

REGULAR MEETING

Monday, April 5, 1943.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, April 5, 1943, at 7 30 p. m., in regular session. President Schumacher in the chair.

The Clerk called the roll.

Present: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Kealing and seconded by Mr. Bowers.

COMMUNICATIONS FROM THE MAYOR

March 16, 1943.

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

Gentlemen:

I have this day approved with my signature and delivered to Mr. Frank J. Noll, Jr., City Clerk, the following ordinances:

APPROPRIATION ORDINANCE No. 5, 1943

AN ORDINANCE appropriating the sum of Eleven Hundred Dollars (\$1,100.00) from the estimated unexpended and unappropriated

balance of the general fund for the year 1943 to the Board of Public Safety, "Emergency Dog Pound Fund"—and fixing the time when same shall take effect.

APPROPRIATION ORDINANCE No. 6, 1943

AN ORDINANCE appropriating the sum of Two Thousand Eight Hundred Sixty-Six Dollars and Five Cents (\$2,866.05) from the unexpended and unappropriated balance of the City General Fund to certain designated funds in the Department of Public Safety Budget, Fire Department, and fixing the time when same shall take effect.

APPROPRIATION ORDINANCE No. 7, 1943

AN ORDINANCE amending General Ordinance No. 61, 1942, regarding the annual budget for 1943 concerning the Salaries, Wages and Compensations of certain employees of the Garbage Reduction and Sewage Disposal Plants under the Indianapolis Board of Public Works and Sanitation; providing for the appropriation and transfer of Seventeen Thousand Four Hundred Seventy-Two Dollars and Seventeen Cents (\$17,472.17) from the unexpended and unappropriated Working Balance of the Sanitation General Fund, 1943, and re-allocating same to a certain numbered funds in said Department; and fixing a time when same shall take effect.

GENERAL ORDINANCE No. 4, 1943

AN ORDINANCE authorizing the Board of Public Works and Sanitation of the City of Indianapolis to purchase certain equipment by and through the duly authorized Purchasing Agent thereof, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 5, 1943

AN ORDINANCE amending Sections 77 and 78 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," as amended

by General Ordinance No. 46, 1930, and providing for the employment of a Veterinary, the establishment of a place of sale for the sale and gift of certain dogs, the empowering of the Dog Pound Keeper to accept gifts and donations for and on behalf of the Dog Pound and the creation of an "Emergency Dog Pound Fund" for the purpose of defraying expenses of maintaining the Dog Pound, place of sale and Veterinary expenses, and fixing a time when the same shall take effect.

Respectfully,

ROBERT H. TYNDALL,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

April 5, 1943.

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

Gentlemen:

In Re: A. O. 8, A. O. 9, A. O. 10, 1943

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 following newspapers, to-wit:

A. O. No. 8, 1943—March 22, 1943—The Indianapolis News and The Indianapolis Star.

A. O. Nos. 9 and 10, 1943—March 19, 1943—The Indianapolis News and The Indianapolis Times.

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 5, 1943, and by posting copies of said notices in the City Hall, Court House and Police Station in the City of Indianapolis, which notices remained posted for more than 10 days prior to the date of hearing.

Sincerely,

FRANK J. NOLL, JR.,
City Clerk.

April 5, 1943.

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

Gentlemen:

In Re: G. O. Nos. 5 and 7, 1943

I beg leave to report pursuant to the laws of the State of Indiana, I caused publication to be inserted in the following newspapers:

G. O. No. 5, 1943—March 19 and 26, 1943—The Indianapolis News and The Indiana Catholic and Record.

G. O. No. 7, 1943—March 13 and 20, 1943—The Indianapolis Star and The Indianapolis Commercial.

and that said ordinances are now in full force and effect as of the last date of publication.

Sincerely,

FRANK J. NOLL, JR.,
City Clerk.

PROOF OF POSTING
NOTICE OF DETERMINATION TO ISSUE BONDS

STATE OF INDIANA
COUNTY OF MARION
SS:

Frank J. Noll, Jr., being first duly sworn, upon his oath deposes and says:

That he did on the 13th day of March, 1943, 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.

FRANK J. NOLL, JR.,
City Clerk.

Subscribed and sworn to before me this 5th day of April, 1943.

GEORGIA B. SHIDELER,
Notary Public.

My commission expires Dec. 30, 1945.

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 11th day of March, 1943, by the adoption of General Ordinance No. 7, 1943, which ordinance was approved by the Mayor of said city on the 11th day of March, 1943, authorized the issuance and sale of refunding bonds

of said city in the sum of \$150,000.00 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 May 1, 1943, 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 July 1, 1944, 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 \$537,425,030.00 and the outstanding indebtedness of said city, exclusive of the above mentioned bonds, is in the amount of \$8,084,090.58.

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 11th day of March, 1943.

CITY OF INDIANAPOLIS

By FRANK J. NOLL, JR.,
City Clerk.

PROOF OF POSTING

NOTICE OF HEARING ON ADDITIONAL APPROPRIATION

STATE OF INDIANA
COUNTY OF MARION
SS:

Frank J. Noll, Jr., being first duly sworn, upon his oath deposes and says:

That he did on the 22nd day of March, 1943, post in three public places "Notice of Public 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 Courthouse.

FRANK J. NOLL, JR.,
City Clerk

Subscribed and sworn to before me this 5th day of April, 1943.

GEORGIA B. SHIDELER,
Notary Public.

My commission expires Dec. 30, 1945.

NOTICE TO TAXPAYERS OF HEARING ON ADDITIONAL
APPROPRIATION
CITY OF INDIANAPOLIS

The taxpayers of the City of Indianapolis, Indiana, are hereby notified that the Common Council of said city will, on the 5th day of April, 1943, hold a public hearing on the matter of additional appropriation, which is made necessary by reason of the extraordinary emergency deemed to exist at this time.

APPROPRIATION ORDINANCE No. 8, 1943

An ordinance of the City of Indianapolis, Indiana, appropriating the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) from the proceeds of sale of certain refunding bonds for the payment of certain outstanding bonds of said City not provided for in existing budgets and levies and fixing a time when the same shall take effect.

Said public hearing will be held in the Council Chamber at the City Hall on the above named date, at the hour of 7:30 o'clock p. m., at which time all taxpayers may appear and be heard on the question of the necessity for said additional appropriation.

The additional appropriation as finally made will be automatically referred to the Indiana Tax Board, 231 State House, Indianapolis, Indiana, which board will hold a further hearing within fifteen days at its office, or at such other place as may be designated. At such hearing, taxpayers objecting to any such additional appropriation may be heard. Interested taxpayers may inquire of the Indiana Tax Board as to when and where such hearing will be held.

[SEAL]

FRANK J. NOLL, JR.,

City Clerk of the City of Indianapolis.

April 5, 1943.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 11, 1943, appropriating the sum of \$1,954.00 from the City General Fund to Fund 72 of the Barrett Law Department for the purpose of purchasing an electric typewriter accounting machine for Barrett Law record posting and proving.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,
City Controller.

April 5, 1943]

City of Indianapolis, Ind.

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April 5, 1943.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 12, 1943, appropriating the sum of \$300.00 from the City General Fund to Fund No. 72, Equipment, Dog Pound, Department of Public Safety, for the purchase of a stove, an ice box, and other incidentals.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,
City Controller.

April 5, 1943.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 13, 1943, appropriating the sum of \$42,261.61 from the City General Fund to the Department of Public Safety, Department of Public Works, Department of Sanitation, Department of Public Health & Charities, and Department of Finance Primary and Election Expense.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,
City Controller.

March 29, 1943.

Honorable Members of
Common Council,
City of Indianapolis,
Indianapolis, Indiana.

Gentlemen:

Attached are 19 copies of General Ordinance No. 14, 1943, relative to prohibiting smoking on street cars and other public conveyances.

We respectfully recommend the passage of this ordinance by the Common Council.

Respectfully yours,

EDWARD R. KEALING,
Councilman.

March 31, 1943.

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

Gentlemen:

Attached are copies of the proposed General Ordinance No. 15, 1943, repealing General Ordinance No. 20, 1937, and permitting parking on the east side of Capitol Avenue between Maryland and Washington Streets.

This was originally recommended by the Police Department, approved by the Board of Public Safety, and prepared by the Legal Department.

I respectfully submit and recommend the passage of this ordinance.

Yours very truly,

J. T. HALLETT,
City Traffic Engineer.

March 31, 1943.

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

Gentlemen:

Attached copies of Proposed General Ordinance No. 16, 1943, amending Sec. 12 of General Ordinance No. 100, 1929, to conform to State Law. This governs the age of minors permitted in Pool Rooms.

We respectfully recommend the passage of this amending ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
By WM. H. REMY,
President.

April 5, 1943.

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

Gentlemen:

Attached hereto please find copies of General Ordinance No. 17, 1943, authorizing the Board of Public Works and Sanitation to purchase certain materials heretofore ordered on Requisitions 1368, 1370, 1371 and 1374, through the City Purchasing Agent. Bids on this material have been advertised according to law.

We respectfully recommend the passage of this ordinance.

Very truly yours,

BOARD OF PUBLIC WORKS AND SANITATION,
OTTO ABSHIER,
Executive Secretary.

April 5, 1943.

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

Gentlemen:

Attached are 19 copies of proposed General Ordinance No. 18, 1943, amending Section 3 of General Ordinance No. 87, 1935, as amended by General Ordinance No. 83, 1942, pertaining to the issuance of taxicab licenses.

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

SIDNEY S. MILLER,
Corporation Counsel.

At this time those present were given an opportunity to be heard on Appropriation Ordinances Nos. 8, 9 and 10, 1943, and General Ordinances Nos. 2, 3, 8, 9, 10, 11, 12 and 13.

Mr. Bowers asked for recess. The motion was seconded by Mr. Manly, and the Council recessed at 7:40 p. m.

The Council reconvened at 9:30 p. m., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., April 5, 1943.

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

Gentlemen:

We, your Committee on Law and Judiciary, to whom was referred General Ordinance No. 2, 1943, entitled:

AN ORDINANCE amending Section 36 of General Ordinance No. 121, entitled "An ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances," which ordinance is officially designated as Municipal Code of Indianapolis 1925: (pertaining to licensing of skating rinks);

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

GENERAL ORDINANCE No. 2, 1943

(As Amended)

AN ORDINANCE amending Section 36 and repealing Sections 37 and 38 of General Ordinance No. 121, entitled "An ordinance concerning the government of the City of Indianapolis, providing penalties for its violations and, with stated exceptions, repealing all former ordinances," which ordinance is officially designated as Municipal Code of Indianapolis, 1925, and fixing a time when the same shall take effect.

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

Section 1. That Section 36 of General Ordinance No. 121, entitled "An ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances," which ordinance is designated officially as Municipal Code of Indianapolis 1925, be amended so that Section 36 of said ordinance shall read as follows:

"Section 36. Before any individual, firm or corporation shall be granted a permit to open or carry on any skating rink within said city, application therefor shall first be made in writing to the Board of Zoning Appeals of the City of Indianapolis, which shall proceed forthwith to hold public hearings thereon, notice of said public hearing to be published in three consecutive issues of a newspaper of general circulation in said City. The Board of Zoning Appeals is hereby granted authority after said public hearing to grant or deny said application: Provided, however, that no permit

shall be granted by the Board of Zoning Appeals for the erection or operation of any skating rink within a circle radius of three hundred (300) feet of any church, hospital, or school building without said applicant having first obtained the written permission of the duly elected trustees and/or the authorized officials of said church, hospital or school building. Any individual, firm, or corporation opening or carrying on any skating rink in said city without first obtaining the permission of the Board of Zoning Appeals as herein provided shall on conviction be fined in any sum not exceeding One Hundred Dollars (\$100.00) for the first offense and any sum not exceeding Twenty-Five Dollars (\$25.00) for each additional offense, and each day's violation of this section shall constitute a separate offense."

Section 2. That Sections Numbered 36, 37 and 38 of said General Ordinance No. 121 and all ordinances and parts of ordinances in conflict with Section 1 of this ordinance are hereby repealed.

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

and that said General Ordinance No. 2, 1943, be passed as amended.

O. H. WORLEY, Chairman
WILLIE B. SULLIVAN
HERMAN E. BOWERS
EDWARD R. KEALING

Indianapolis, Ind., April 5, 1943.

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

Gentlemen:

We, your Committee on City Welfare, to whom was referred General Ordinance No. 3, 1943, entitled:

AN ORDINANCE concerning the licensing of the manufacture for sale and distribution of pool tickets and

lottery equipment and providing penalties for its violation;

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

CARSON C. JORDAN, Chairman
ROSS MANLY
LUCIAN B. MERIWETHER
HERMAN E. BOWERS

Indianapolis, Ind., April 5, 1943.

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, 1943, entitled:

AN ORDINANCE of the City of Indianapolis, Indiana, appropriating the sum of One Hundred Fifty Thousand Dollars (\$150,000.00). (bonds);

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

HERMAN E. BOWERS, Chairman
EDWARD R. KEALING
R. C. DAUSS
LUCIAN B. MERIWETHER
ROSS MANLY

Indianapolis, Ind., April 5, 1943.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 9, 1943, entitled:

AN ORDINANCE appropriating the sum of Five Hundred Dollars (\$500.00) from the unexpended and unappropriated balance of the City General Fund for the year 1943 to a designated fund in Executive Department, Office of the Mayor, and fixing a time when same shall take effect;

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

HERMAN E. BOWERS, Chairman
EDWARD R. KEALING
R. C. DAUSS
LUCIAN B. MERIWETHER
ROSS MANLY

Indianapolis, Ind., April 5, 1943.

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

Gentlemen:

We, your Committee on Public Health, to whom was referred Appropriation Ordinance No. 10, 1943, entitled:

AN ORDINANCE appropriating the sum of Six Thousand Nine Hundred Eighty-Eight Dollars and Thirty-Four Cents (\$6,988.34) etc. (City Hospital);

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

LUCIAN B. MERIWETHER, Chairman
EDWARD R. KEALING
ROSS MANLY
O. H. WORLEY
WILLIE B. SULLIVAN

Indianapolis, Ind., April 5, 1943.

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. 8, 1943, entitled:

AN ORDINANCE concerning the salaries, wages and compensations of certain officers and members of the Indianapolis Police and Fire Departments, etc.;

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

R. C. DAUSS, Chairman
EDWARD R. KEALING
HERMAN E. BOWERS
O. H. WORLEY
CARSON C. JORDAN

Indianapolis, Ind., April 5, 1943.

**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. 9, 1943, entitled:

AN ORDINANCE amending Section 3a of General Ordinance No. 47, 1941, and fixing a time when the same shall take effect (ins. fees on milk);

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

LUCIAN B. MERIWETHER, Chairman
EDWARD R. KEALING
ROSS MANLY
O. H. WORLEY
WILLIE B. SULLIVAN

Indianapolis, Ind., April 5, 1943.

**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. 10, 1943, entitled:

AN ORDINANCE amending Section 21, Article V of General Ordinance No. 96, 1928, as amended, and fixing a time when the same shall take effect;

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

EDWARD R. KEALING, Chairman
R. C. DAUSS
WILLIE B. SULLIVAN

Indianapolis, Ind., April 5, 1943.

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. 11, 1943, entitled:

AN ORDINANCE prohibiting the parking of vehicles on a
certain street of the City of Indianapolis, Indiana;
providing a penalty for violation thereof; and fixing
a time when the same shall take effect;

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

R. C. DAUSS, Chairman
EDWARD R. KEALING
HERMAN E. BOWERS
O. H. WORLEY
CARSON C. JORDAN

Indianapolis, Ind., April 5, 1943.

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

Gentlemen:

We, your Committee on Public Parks, to whom was referred
General Ordinance No. 12, 1943, entitled:

AN ORDINANCE amending Section 1 of General Ordi-
nance No. 1, 1935, an ordinance amending Section 122
of General Ordinance No. 12, 1925, commonly known

as the Municipal Code of 1925, as amended by General Ordinances Nos. 78, 85 and 103 of 1931, No. 25 of 1932 and No. 51 of 1933 repealing General Ordinance No. 2, 1927, repealing General Ordinance No. 5, 1936, and naming an effective date.

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

A. ROSS MANLY, Chairman
R. C. DAUSS
LUCIAN B. MERIWETHER
O. H. WORLEY
WILLIE B. SULLIVAN

Indianapolis, Ind., April 5, 1943.

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. 13, 1943, entitled:

AN ORDINANCE prohibiting the parking of vehicles on a certain street of the City of Indianapolis, providing a penalty for the violation thereof, and fixing a time when the same shall take effect;

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

R. C. DAUSS, Chairman
EDWARD R. KEALING
HERMAN E. BOWERS
O. H. WORLEY
CARSON C. JORDAN

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE No. 11, 1943

AN ORDINANCE appropriating the sum of One Thousand Nine Hundred and Fifty-Four Dollars (\$1,954.00) from the anticipated, unexpended and unappropriated balance of the general fund of the City of Indianapolis, Indiana, and allocating the same to a designated fund in the Barrett Law Department, and fixing a time when the same shall take effect.

WHEREAS it has become necessary to purchase an electric typewriter accounting machine for Barrett Law record posting and proving, and

WHEREAS no funds are provided for same in the 1943 budget for that department; NOW, THEREFORE,

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

Section 1. That the sum of One Thousand Nine Hundred and Fifty-Four Dollars (\$1,954.00) be and the same is hereby appropriated from the anticipated, unexpended and unappropriated balance of the general fund of the City of Indianapolis, Indiana, and allocated to the following designated fund of the Barrett Law Department for the purchase of an electric typewriter accounting machine:

BARRETT LAW DEPARTMENT

Fund 72—Equipment.....\$1,954.00

Section 2. This ordinance shall be in full force and effect upon passage and approval by the Mayor.

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

By the City Controller:

APPROPRIATION ORDINANCE No. 12, 1943

AN ORDINANCE appropriating the sum of Three Hundred Dollars (\$300.00) from the anticipated, unexpended and unappropriated 1943 General Fund of the City of Indianapolis, Indiana, to Fund No. 72, Equipment, Dog Pound, Department of Public Safety, and fixing a time when the same shall take effect.

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

Section 1. That the sum of Three Hundred Dollars (\$300.00) be and the same is hereby appropriated from the anticipated, unexpended and unappropriated 1943 General Fund of the City of Indianapolis, Indiana, to Fund No. 72, Equipment, Dog Pound, Department of Public Safety.

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 the City Controller:

APPROPRIATION ORDINANCE No. 13, 1943

AN ORDINANCE appropriating the sum of Forty-Two Thousand Two Hundred Sixty-One Dollars and Sixty-One Cents (\$42,261.61) from the anticipated, unexpended and unappropriated 1943 balance of the General Fund of the City of Indianapolis and allocating the same to certain designated funds of designated departments, and fixing a time when the same shall take effect.

WHEREAS, there remain due and unpaid certain debts and obligations which were incurred during the year 1942, and which are chargeable against certain funds of certain departments of the City of Indianapolis; and

WHEREAS an emergency exists in that payment of said unpaid 1942 bills should be made in order to avoid a multiplicity of collection suits against the City and it is deemed essential and expedient to pay said bills in order to avoid such law suits and litigation; NOW, THEREFORE,

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

Section 1. That the sum of Forty-Two Thousand Two Hundred Sixty-One Dollars and Sixty-One Cents (\$42,261.61) be and the same is hereby appropriated from the anticipated, unexpended and unappropriated 1943 balance of the General Fund of the City of Indianapolis, Indiana, and allocated to the following designated funds in the following designated departments for the payment of unpaid 1942 bills:

DEPARTMENT OF PUBLIC SAFETY

Fund 22—Civilian Defense Bureau	\$ 3.59	
Fund 22—Radio Division	3.53	
Fund 72—Police Department	76.18	
Fund 22—Fire Department	10.05	
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Total	\$93.35	\$93.35

DEPARTMENT OF PUBLIC WORKS AND SANITATION

Sanitation

Fund 32—Fuel and Ice	\$ 8,814.98	\$ 8,814.98
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Board of Works

Fund 32—Public Buildings	23.25	
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Board of Works

Fund 38—Public Buildings	76.40
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Board of Works

Fund 22—Administration	898.33	\$ 997.98
Totals		\$9,812.96

DEPARTMENT OF FINANCE

(No fund in budget)—1942 Primary and Election

Expense	\$24,622.33	\$24,622.33
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DEPARTMENT OF PUBLIC HEALTH
AND CHARITY

Fund 32—Power Plant	\$ 1,126.88	
Fund 37—Power Plant	139.50	
Fund 72—General	764.30	
Fund 38—Power Plant	28.58	
Fund 34—Hospital, General	4,680.05	
Fund 22—General	543.66	
Fund 51—General	450.00	
Total	\$ 7,732.97	\$ 7,732.97
GRAND TOTAL		\$42,261.61

Section 2. This ordinance shall be in full force and effect upon passage and approval by the Mayor.

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

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Kealing:

GENERAL ORDINANCE No. 14, 1943

AN ORDINANCE prohibiting smoking on street cars, gas buses, trackless trolleys and all other public conveyances operating in the City of Indianapolis, Indiana, fixing a penalty for 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 all smoking of any kind or character whatever in any street car, gas bus, trackless trolley or other public conveyance operating in the City of Indianapolis, Indiana, shall and the same is hereby prohibited.

Section 2. That the penalty for violation hereof shall be a fine of Twenty-Five (\$25.00) Dollars.

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 Parks.

By City Traffic Engineer:

GENERAL ORDINANCE No. 15, 1943

AN ORDINANCE repealing General Ordinance No. 20, 1937, and permitting parking on the east side of Capitol Avenue, between Maryland and Washington Streets, and fixing a time when the same shall take effect.

WHEREAS, the need for prohibiting parking on the east side of Capitol Avenue between Maryland and Washington Streets no longer exists; NOW, THEREFORE,

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

Section 1. That General Ordinance No. 20, 1937, being an ordinance heretofore passed by this Common Council of the City of Indianapolis, entitled:

“AN ORDINANCE prohibiting parking on the east side of Capitol Avenue between Maryland and Washington Streets, providing a penalty for its violation, and fixing a time when the same shall take effect,”
is hereby repealed.

Section 2. This ordinance shall be in effect after its passage and 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. 16, 1943

AN ORDINANCE amending Section 12 of Ordinance No. 100, 1929, as amended, and fixing a time when the same shall take effect.

WHEREAS, the state laws of Indiana relating to permitting minors to play billiards or to remain in a billiard room has been amended to change the age from 18 years to 21 years, made to conform the City law in that regard with the state law; NOW THEREFORE,

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

Section 1. That Section 12 of General Ordinance No. 100, 1929, be and the same is hereby amended to read as follows:

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

Section 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 Law and Judiciary.

By the Board of Public Works and Sanitation:

GENERAL ORDINANCE No. 17, 1943

AN ORDINANCE authorizing the Board of Public Works and Sanitation of the City of Indianapolis to purchase, through its duly authorized Purchasing Agent, certain materials, supplies, merchandise and 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, through its duly authorized Purchasing Agent, be and it is hereby authorized and empowered to purchase the hereinafter materials, supplies, merchandise and equipment from the lowest and best bidder, provided the purchase prices shall not exceed the respective amounts as hereinafter designated:

(a) Requisition No. 1370—60,000 gal. or less FUEL OIL, as per specifications on file in the Department of Engineering and the City Purchasing Agent's Office;

to be shipped in carload lots of exactly 8,000 gallons—
F.O.B., freight prepaid, Illinois Central Switch, 1725 S.
West St., as ordered by the City Civil Engineer. Vendor
must assume all taxes, including Indiana Oil Inspec-
tion fee. To be used at Asphalt Plant for heating
Asphalt Materials\$3,450.00

(b) Requisition No. 1368—3,900 tons or less, RIVER
SAND (local) as per specifications on file in the De-
partment of Engineering, and the City Purchasing
Agent's Office; to be delivered by Vendor's trucks as
required, F.O.B., City Asphalt Plant, 1725 S. West St.,
as ordered by the City Civil Engineer. To be used in
Hot-mix Asphalt for street patching and resurfacing.....\$3,900.00

(c) Requisition No. 1371—3,900 tons or less, FINE
SAND OR CICOTTE SAND, as per specifications on file
in the Department of Engineering and the City Pur-
chasing Agent's Office, shipped in carload lots, F.O.B.,
freight pre-paid Illinois Central switch, 1725 S. West
St., as ordered by the City Civil Engineer.....\$5,070.00

(d) Requisition No. 1374—1,200 tons or less LIME-
STONE DUST, as per specifications on file in the De-
partment of Engineering and the City Purchasing
Agent's Office. To be delivered in paper bags in car-
load lots, F.O.B., freight pre-paid, Illinois Central
switch, 1725 S. West Street, as required and as ordered
by the City Civil Engineer. To be used in Hot Asphalt
mix for street patching and street resurfacing.....\$5,892.00

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 the Corporation Counsel:

GENERAL ORDINANCE No. 18, 1943

AN ORDINANCE amending Section 3 of General Ordinance No. 87, 1935, as amended by General Ordinance No. 83, 1942, 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 3 of General Ordinance No. 87, 1935, as amended by General Ordinance No. 83, 1942, be and the same is hereby amended to read as follows:

“Section 3. Any person, persons, firm, company, association, partnership or corporation issued licenses under this ordinance shall be entitled to have a renewal license issued for each year for each license issued under this ordinance, provided an application for such renewal license is filed with the City Controller within ten (10) days of the date of the expiration of any such license, and provided that said applicant otherwise qualifies for such licenses by complying with all the provisions of this ordinance required as conditions precedent to the issuance of the renewal licenses. Any license may be leased, transferred or assigned from one licensee to any other person, firm, company, association, partnership or corporation, PROVIDED, HOWEVER, that none of the additional twenty (20) licenses herein provided for issuance to persons of the negro race and/or partnerships or corporations composed of persons of the negro race shall be transferable or assignable. Any licensee may, however, transfer a license from one cab to another of which such licensee is the owner and/or operator; provided that the first cab be permanently retired from service, upon application to the said city controller, and the payment of a transfer fee of fifty cents (50c).

“Any such transfer or renewal of license shall be granted upon the application of the person or party who is registered in the office of the Secretary of State of Indiana as the owner of the vehicle for which said license was issued, and where such license was issued jointly to the owner of such vehicle and any other person, firm or corporation designated in the application for such license as an operator having use or control of such vehicles, such transfer or renewal shall be granted upon the application of the owner of such vehicle, without requiring the

signature of the operator designated as having use or control of such vehicle.

“The City Controller may require any such applicant for transfer or renewal of such license to exhibit the certificate of title issued by the Secretary of State of Indiana for the vehicle for which license was issued, and the person or party in whose name such vehicle is registered in the office of the Secretary of State of Indiana shall be deemed to be the owner thereof.

“If the City Controller shall determine that the public interest is affected by any such application for transfer or renewal of license, he may refer such application for transfer to the Board of Public Safety, and shall grant or refuse such application for transfer of such license upon such terms and conditions as the Board of Public Safety shall fix. The City Controller shall refer any application for a new license to the Board of Public Safety and shall grant or refuse such application for a new license upon such terms and conditions as the Board of Public Safety shall fix.”

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 Health.

Mr. Dauss made the following motion which was read by the Clerk:

April 5, 1943

To the President and Members of
the Common Council:

I move that the letter addressed to the Common Council by Booth Tarkington, and read at the meeting of March 15, 1943, by Mrs. Booth Tarkington, be incorporated into the minutes of the Council so that it may become a part of the permanent record.

RAYMOND C. DAUSS,
Councilman.

4270 North Meridian Street, Indianapolis,

March 15, 1943.

This letter is addressed to whom it most concerns, the members of the City Council and the citizens of Indianapolis present at this meeting.

Ladies and Gentlemen:

I write to offer a thought for your consideration, and behind the thought there is a strange fact, an anomaly in nature. I think that it was a great man, Maurice Maeterlinck, who first put the thought into words and called our attention to the strangeness of the fact. He said that out of all the hundreds of thousands of species of animals created by nature, only one—one single species of animal—had come to be man's friend and loved him. Man made use of other animals, horses and cattle and other beasts; but out of the myriads of creatures upon the earth only one, the dog, abandoned even his own kind and voluntarily crossed the vast abyss that separates the species. Only the dog had leaped that gulf and come to live with man to be his devoted companion, his joyful servant and humble defender. If a cat were the size of a tiger, said Maeterlinck, I would avoid him as I would avoid a tiger, but the dog makes man his god, worships him, adores him, finds supreme joy only in seeing him, living near him and pleasing him.

Yes, it is strange destiny the dog has accomplished for himself, selecting man out of all the universe, coming of his own free will and trustfully to be man's only friend. In the whole of illimitable space man has no other. No other loves him, believes in him or unquestionably puts the power of life and death for himself in man's hands. I find few things in life more touching than the fact that the dog does this gladly and meekly. The history of his race has left him no option except to put his fate in the hands of man, his dearly loved god.

What is man's response? A detail of the answer to that question is before this assembly tonight. Only a detail, yes; but a detail involving life and death, horror and torture, for these poor helpless little friends of man. Upon the decision of the Council in this matter rests a difference for many, many of them between h—— on earth and heaven on earth.

This is another strange thought, ladies and gentlemen; but it can be heaven on earth to be a \$4 dog. I can't believe that any \$100 dog would be less valuable because there'd come to be a chance for life and happiness in the existence of \$4 dogs. The \$4 dogs are already in the world—as we ourselves are. Can't they have even \$4 worth of a chance to live?

There's a word much used of late years, often inappropriately; but it seems to apply to the question before you. The word "underprivileged." What of the underprivileged who can't even hope to be \$4 dogs? The answer turns the heart sick; but we haven't found any other: they must die. Yes, we acquiesce; but we often hear nowadays that the world is in a struggle against ruthlessness.

That is the quality we attribute to our enemies, and rightly. Then certainly we should not find ruthlessness at home. The quality of mercy is twice blessed. Do we deny it to helpless creatures who would be our friends if we would let them live? Do we make them not only die but die in agony—we who array ourselves as among the merciful peoples of this earth?

Indianapolis has grown to be more than "no mean city;" it is a great one. Can it afford to be a city wherein the noble and blessed quality of mercy is not shown to the helpless?

Ladies and gentlemen, I am,

Respectfully yours,

BOOTH TARKINGTON.

Which was seconded by Mr. Kealing and passed by unanimous vote of the Council.

ORDINANCES ON SECOND READING

Mr. Worley called for General Ordinance No. 2, 1943, for second reading. It was read a second time.

Mr. Worley presented the following written motion to amend General Ordinance No. 2, 1943.

Indianapolis, Ind., April 5, 1943.

Mr. President:

I move that General Ordinance No. 2, 1943, including its title be amended to read as follows:

GENERAL ORDINANCE No. 2, 1943

(As Amended)

AN ORDINANCE amending Section 36 and repealing Sections 37 and 38 of General Ordinance No. 121, entitled "An Ordinance concerning the government of the City of Indianapolis, providing penalties for its violations and, with stated exceptions, repealing all former ordinances," which ordinance is officially designated as Municipal Code of Indianapolis, 1925, and fixing a time when the same shall take effect.

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

Section 1. That Section 36 of General Ordinance No. 121, entitled "An ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances," which ordinance is designated officially as Municipal Code of Indianapolis 1925, be amended so that Section 36 of said ordinance shall read as follows:

"Section 36. Before any individual, firm or corporation shall be granted a permit to open or carry on any skating rink within said city, application therefor shall first be made in writing to the Board of Zoning Appeals of the City of Indianapolis, which shall proceed forthwith to hold public hearings thereon, notice of said public hearing to be published in three consecutive issues of a newspaper of general circulation in said City. The Board of Zoning Appeals is hereby granted authority after said public hearing to grant or deny said application: Provided, however, that no permit shall be granted by the Board of Zoning Appeals for the erection or operation of any

skating rink within a circle radius of three hundred (300) feet of any church, hospital, or school building without said applicant having first obtained the written permission of the duly elected trustees and/or the authorized officials of said church, hospital or school building. Any individual, firm, or corporation opening or carrying on any skating rink in said city without first obtaining the permission of the Board of Zoning Appeals as herein provided shall on conviction be fined in any sum not exceeding One Hundred Dollars (\$100.00) for the first offense and any sum not exceeding Twenty-Five Dollars (\$25.00) for each additional offense, and each day's violation of this section shall constitute a separate offense."

Section 2. That Sections Numbered 36, 37, and 38 of said General Ordinance No. 121 and all ordinances and parts of ordinances in conflict with Section 1 of this ordinance are hereby repealed.

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

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

Ayes, 8, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Mr. Sullivan, Mr. Worley, President Schumacher.

Noes, 1, viz: Dr. Meriwether.

On motion of Mr. Worley, seconded by Mr. Dauss, General Ordinance No. 2, 1943, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 2, 1943, as amended, was read a third time by the Clerk, and passed by the following roll call vote:

Ayes, 8, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Mr. Sullivan, Mr. Worley, President Schumacher.

Noes, 1, viz: Dr. Meriwether.

Mr. Bowers called for Appropriation Ordinance No. 8, 1943, for second reading. It was read a second time.

On motion of Mr. Bowers, seconded by Mr. Manly, Appropriation Ordinance No. 8, 1943, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 8, 1943, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

Dr. Meriwether called for Appropriation Ordinance No. 10, 1943, for second reading. It was read a second time.

On motion of Dr. Meriwether, seconded by Mr. Kealing, Appropriation Ordinance No. 10, 1943, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 10, 1943, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

Dr. Meriwether called for General Ordinance No. 9, 1943, for second reading. It was read a second time.

On motion of Dr. Meriwether, seconded by Mr. Dauss, General Ordinance No. 9, 1943, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 9, 1943, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

Mr. Kealing called for General Ordinance No. 10, 1943, for second reading. It was read a second time.

On motion of Mr. Kealing, seconded by Mr. Dauss, General Ordinance No. 10, 1943, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 10, 1943, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 6, viz: Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, President Schumacher.

Noes, 3, viz: Mr. Bowers, Mr. Jordan, Mr. Worley.

Mr. Dauss called for General Ordinance No. 11, 1943, for second reading. It was read a second time.

On motion of Mr. Dauss, seconded by Mr. Kealing, General Ordinance No. 11, 1943, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 11, 1943, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

Mr. Dauss called for General Ordinance No. 13, 1943, for second reading. It was read a second time.

On motion of Mr. Dauss, seconded by Mr. Bowers, General Ordinance No. 13, 1943, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance 13, 1943, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

Mr. Worley called for General Ordinance No. 3, 1943, for second reading. It was read a second time.

Mr. Worley made a motion to strike from the files General Ordinance No. 3, 1943. The motion was seconded by Mr. Bowers and passed by the following roll call vote:

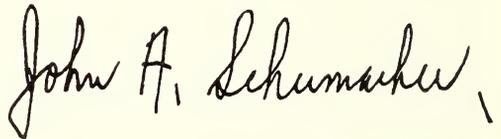
Ayes, 8, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Worley, President Schumacher.

Noes, 1, viz: Mr. Sullivan.

On motion of Mr. Bowers, seconded by Mr. Kealing, the common Council adjourned at 9:55 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 5th day of April, 1943, 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.



President.

Attest:



City Clerk.

(SEAL)