said maturing bonds and no funds are available for the payment of the same. Funds to meet such appropriation will be provided for by the issuance of refunding bonds heretofore authorized by the common council.

Said public hearing will be held at the Council Chambers in the City Hall on the above named date, at the hour of seven-thirty o'clock P. M., at which time all taxpayers may appear and be heard on the question of the necessity for said additional appropriation.

Dated this 21st day of April, 1941.

CITY OF INDIANAPOLIS,

By JOHN M. LAYTON,  
City Clerk.

April 21, 1941]

City of Indianapolis, Ind.

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April 21, 1941.

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

Gentlemen:

In Re: A. O. 3, A. O. 4, G. O. 29, 1941

I beg leave to report that pursuant to the laws of the State of Indiana, I caused "Notice of Public Hearing" to be inserted in the Indianapolis Times and Indianapolis Star, that taxpayers would have the right to be heard on the above ordinances at the regular meeting of the Common Council to be held April 21, 1941, and by posting copies of said notices in the City Hall, Court House and Police Station.

Very truly yours,

JOHN M. LAYTON,  
City Clerk.

April 21, 1941.

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. 5, 1941, appropriating the sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00) from the proceeds of the sale of certain bonds designated as "City of Indianapolis City Hospital Bonds of 1941." Said bonds were authorized by General Ordinance No. 22, 1941.

I respectfully recommend the passage of this ordinance.

Yours very truly,

JAMES E. DEERY,  
City Controller.

April 18, 1941.

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

Gentlemen:

Attached hereto please find 18 copies of General Ordinance No. 30, 1941, authorizing the Board of Works and Sanitation, through its duly appointed Purchasing Agent, to purchase the following equipment:

Req. 1650—One only Ten Ton Road Roller not to exceed the sum of \$2893.00;

Req. 843—One only Sewer Eductor and Chassism not to exceed the sum of \$9900.00.

These bids were duly advertised according to law and opened in public before the Board of Works and Sanitation on April 7, 1941, and the award to be made to the lowest and best bidder.

The Purchasing Agent respectfully recommends the passage of this ordinance.

Respectfully submitted,

DEPARTMENT OF PUBLIC PURCHASE,

ALBERT H. LOSCHE,  
Purchasing Agent.

April 21, 1941.

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

Gentlemen:

Submitted herewith is General Ordinance No. 31, 1941, prohibiting and regulating parking on certain streets and prohibiting and regulating left-hand turns at certain intersections. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By L. J. Keach,  
President.

LJK/EHA

April 21, 1941.

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

Gentlemen:

Submitted herewith is General Ordinance No. 32, 1941, amending Section 44 of General Ordinance No. 96, 1928, as amended, by adding thereto subsection (72) making Shelby Street a preferential street from the south curb line of Southeastern Avenue to the north curb line of English Avenue. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By J. L. Keach,  
President.

LJK/EHA

April 21, 1941.

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

Gentlemen:

Submitted herewith is General Ordinance No. 33, 1941, abolishing certain taxicab stands on Twenty-second Street, College Avenue and State Street and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By J. L. Keach,  
President.

LJK/EHA

April 21, 1941.

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

Gentlemen:

I am enclosing herewith 20 copies of General Ordinance No. 34, 1941, an ordinance regulating parking on a certain part of Delaware Street, providing a penalty for the violation thereof and fixing a time when the same shall take effect.

A. O. DELUSE,  
Councilman.

April 21, 1941]

City of Indianapolis, Ind.

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April 21, 1941.

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

Gentlemen:

I am enclosing herewith 20 copies of General Ordinance No. 35, 1941, an ordinance prohibiting the doing of business on Sundays in places of business and establishments of automobile wreckers, or used or secondhand automobile or truck parts or accessories dealers, and fixing a time when the same shall take effect.

HARMON A. CAMPBELL,  
Councilman.

April 21, 1941.

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

Gentlemen:

Attached herewith are 20 copies of General Ordinance No. 36, 1941, approving a certain agreement to permit the Pennsylvania Railroad Company the right to lay and maintain a sidetrack or switch from its Kentucky Avenue switching track to the main service building of Pennsylvania Greyhound Lines of Indiana, Inc., at Kentucky Avenue and Henry Street, according to blue print.

The Board of Public Works and Sanitation respectfully recommends the passage of this ordinance.

Very truly yours,

BOARD OF PUBLIC WORKS AND SANITATION,

M. H. WALPOLE,  
Executive Secretary.

MHW/MM

April 21, 1941.

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

Gentlemen:

I am enclosing herewith 15 copies of General Ordinance No. 37, 1941, an ordinance to license, regulate and tax mechanical amusement devices and to provide a penalty for the violation thereof.

ALBERT O. DELUSE  
HARMON A. CAMPBELL

April 21, 1941.

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

Gentlemen:

I am enclosing herewith 18 copies of Special Ordinance No. 5, 1941, an ordinance changing the name of Arnolda Avenue between Tenth Street and Twentieth Street to Medford Avenue.

WALTER E. HEMPHILL,  
Councilman.

April 21, 1941.

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

Gentlemen:

I am enclosing herewith 18 copies of Special Ordinance No.

6, 1941, an ordinance changing the name of Haugh Street between Tenth Street and Twentieth Street to Winfield Avenue.

WALTER E. HEMPHILL,  
Councilman.

April 21, 1941.

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

Gentlemen:

I am enclosing 18 copies of Special Ordinance No. 7, 1941, an ordinance annexing certain contiguous territory to the City of Indianapolis and fixing a time when the same shall take effect.

WALTER E. HEMPHILL,  
Councilman.

## OTHER COMMUNICATIONS

### CERTIFICATE

To Whom It May Concern:

This is to certify that I, John M. Layton, duly qualified and acting City Clerk of the City of Indianapolis, Indiana, pursuant to Resolution No. 1, 1941, adopted by the Common Council of the City of Indianapolis on the 6th day of January, 1941, and approved by the Mayor on the 8th day of January, 1941, caused the attached notice to be published once each week for two consecutive weeks in the Indianapolis Times, a newspaper of general circulation, printed and published in Marion County, Indiana, all as provided for by Section 4 of the aforesaid Resolution.

I further certify that no person or persons have made any claim of any kind whatsoever for the remains of the person buried in the property belonging to the City of Indianapolis and located in a part of the Northwest  $\frac{1}{4}$  Section 22, Township 16 North, Range 3 East, during the period of sixty (60- days after the last publication of the aforesaid and the attached notice.

The undersigned has been informed by the Board of Park Commissioners of the City of Indianapolis that the remains of Abraham M. Epler, who died November 18, 1859, age fifty-nine years, nine months and twenty-eight days, and the remains of Elizabeth, daughter of Abraham and Mary L. Epler, who died December 29, 1852, age nineteen years, eleven months and eleven days, were disinterred the 15th day of April, 1941, by the Kirby Mortuary of Indianapolis, Indiana, pursuant to an agreement with the Board of Park Commissioners; that the said remains were removed and properly reinterred in Round Hill Cemetery, located on South Meridian Street immediately south of the city limits of the City of Indianapolis in Marion County, Indiana; and that the cost of such removal and the reinternment of the said remains, together with the cost of removing and installing the grave stones was borne by the Board of Park Commissioners.

This certificate is made by the undersigned pursuant to Section 7 of the aforesaid Resolution and is made for the purpose of recording and certifying to the aforesaid facts and of showing the names of the deceased persons as ascertained, whose remains were disinterred and reinterred, together with description of the date and place of reinternment.

Executed at Indianapolis, Indiana, this 21st day of April, 1941.

JOHN M. LAYTON.

STATE OF INDIANA  
COUNTY OF MARION

Before me the undersigned, a Notary Public in and for the said County and State, personally appeared John M. Layton, known to me to be the City Clerk of the City of Indianapolis, and acknowledged

to me the execution of the foregoing certificate this 21st day of April, 1941.

ANNA F. HAMMERBECK,

Notary Public.

My commission expires April 15, 1942.

NOTICE OF PETITION TO AND DETERMINATION BY THE  
COMMON COUNCIL OF THE CITY OF INDIANAPOLIS,  
INDIANA.

Notice is hereby given to all interested persons that a written petition, signed by more than five (5) resident freeholders of the City of Indianapolis, Indiana, was filed with the Common Council of said city on December 16, 1940, wherein said Council was requested to vacate the continued use as a burial ground or cemetery of a certain parcel of city owned land, which said land is located in the City of Indianapolis, Marion County, Indiana, and is in the right-of-way of the proposed extension of Maple Road Boulevard or 38th Street from White River west to Cold Springs Road, and is more particularly described as follows: A part of the northwest quarter of Sec. 22, Twp. 16 North, Range 3 East, more particularly described as follows: Beginning at the northwest corner of Sec. 22, Twp. 16 North, Range 3 East, Marion County, Indiana; thence east along the north line of the aforesaid Sec. 22, a distance of 25 feet to a point; thence south parallel to the west line of the aforesaid Sec. 22 a distance of 50 feet to a point; thence west parallel to the north line of the aforesaid Sec. 22 a distance of 25 feet to a point in the west line of the aforesaid Sec. 22; thence north along the west line of the aforesaid Sec. 22 a distance of 50 feet to the place of beginning.

All interested persons are further notified that such Common Council, as the proper officers of said city therein, on the 6th day of January, 1941, adopted and caused to be entered upon the Council records a resolution, known as Resolution No. 1—1941 wherein said Council found and determined that said city, acting by and through its Common Council, should vacate the continued use as a burial ground or cemetery the aforesaid tract or parcel of land, and pur-

suant to such finding and determination, it did thereupon vacate such use of said land.

Pursuant to the authorization in said Resolution No. 1—1941 made and provided, the undersigned City Clerk of the City of Indianapolis has prepared, as nearly as may be a complete list of the deceased persons whose bodies remain interred in and are to be removed from said burial ground or cemetery; that, as the undersigned is informed and believes, said burial ground or cemetery contains two (2) graves, which graves now contain the remains of Abraham M. Epler and his daughter, Elizabeth Epler, identified by stone markers, as follows: One gravestone marked: "Abraham Epler. Died Nov. 18, 1859, aged 50 years, 9 months, 28 days"; and one gravestone marked "Elizabeth Epler, daughter of Abraham and Mary L. Epler, Died Dec. 29, 1852, Aged 19 years, 11 months, 11 days."

Notice is hereby given to all the known and to all the unknown heirs and descendants of the said Abraham M. Epler and said Elizabeth Epler, separately and severally, and to all friends and relatives thereof, and to all other interested persons, that on and after the 25th day of March, 1941, which is more than sixty (60) days after the last publication hereof the Common Council of the City of Indianapolis will cause the bodies then remaining in said burial ground or cemetery to be exhumed. Said Council has further ordered that the remains of such persons as may be claimed by their relatives and friends, within the period of time aforesaid, shall be delivered to such claimants for removal and reinterment. Said Council has further ordered that the remains of all persons then and so remaining unclaimed, shall be removed and reinterred in Round Hill Cemetery, and that the cost of such removal and reinterment of said remains, together with the cost of a suitable burial lot and the cost of removing and reinstalling the gravestones, shall be at the expense of the Board of Park Commissioners of said city which has been authorized and ordered by said Council to supervise the removal and reinterment of said remains as hereinabove provided, and to remove and reinter any of said remains then remaining unclaimed at any time after the lapse of sixty (60) days from the date of the last publication of this notice, which last publication is hereby fixed as the 20th day of January, 1941.

The vacation of the aforesaid use of said tract or parcel of land, together with all proceedings herein, is pursuant to and in conformity with Sec. 263, Chapter 129, of the Acts of the Indiana Gen-

eral Assembly of 1905, and all acts amendatory thereof and supplemental thereto.

Dated at Indianapolis, this 11th day of January, 1941.

CITY OF INDIANAPOLIS.

By JOHN M. LAYTON,  
City Clerk.

April 21, 1941.

Re: Epler, Abraham  
Died—Nov. 18, 1859

Epler, Elizabeth  
Died—Dec. 29, 1852

President and Members of City Council.

Gentlemen:

This is to advise that pursuant to an agreement entered into by and between the City of Indianapolis by and through its Board of Park Commissioners and the undersigned, doing business under the firm name and style of Kirby Mortuary, under date of April 10, 1941:

The remains of the above named decedents were disinterred last Tuesday, April 15, 1941, from the original location of burial, 38th St. and Cold Spring Road, and the remains reinterred in lot No. 52, Section 3, Round Hill Cemetery, South Meridian St., Indianapolis, Indiana.

Please be further advised that Mr. Otto Epler and Mrs. Henry Burkhart, heirs of the above named decedents, were present through-

out and witnessed the entire disinterment and reinterment.

Very sincerely yours,

KIRBY MORTUARY.

By ROBERT E. KIRBY.

REK:m

Indianapolis, Indiana,

April 21, 1941.

Mr. John J. Cooper,  
Assistant City Attorney,  
City Hall,  
Indianapolis, Indiana.

Dear Sir:

My sister, Mrs. Henry Burkhardt and myself were present at the removal of the remains of Abraham M. Epler and Elizabeth Epler from Riverside Park and interment of the same in Round Hill Cemetery.

We were very much pleased with the way this was handled and appreciate the interest taken by yourself in this removal.

Yours very truly,

O. P. EPLER.

5750 E. 10th Street, Indianapolis, Indiana.

At this time those present were given an opportunity to be heard on Appropriation Ordinances No. 2, 1941, No. 3, 1941, No. 4, 1941, and General Ordinance No. 29, 1941.

Mr. Bach asked for a recess. The motion was seconded by Mr. Campbell and the Council recessed at 8:00 p. m.

The Council reconvened at 10:40 p. m. with the same members present as before.

### COMMITTEE REPORTS

Indianapolis, Ind., April 21, 1941.

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. 2, 1941, entitled

Appropriating \$310,000.00 from the sale of certain refunding bonds

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

ERNEST C. ROPKEY  
ALBERT O. DELUSE  
OLLIE A. BACH

Indianapolis, Ind., April 21, 1941.

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. 3, 1941, entitled

Appropriating \$98,495.84 from unexpended and unappropriated  
1940 gas tax fund balance

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed as amended.

ERNEST C. ROPKEY  
ALBERT O. DELUSE  
OLLIE A. BACH

Indianapolis, Ind., April 21, 1941.

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 Ap-  
propriation Ordinance No. 4, 1941, entitled

Appropriating \$15,577.51 from anticipated balance of Sanita-  
tion Department

We, your Committee on Finance to whom was referred  
beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

ERNEST C. ROPKEY  
ALBERT O. DELUSE  
OLLIE A. BACH

Indianapolis, Ind., April 21, 1941.

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. 69, 1940, entitled

Amending Sec. 9 of G. O. 87, 1935 (Taxistands)

beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

ALBERT O. DELUSE  
ERNEST C. ROPKEY  
HARMON A. CAMPBELL  
RALPH F. MOORE

Indianapolis, Ind., April 21, 1941.

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

Gentlemen:

We, your Committee of the Whole, to whom was referred  
General Ordinance No. 8, 1941, entitled

Establishing 40 hour week and collective bargaining for employees of the Sanitation Department

beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

OLLIE A. BACH  
HARMON A. CAMPBELL  
-ALBERT O. DELUSE  
WALTER E. HEMPHILL  
RALPH F. MOORE  
ERNEST C. ROPKEY  
JOSEPH G. WOOD

Indianapolis, Ind., April 21, 1941.

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. 16, 1941, entitled

Prohibiting and regulating noises in the City of Indianapolis  
beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be held for further consideration.

OLLIE A. BACH  
ALBERT O. DELUSE  
WALTER E. HEMPHILL  
HARMON A. CAMPBELL

Indianapolis, Ind., April 21, 1941.

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

Gentlemen:

We, your Committee of the Whole to whom was referred  
General Ordinance No. 17, 1941, entitled

Establishing daylight savings time between certain dates

beg leaves to report that we have had said ordinance under considera-  
tion, and recommend that the same be held for further consideration.

OLLIE A. BACH  
HARMON A. CAMPBELL  
ALBERT O. DELUSE  
WALTER E. HEMPHILL  
RALPH F. MOORE  
ERNEST C. ROPKEY  
JOSEPH G. WOOD

Indianapolis, Ind., April 21, 1941.

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. 22, 1941, entitled

Authorizing issuance and sale of "City of Indianapolis City  
Hospital Bonds of 1941"

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

OLLIE A. BACH  
ALBERT O. DELUSE  
WALTER E. HEMPHILL  
HARMON A. CAMPBELL

Indianapolis, Ind., April 21, 1941.

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. 24, 1941, entitled

Prohibiting and regulating parking on certain parts of certain  
streets

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be held for further consideration.

ALBERT O. DELUSE  
ERNEST C. ROPKEY  
HARMON A. CAMPBELL  
RALPH F. MOORE

Indianapolis, Ind., April 21, 1941.

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. 25, 1941, entitled

Amending Sec. 44 of G. O. 96, 1928, as amended, and adding  
sub-section 71

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

ALBERT O. DELUSE  
ERNEST C. ROPKEY  
HARMON A. CAMPBELL  
RALPH F. MOORE

Indianapolis, Ind., April 21, 1941.

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. 26, 1941, entitled

Amending Sec. 865 of G. O. 121, 1925 (Building Code)

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

ALBERT O. DELUSE  
ERNEST C. ROPKEY  
HARMON A. CAMPBELL  
RALPH F. MOORE

Indianapolis, Ind., April 21, 1941.

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. 27, 1941, entitled

Establishing passing zones and regulating traffic

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

ALBERT O. DELUSE  
ERNEST C. ROPKEY  
HARMON A. CAMPBELL  
RALPH F. MOORE

Indianapolis, Ind., April 21, 1941.

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. 28, 1941, entitled

Creating division of Traffic Engineer in office of City Civil  
Engineer

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

ERNEST C. ROPKEY  
ALBERT O. DELUSE  
WALTER E. HEMPHILL  
HARMON A. CAMPBELL

Indianapolis, Ind., April 21, 1941.

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. 29, 1941, entitled

Transferring funds in Police Department Budget

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

ALBERT O. DELUSE  
ERNEST C. ROPKEY  
HARMON A. CAMPBELL  
RALPH F. MOORE

Indianapolis, Ind., April 21, 1941.

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  
Special Ordinance No. 4, 1941, entitled

Authorizing sale of personal property belonging to City of  
Indianapolis

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

ERNEST C. ROPKEY  
ALBERT O. DELUSE  
WALTER E. HEMPHILL  
HARMON A. CAMPBELL

Indianapolis, Ind., April 21, 1941.

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

Gentlemen:

We, your Committee of the Whole to whom was referred  
Resolution No. 2, 1941, entitled

Establishing 40 hour week and granting right of collective  
bargaining to employees of Sanitation Department

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be held for further consideration.

OLLIE A. BACH  
HARMON A. CAMPBELL  
ALBERT O. DELUSE  
WALTER E. HEMPHILL  
RALPH F. MOORE  
ERNEST C. ROPKEY  
JOSEPH G. WOOD

Indianapolis, Ind., April 21, 1941.

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

Gentlemen:

We, your Committee of the Whole, to whom was referred  
Resolution No. 3, 1941, entitled

Requesting that funds be set up for the purchase of clothing  
and equipment for police and firemen

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

OLLIE A. BACH  
HARMON A. CAMPBELL  
ALBERT O. DELUSE  
WALTER E. HEMPHILL  
RALPH F. MOORE  
ERNEST C. ROPKEY  
JOSEPH G. WOOD

## INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

### APPROPRIATION ORDINANCE NO. 5, 1941

AN ORDINANCE of the City of Indianapolis, Indiana, appropriating the sum of Two Hundred Fifty Thousand Dollars (\$250,000) from the proceeds of the sale of certain bonds designated as "City of Indianapolis City Hospital Bonds of 1941", and fixing a time when the same shall take effect.

WHEREAS, by General Ordinance No. 22, 1941, duly passed by the common council and approved by the mayor, the provisions of which are hereby included herein by this reference thereto, certain city hospital bonds of the City of Indianapolis, aggregating a principal amount of Two Hundred Fifty Thousand Dollars (\$250,000), were authorized to be issued and sold to provide the necessary funds for the construction at the Indianapolis City Hospital of certain improvements, the renovation and reconstruction of certain parts of the City Hospital, the enlargement of certain hospital facilities, and the purchase of certain equipment, all as hereinafter more particularly described, and for which purposes no provision has been made in the existing budget and tax levies, and no funds are available; and

WHEREAS, an acute emergency now exists in order to prevent the possibility of pestilence or plague in the Indianapolis area by

reason of inadequate, antiquated and inefficient facilities at the Indianapolis City Hospital, and for said reason this common council now finds that an extraordinary emergency exists for such purposes; NOW, THEREFORE,

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

SECTION 1. That the proceeds derived from the sale of the "City of Indianapolis City Hospital Bonds of 1941", pursuant to the authority granted by and under General Ordinance No. 22, 1941, are hereby appropriated for the purposes designated in the following respective amounts:

1. The construction of a new aerating and filtration plant with a building to house the same together with all necessary exterior and interior piping and all other necessary matters appurtenant thereto, at an estimated cost of \$60,000;
2. The installation of five new elevators at the City Hospital, one each in B wing, in C wing, the nurses' home, the administration building and the surgery, together with the building of connecting corridors from said surgery to the older part of the City Hospital and the repair of two other older elevators, at an estimated cost of \$75,000;
3. The reconstruction of the surgical building, together with the necessary equipment and resulting necessary construction changes, at an estimated cost of \$100,000;
4. The purchase of new X-ray equipment to replace the obsolete and outmoded equipment at an estimated cost of \$10,000;
5. The renovation and reconstruction of the present city morgue, at an estimated cost of \$5,000;

all calling for an estimated total expenditure therefor of Two Hundred Fifty Thousand Dollars (\$250,000).

Any surplus of such proceeds shall be credited to said Board of Health for the purchase of necessary equipment, the payment of

the necessary engineering, architectural, clerical and other supervisory services as are needed, and for such other construction or alteration work appurtenant to and necessary because of the foregoing improvements.

SECTION 2. Immediately upon the final passage and approval of this ordinance, the city clerk and the city controller shall deliver two (2) certified copies thereof to the auditor of Marion County, Indiana, with the request that a copy thereof be certified and transmitted immediately to the State Board of Tax Commissioners for further action thereon as provided by Chapter 150 of the Acts of 1935.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval by the mayor.

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

## INTRODUCTION OF GENERAL ORDINANCES

By the Department of Public Purchase:

### GENERAL ORDINANCE NO. 30, 1941

AN ORDINANCE authorizing the Board of Public Works and Sanitation of the City of Indianapolis to purchase, through its duly authorized purchasing agent, certain equipment; and fixing a time when the same shall take effect.

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

SECTION 1. That the Board of Public Works and Sanitation of the City of Indianapolis be and it is hereby authorized and empowered to purchase, by and through its duly authorized purchasing agent, certain specified equipment as follows: to-wit:

Requisition No. 843—One only Sewer Eductor and chasis therefor, mounted and ready for delivery-----\$9,900.00  
Requisition No. 1650—One only ten ton road roller--- 2,893.00

SECTION 2. That said purchases shall be made from the lowest and best bidder, or bidders, after advertising for competitive bids therefor, and the cost of the several equipment shall not exceed the respective sums heretofore specified and the allowance for the trade-ins to be credited upon the various requisitions as hereinafter designated, of equipment bearing the following numbers, viz.:

Requisition No. 843—One Eductor and Chassis bearing City Equipment No. 71

Requisition No. 1650—One Leach Concrete Mixer and one Rex Concrete Mixer

which trade-ins are hereby authorized to be made at not less than the appraised values thereof as fixed by the Appraisal Board of said city.

SECTION 3. That the purchases of said equipment shall be paid out of the funds heretofore appropriated to the Board of Public Works and Sanitation for said purposes.

SECTION 4. This ordinance shall be in full force and effect from and after its passage and approval by the mayor.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 31, 1941

AN ORDINANCE prohibiting and regulating parking on certain parts of certain streets of the City of Indianapolis, prohibiting and restricting left-hand turns at certain intersections of certain streets in said city, providing a penalty for any violation thereof; 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 it shall be unlawful for the operator of any vehicle to park the same or suffer, permit or allow the same to

be parked at any time upon a certain part of a certain street in the City of Indianapolis, described as follows:

- (a) On the north side of West Washington Street from the west curb line of Geisendorf Street to the east curb line of Blake Street.

SECTION 2. It shall be unlawful for the operator of any vehicle to park the same or suffer, permit or allow the same to be parked at any time between the hours of 7:00 o'clock A. M. and 9:00 o'clock A. M. on any day except Sunday upon certain parts of certain streets in the City of Indianapolis, described as follows:

- (a) On the east side of Madison Avenue from the north curb line of East Raymond Street to the south curb line of South Street.
- (b) On the east side of South Meridian Street from the north curb line of Adler Street to the south curb line of South Street.
- (c) On the north side of East Michigan Street from the east curb line of North Pennsylvania Street to the west curb line of North Emerson Avenue, except upon such parts where parking is now prohibited at all hours of the day, which prohibitions shall remain in full force and effect.
- (d) On the west side of Ft. Wayne Avenue from the east curb line of North Pennsylvania Street to the south curb line of East Tenth Street.
- (e) On the west side of Central Avenue from the north curb line of East Tenth Street to the south curb line of East Thirty-fourth street.
- (f) On the west side of College Avenue from the north curb line of Massachusetts Avenue to the north bank of Fall Creek.
- (g) On the north side of East Tenth Street from the east curb line of Massachusetts Avenue to the west curb line of Olney Street.

SECTION 3. It shall be unlawful for the operator of any vehicle to park the same or suffer, permit or allow the same to be parked at any time between the hours of 4:30 o'clock P. M. and 6:00 o'clock P. M., on any day except Sunday, upon certain parts of certain streets in the City of Indianapolis, described as follows:

- (a) On the west side of Madison Avenue from the north curb line of East Raymond Street to the south curb line of South Street.
- (b) On the west side of South Meridian Street from the north curb line of Adler Street to the south curb line of South Street.
- (c) On the south side of East Michigan Street from the east curb line of North Pennsylvania Street to the west curb line of North Emerson Avenue.
- (d) On the east side of Ft. Wayne Avenue from the north curb line of North Street to the south curb line of East Tenth Street.
- (e) On the east side of Central Avenue from the north curb line of East Tenth Street to the south curb line of East Thirty-fourth street.
- (f) On the south side of East Tenth Street from the east curb line of Massachusetts Avenue to the west curb line of Olney Street.
- (g) On the east side of College Avenue from the north curb line of Massachusetts Avenue to the north bank of Fall Creek.

SECTION 4. It shall be unlawful for the operator of any vehicle to park the same or suffer, permit or allow the same to be parked for a longer period than one and one-half ( $1\frac{1}{2}$ ) hours, between the hours of 7:00 o'clock A. M. and 6:00 o'clock P. M., upon certain parts of certain streets in the City of Indianapolis, described as follows:

- (a) On the south side of Moore Avenue from the east curb line of Rural Street to the west curb line of Dearborn Street.
- (b) On the west side of Grace Street from the south curb line of Washington Street to the north curb line of Moore Avenue.

SECTION 5. It shall be unlawful for the operator of any vehicle to execute a left-hand turn of the same between the hours of 7:00 o'clock A. M. and 9:00 o'clock A. M. and between the hours of 4:30 o'clock P. M. and 6:00 o'clock P. M. at the intersections of the following streets, to-wit:

- (a) North Sherman Drive and East New York Street.
- (b) North Noble and East New York Streets.
- (c) North Noble and East Market Street.
- (d) Massachusetts Avenue, Delaware and New York Streets.

SECTION 6. It shall be unlawful for the operator of any vehicle to execute a left-hand turn of the same at any time at the intersection of the following streets, to-wit:

- (a) North Meridian and Ohio Streets.

SECTION 7. Any person violating any provision of this ordinance shall, upon conviction, be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not exceeding one hundred eighty (180) days.

SECTION 8. 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 the first time and referred to the Committee on Public Safety.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 32, 1941

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, as amended, by adding thereto sub-section (72), 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 44 of General Ordinance No. 96, 1928, as amended, be amended by adding thereto sub-section (72), as follows:

(72) Shelby Street from the south curb line of Southeastern Avenue to the north curb line of English Avenue.

SECTION 2. This ordinance shall be in full force and effect from and after its passage, approval by the mayor, and publication according to law.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 33, 1941

AN ORDINANCE approving an order of the Board of Public Safety of the City of Indianapolis abolishing certain taxicab stands heretofore created in the City of Indianapolis, and fixing a time when the same shall take effect.

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

SECTION 1. That the order of the Board of Public Safety of the City of Indianapolis, Indiana, adopted April 15, 1941, abolishing certain taxicab stands heretofore created in the City of Indianapolis and situated as follows, to-wit:

- (a) On the south side of East 22d Street, starting at a point 15 feet east of the east curb line of the alley running north and south between Pennsylvania Street and Talbot Avenue and extending east to a point 54 feet—3 cab stand;
- (b) On the east side of College Avenue, starting at a point 134 feet north of the north curb line of East 54th Street and extending north to a point 206 feet—4 cab stand;
- (c) On the west side of North State Street, starting at a point 50 feet north of the north curb line of East Washington Street and extending north for a distance of 97 feet—3 cab stand;

be approved and that said taxicab stands be and are hereby abolished.

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

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

By Councilman Deluse:

GENERAL ORDINANCE NO. 34, 1941

AN ORDINANCE regulating parking on a certain part of Delaware Street in the City of Indianapolis; providing a penalty for the violation thereof; 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 it shall be unlawful for the operator of any vehicle to park or suffer, permit or allow the same to be parked

for a longer period than one and one-half (1½) hours between the hours of 7:00 o'clock A. M. and 6:00 o'clock P. M. on any day of the week, except Sundays, upon a certain part of Delaware Street in the City of Indianapolis, said part being more particularly described as follows, to-wit:

- (a) On the west side of Delaware Street, beginning at the south property line of Thirteenth Street and running south along the west curb line of Delaware Street to a point 231 feet south of the south property line of Thirteenth Street.

SECTION 2. Any person violating any provision of this ordinance shall, upon conviction, be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not exceeding one hundred eighty (180) days.

SECTION 3. This ordinance shall be in full force and effect from and after its passage, approval by the mayor, and publication according to law.

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

By Councilman Campbell:

GENERAL ORDINANCE NO. 35, 1941

AN ORDINANCE prohibiting the doing of business on Sundays in places of business and establishments of automobile wreckers, or used or secondhand automobile or truck parts, tires or accessories dealers, and declaring the time when the same shall take effect.

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

SECTION 1. No automobile wrecking establishment, or used or secondhand automobile or truck parts tires or accessories business,

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place of business or establishment or dealers shall be open for business on the first day of the week, known as Sunday.

SECTION 2. Whoever violates the provisions of this ordinance shall, on conviction, be fined not less than ten (\$10.00) Dollars nor more than Fifty (\$50.00) Dollars.

SECTION 3. This ordinance shall be in full force and effect from and after the date of its passage, approval by the mayor and publication according to law.

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

By the Board of Public Works and Sanitation:

#### SWITCH PERMIT

#### GENERAL ORDINANCE NO. 36, 1941

AN ORDINANCE approving a certain agreement and permit granting the Pennsylvania Railroad Company the right to lay and maintain a sidetrack or switch from its Kentucky Avenue switching track to the main service building of Pennsylvania Greyhound Lines of Indiana, Inc., at Kentucky Avenue and Henry Street according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: on the — day of —, 1941, the Pennsylvania Railroad Company filed its petition before the Board of Public Works and Sanitation of the City of Indianapolis, as follows:

#### PETITION

To Board of Public Works,  
City of Indianapolis.

Gentlemen:

We hereby request the privilege of building a connection be-

tween our Kentucky Avenue switching track and the track of Pennsylvania Greyhound Lines of Indiana, Inc., serving its main service building at Kentucky and Henry Street, all as shown on blue print hereto attached, marked "Exhibit A" and made a part of this petition.

THE PENNSYLVANIA RAILROAD CO.

By J. B. JONES,  
Superintendent.

NOW, THEREFORE, This agreement made and entered into this — day of ———, 1941, by and between the Pennsylvania Railroad Company of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works and Sanitation, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a permit for a right of way for a sidetrack or switch from Kentucky Avenue to the property of Pennsylvania Greyhound Lines of Indiana, Inc., at Kentucky Avenue and Henry Street, in the City of Indianapolis, which is more specifically described as follows:

(See Blue Print Attached)

hereby covenants and fully binds itself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, he will lay, construct, maintain and pay all costs and expenses either now or hereafter connected with said track upon the terms and conditions hereinafter set forth, to-wit:

(1) They shall be so laid, maintained, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis, and to all laws and ordinances, adopted and enacted pursuant to the police powers of said city.

(2) Said track and switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its

supervision and to its satisfaction and approval. Said track shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council, or with any resolution or resolutions made by said Board, for the elevation or depression of said track, or tracks; provided further that all the costs thereof shall be paid by the said party of the first part, who hereby waives any division of such costs as now or hereafter provided by any statute, or otherwise.

(3) The crossing where said track intersects, ----- shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, upon the written order of said Board, made for any cause affecting the interest of the City or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said Board shall in no wise become a trespasser. Said notice shall fix a day for hearing before said Board where objections to such removal may be heard; but the decision of said Board shall be final and conclusive on the party of the first part who hereby expressly waives any right to have such exercise of discretion reviewed by any court.

(5) The party of the first part agrees to pave between the rails of said track and for eighteen inches on both sides thereof, to the entire satisfaction of the second party, and in case said tracks and pavement or either thereof shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair, reconstruct, or remove same, failing in which, after notification in writing of ten (10) days, said Board may do or cause the same to be

done at the expense of the said party of the first part and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds himself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending against any such claims.

(7) Any violation of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this permit, provided, however, that the same may be terminated by said Board as hereinbefore set forth.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, and of all acts amendatory thereof or supplemental thereto, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby grants and duly permits said party of the first part to exercise the right, privilege and authority to lay and maintain an additional sidetrack or switch across

-----  
in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

IN WITNESS WHEREOF, We have hereunto set our hands this twenty-first day of April, 1941.

THE PENNSYLVANIA RAILROAD COMPANY,

By J. B. JONES,  
Superintendent,  
Party of the First Part.

Witness:

CITY OF INDIANAPOLIS,

By LOUIS C. BRANDT,  
 President,  
 LEO F. WELCH,  
 MAURICE E. TENNANT,  
 CHARLES O. BRITTON,  
 As BOARD OF PUBLIC WORKS,  
 Party of the Second Part.

Approved by me

R. H. SULLIVAN,  
 as Mayor.

AND, WHEREAS, Said agreement and permit has been submitted by the Board of Public Works and Sanitation to the Common Council of the City of Indianapolis, for its consideration and action, NOW, THEREFORE,

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

SECTION 1. That such agreement and permit above set forth be, and the same is hereby in all things confirmed and approved.

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

-----  
 President of the Common Council.

Attest:

-----  
 Clerk of the Common Council.

Approved by me, this — day of —, 1941.

-----  
 Mayor.

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

By Councilman Deluse and Councilman Campbell:

GENERAL ORDINANCE NO. 37, 1941

AN ORDINANCE TO LICENSE, REGULATE AND TAX, mechanical amusement devices and to provide a penalty for the violation thereof.

Be it hereby provided:

Section 1. A mechanical amusement pinball or marble game device is hereby defined as a machine, which, upon the insertion of a coin, causes it to be possible to operate, or may be used as a game for amusement and which contains no automatic payoff device for the return of coins, slugs, checks, tokens or merchandise or which provides for no such payoff by any other means or manner whatsoever.

Section 2. No person, firm or corporation shall operate a mechanical amusement device as hereinabove defined without first obtaining a license therefor from the Board of Public Safety, who may withhold the issuance of such license for any such mechanical machine or device that is adapted or is converted into a gambling machine.

Section 3. (a) The Board of Public Safety is hereby authorized to issue licenses to any person, firm or corporation of good moral character, person or persons applying for said licenses must have resided in the City of Indianapolis for a period of three years prior to application for said licenses, upon the payment of an annual license fee of \$5.00 for each operating mechanical amusement device. In order to have proper supervision and regulation thereof, no more than 2,000 such licenses may be issued in any one year.

(b) The Board of Public Safety is hereby authorized to permit the transfer of a license issued for one amusement device to another amusement device, provided said license is always in plain view on said device. No transfer of any license shall be permitted where such has been seized for law violating.

(c) Every amusement device so licensed shall contain a suitable metal plate approximately two inches in diameter on which will be stamped the city seal along with a serial number, each individual license will have its individual serial number, which identification number shall be properly placed on such amusement device and such license shall be affixed to such amusement device.

Section 4. No place of business shall permit such mechanical amusement device to be used or operated by any minor under the age of twenty-one years.

Section 5. (a) Any amusement device, so licensed, which shall have been made use of in violation of the terms of this ordinance may be seized and destroyed in compliance with the terms and provisions of statutes of the State of Indiana.

(b) Any amusement device, so licensed which may be used in violation of the terms of this ordinance or in violation of the statutes of the State of Indiana, such license shall be immediately revoked and cancelled.

Section 6. The Board of Public Safety shall keep a record of the name, business and residence address, of every person so licensed to own and operate such mechanical amusement device. Such record shall be kept in the office of said Board of Public Safety, and a copy of such record shall be made available to the Chief of Police.

Section 7. No license shall be required for the display of such amusement devices by a manufacturer or agent at its salesroom where amusement devices are sold and are not used by the public.

Section 8. If any clause, sentence or paragraph of this ordinance shall for any reason be adjudicated or decreed to be invalid by any court of competent jurisdiction, such judgment or decree shall not impair or invalidate the remainder of this ordinance, but shall be confined in its operation to the clause, sentence, paragraph, or part hereof directly involved in the controversy in which said judgment or decree shall have been rendered.

Section 9. Any person violating any provision of this ordinance, upon conviction, may be fined in any sum not to exceed three hundred dollars, to which may be added imprisonment not exceeding one hundred and eighty days.

Section 10. 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 the first time and referred to the Committee on Public Safety.

### INTRODUCTION OF SPECIAL ORDINANCES

By Councilman Hemphill:

#### SPECIAL ORDINANCE NO. 5, 1941

AN ORDINANCE CHANGING THE NAME of a certain street in the City of Indianapolis and fixing a time when the same shall take effect.

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

SECTION 1. That that portion of Arnolda Avenue lying between Tenth Street and Twentieth Street hereafter be known and designated as Medford Avenue.

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

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

By Councilman Hemphill:

#### SPECIAL ORDINANCE NO. 6, 1941

AN ORDINANCE change the name of a certain street in the City of Indianapolis and fixing a time when the same shall take effect.

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

SECTION 1. That that portion of Haugh Street lying between Tenth Street and Twentieth hereafter be known and designated as Winfield Avenue.

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

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

By Councilman Hemphill:

SPECIAL ORDINANCE NO. 7, 1941

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

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

SECTION 1. That the boundary lines of the City of Indianapolis, Indiana, be, and the same are hereby extended so as to include the following described contiguous territory, all of which is hereby annexed to and made a part of the territory constituting the City of Indianapolis, in Marion County, State of Indiana, to-wit:

Part of the North East quarter Section 21, Township 15 North, Range 3 East, Marion County, Indiana, described as follows:

Beginning at the northeast corner of the North East quarter Section 21, Township 15, Range 3, running thence south with the east line of said quarter 231 feet and 10 inches; thence North  $83\frac{1}{4}$  degrees West 309 feet to the South side of the Mooresville Road; thence Northeastwardly with the South line of said Road 237 feet to the North line of said quar-

ter Section; thence north 88 degrees east 117 feet 9 inches to the place of begininng, containing 1 acre.

Also, begininng on the east line of the North East quarter Section 21 Township 15 Range 3, at a point 231 feet and 10 inches south of the northeast corner of said quarter; thence running south with the east line of said quarter 147 feet; thence north 71 degrees west 411 feet to the edge of the Mooresville Gravel Road; thence Northeastwardly with the edge of said gravel road 120 feet; thence southeastwardly 310 feet to the place of begininng, containing 1 acre, Marion County, Indiana.

SECTION 2. This ordinance shall be in full force and effect from and after its passage, approval by the mayor, and publication according to law.

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

#### ORDINANCES ON SECOND READING

Mr. Ropkey called for Appropriation Ordinance No. 2, 1941, for second reading. It was read a second time.

On motion of Mr. Ropkey, seconded by Mr. Deluse, Appropriation Ordinance No. 2, 1941, was ordered engrossed read a third time and placed upon its passage.

Appropriation Ordinance No. 2, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

Mr. Ropkey called for Appropriation Ordinance No. 3, 1941, for second reading. It was read a second time.

Mr. Campbell presented the following written motion to amend Appropriation Ordinance No. 3, 1941:

April 21, 1941.

Mr. President:

I move that Appropriation Ordinance No. 3, 1941, be amended, by striking out all of that part of Section 1, after the words "Department of Public Safety," "Police Department," and by decreasing the Grand Total of all Appropriations by \$16,400.00.

HARMON A. CAMPBELL,  
Councilman.

The motion was seconded by Dr. Hemphill and passed by the following roll call vote:

Ayes, 5, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore.

Noes, 2, viz: Mr. Ropkey, President Wood.

Mr. Ropkey presented the following written motion to amend Appropriation Ordinance No. 3, 1941:

Indianapolis, April 21, 1941.

Mr. President:

I move that Appropriation Ordinance No. 3, 1941, as introduced be amended by striking out the entire second paragraph of the preamble, beginning with the word "Whereas" and ending with the word "Therefore," and inserting in lieu thereof the following paragraph:

"WHEREAS, an emergency is deemed to exist in that funds appropriated in the 1941 budget are inadequate for the purpose of construction, reconstruction, repair and maintenance of streets and highways within the City of Indianapolis and for the purpose of purchasing, erecting and operating sufficient traffic signs and signals, and also policing and providing traffic safety upon said streets and highways to meet the increased use of said streets and highways by reason of the increased business activity arising from our defense efforts, NOW, THEREFORE,"

ERNEST C. ROPKEY,  
Member of the Common Council.

The motion was seconded by Mr. Bach and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

On motion of Mr. Ropkey, seconded by Mr. Deluse, Appropriation Ordinance No. 3, 1941, as amended, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 3, 1941, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

Mr. Ropkey called for Appropriation Ordinance No. 4, 1941, for second reading. It was read a second time.

On motion of Mr. Ropkey, seconded by Mr. Moore, Appropriation Ordinance No. 4, 1941, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 4, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

Mr. Bach called for General Ordinance No. 22, 1941, for second reading. It was read a second time.

On motion of Mr. Bach, seconded by Mr. Moore, General Ordinance No. 22, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 22, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

Mr. Deluse called for General Ordinance No. 25, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 25, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 25, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

Mr. Deluse called for General Ordinance No. 26, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 26, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 26, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

Mr. Deluse called for General Ordinance No. 27, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Campbell, General Ordinance No. 27, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 27, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

Mr. Ropkey called for General Ordinance No. 28, 1941, for second reading. It was read a second time.

On motion of Mr. Ropkey, seconded by Mr. Moore, General Ordinance No. 28, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 28, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

Mr. Deluse called for General Ordinance No. 29, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ropkey, General Ordinance No. 29, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 29, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

Mr. Ropkey called for Special Ordinance No. 4, 1941, for second reading. It was read a second time.

On motion of Mr. Ropkey, seconded by Mr. Bach, Special Ordinance No. 4, 1941, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 4, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

Dr. Hemphill called for Resolution No. 3, 1941, for second reading. It was read a second time.

Dr. Hemphill presented the following written motion to amend Resolution No. 3, 1941:

Mr. President:

I move that Resolution No. 3, 1941, be amended by striking out the work "make" after the work "Controller" in line 8 of the type-written copy and before the work "provision" in line 9 and inserting in lieu thereof the words "give consideration to."

WALTER E. HEMPHILL,  
Councilman.

The motion was seconded by Mr. Campbell and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

On motion of Dr. Hemphill, seconded by Mr. Moore, Resolution No. 3, 1941, as amended, was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 3, 1941, as amended was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, President Wood.

General Ordinance No. 69, 1940, General Ordinance No. 8, 1941, General Ordinance No. 16, 1941, General Ordinance No. 17, 1941, General Ordinance No. 24, 1941, and Resolution No. 2, 1941, were held for further consideration by the Committees to which they were referred.

On motion of Mr. Moore, seconded by Mr. Deluse, the Common 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 Common Council of the City of Indianapolis, held on the 21st day of April, 1941, 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.



Attest:

President.



(SEAL)

City Clerk.