

REGULAR MEETING

Monday, October 1, 1945

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chambers at the City Hall, Monday, October 1, 1945, at 7:30 P. M., in regular session. Vice-President Kealing in the chair.

The Clerk called the roll.

Present: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley.

Absent: Mr. Schumacher.

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

COMMUNICATIONS FROM THE MAYOR

September 20, 1945.

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 the City Clerk, Mr. Frank J. Noll, Jr., the following ordinances:

GENERAL ORDINANCE NO. 65, 1945 (As Amended)

AN ORDINANCE to amend General Ordinance No. 114, 1922 (as amended) commonly known as the Zonng Ordinance; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 66, 1945.

AN ORDINANCE regulating parking on a certain part of Virginia Avenue in the City of Indianapolis; providing a penalty for violation thereof; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 67, 1945. (As Amended)

AN ORDINANCE appropriating the sum of Seven Thousand Six Hundred Forty-Four Dollars (\$7,644.00) from the anticipated, estimated and unappropriated 1945 balance of the General Fund of the City of Indianapolis to Fund No. 25, Repairs, City Market, Department of Public Safety, for the reroofing and painting of the Market House; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 63, 1945.

AN ORDINANCE appropriating the sum of Two Thousand (\$2,000.-.00) Dollars from the anticipated, estimated and unappropriated 1945 balance of the General Fund of the City of Indianapolis, to Fund No. 53, Refunds, Awards and Indemnities, Administration, Department of Public Works, for the purpose of paying compensation for the balance of the current year; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 64, 1945. (As Amended)

AN ORDINANCE appropriating the sum of Twenty-Five Thousand (\$25,000.00) Dollars from the anticipated, estimated and unappropriated 1945 balance of the Board of Health General Fund of the City of Indianapolis to Health, Hospital Bond Fund, to cover maturities of the City of Indianapolis bonds and coupons; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 66, 1945.

AN ORDINANCE transferring, reappropriating and reallocating

the total sum of Eleven Thousand Nine Hundred Twenty-two Dollars and Fifty-Five Cents, (\$11,922.55) from Fund No. 11-2 Sewer Sanitation, Street Commissioner, Department of Public Works, to Fund No. 72, Equipment, same division and department, for the purchase of a Tractor, a Truck Chassis and a Truck with Winch; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 68, 1945.

AN ORDINANCE transferring, reappropriating and reallocating the sum of Eight Hundred (\$800.00) Dollars from Fund No. 11, Salaries and Wages, Regular, Weir Cook Airport, Department of Aviation, to and among certain designated funds in the same division and department; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 69, 1945, (As Amended)

AN ORDINANCE appropriating the sum of Seventy Thousand (\$70,000.00) Dollars from the anticipated, estimated and unappropriated 1945 balance of the Aviation General Fund of the City of Indianapolis, to Fund No. 26, Other Contractual, Weir Cook Airport, for construction, repairs and remodeling at the Airport; and fixing a time when the same shall take effect.

Respectfully,

ROBERT H. TYNDALL,

Mayor

September 24, 1945:

Mr. Frank J. Noll, City Clerk,
City of Indianapolis, Indiana.

Dear Mr. Noll:

I am returning herewith, without my signature, General Ordinance No. 67, 1945, for the reason that this ordinance would prohibit the use of Rural Street from Tenth Street to Massachusetts Avenue

by certain types of trucks and its provisions are contrary to the City Planning Commission.

The plan for the regulation of traffic over this section of Rural Street covered by this ordinance, was not submitted to the Traffic Engineer, The Board of Safety or the City Planning Commission before the introduction and passage of the ordinance. Upon an investigation made by Mr. Frank Y. Hardy, City Traffic Engineer, Captain Jacobs and Lieutenant Daily, of the Police Traffic Division, the Traffic Engineer has recommended that I not approve the ordinance.

May I suggest that any future ordinance having to do with regulation of traffic or in any way affecting matters over which the City Planning Commission has control be referred to the Traffic Engineer or the City Planning Commission, or both if necessary, in order that the Council may have the benefit of the experience and information and assist in the co-ordination of the general planning by the Traffic division and The City Planning Commission.

Very truly yours,

ROBERT H. TYNDALL,
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

October 1, 1945.

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

Gentlemen:

In Re: Appropriation Ordinances Nos. 70 and 71, 1945.

I beg leave to report that pursuant to the laws of the State of Indiana, I caused "Notice to Taxpayers" to be inserted in the following newspapers, to-wit:

A. O. Nos. 70 and 71, 1945—Friday, September 21 and 28 1945—The Indianapolis Times and the Marion County Mail that taxpayers would have the right to be heard on the above ordinances at the meeting of the Common Council to be held October 1, 1945 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 ten days or more prior to date of hearing.

Sincerely yours,

FRANK J. NOLL, Jr.

City Clerk.

October 1, 1945.

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

Gentlemen:

In Re: General Ordinances Nos. 65, (As Amended) and 66, 1945

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

G. O. No. 65 (As Amended), 1945—Wednesday, September 26 and October 3, 1945—The Indianapolis Times and Indianapolis Commercial,

G. O. No. 66, 1945—Saturday, September 29 and October 6, 1945—Indianapolis Recorder and Indianapolis Commercial and that said ordinances are now in full force and effect as of the last date of publication.

Sincerely yours,

FRANK J. NOLL, Jr.,

City Clerk.

October 1, 1945.

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

Gentlemen:

In Re: General Ordinance No. 65, 1945 (As Amended)

I beg leave to report that pursuant to the laws of the State of Indiana, I caused "Notice to Interested Citizens" that General Ordinance No. 65, 1945 (As Amended), (Zoning Ordinance) was published on Friday, September 7, 1945 in the West Side Messenger and the Marion County Mail for a hearing on September 17, 1945.

Very truly yours,

FRANK J. NOLL, Jr.,

City Clerk

October 1, 1945.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 72, reappropriating the sum of \$60,000.00 in the City Civil Engineer Department to the Department of Public Works, Administration.

Very truly yours,

ROY E. HICKMAN,

City Controller

October 1, 1945]

City of Indianapolis, Ind.

851

October 1, 1945.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 73, 1945,
reappropriating the sum of \$11,500.00 in the Street Commissioner,
Department.

Yours very truly,

ROY E. HICKMAN,
City Controller

October 1, 1945.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 74, 1945,
reappropriating the sum of \$1,800.00 in the Street Commissioner
Department.

I respectfully recommend passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,
City Controller

October 1, 1945.

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

Gentlemen:

It has been called to my attention by the City Clerk that Ap-

propriation Ordinance No. 66, 1945 which was introduced September 5, 1945 and passed by the Common Council September 17, 1945 contained an error, to-wit:

Transferring \$11,922.55 from Fund No. 11-2, whereas this money should have been from Fund No 12-2.

I am, therefore, introducing General Ordinance No. 71, 1945 amending this ordinance and correcting said error, and ask that this ordinance be passed under suspension of rules at tonight's meeting.

Very truly yours,

HERMAN E. BOWERS,

Councilman

October 1, 1945.

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

Gentlemen:

Submitted herewith is General Ordinance No. 72, 1945 establishing a 25 foot "loading zone" as follows:

25 foot "loading zone" on the east side of North Pennsylvania Street starting at a point 186 feet south of the curb line of East New York Street and extending south to a point of 25 feet.

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

WM. H. REMY, President.

October 1, 1945.

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

Gentlemen:

Submitted herewith are copies of General Ordinance No. 73,
1945 to amend Section 2 of General Ordinance

No. 35, 1937, amending Section 24 of General Ordinance
No. 87, 1935, concerning taxicabs.

I respectfully recommend the passage of this Ordinance.

Very truly yours,

HERMAN E. BOWERS,

Councilman

At this time those present were given an opportunity to
be heard on Appropriation Ordinances Nos. 65, 70, 71, 1495,
General Ordinances Nos. 63, 68, 69 and 70, 1945.

Vice-President Kealing announced that the Mayor hav-
ing returned General Ordinance No. 67, 1945, together with
his written disapproval thereof, the question now is whether
the Council desires to take further action on said ordinance,
and the chair will entertain motions.

Mr. Dauss made the following motion: Mr. President,
I move that General Ordinance No. 67, 1945, be passed,
the Mayor's veto notwithstanding. The motion was sec-
onded by Mr. Bowers.

Vice-President Kealing instructed the Clerk to call the
roll.

Ayes 7, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Mr. White, Mr. Worley.

Noes 1, viz: Dr. Meriwether.

Vice-President Kealing declared General Ordinance No. 67, 1945, passed over the Mayor's veto.

Mr. Bowers asked for recess. The motion was seconded by Mr. Worley and the Council recessed at 8:00 P. M.

The Council reconvened at 8:30 P. M., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., October 1, 1945.

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred Appropriation Ordinance No. 65, 1945, entitled

AN ORDINANCE appropriating the total sum of Seven Hundred Eighty (\$780.00) Dollars from the General Fund to Fund No. 11, Office of City Controller, as salaries for two (2) new positions created for the counting of parking meter receipts,

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

R. C. DAUSS, Chairman
EDWARD R. KEALING
HERMAN E. BOWERS
OTTO H. WORLEY
MAX WHITE

Indianapolis, Ind., October 1, 1945.

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

Gentlemen:

We, your Committee on Finance to whom was referred Ap-
propriation Ordinance No. 70, 1945, entitled

AN ORDINANCE transferring, reappropriating and reallocating the
total sum of \$4,700.00 from certain funds in the Department
of Public Parks to other designated funds in the same De-
partment,

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

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

Indianapolis, Ind., October 1, 1945.

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

Gentlemen:

We, your Committee on Parks, to whom was referred Appro-
priation Ordinance No. 71, 1945, entitled

AN ORDINANCE transferring, reappropriating and reallocating
the total sum of \$1,100.00 from certain funds in the Department
of City Controller, to Fund No. 72, Equipment, in the same
Department,

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

A. ROSS MANLY, Chairman
R. C. DAUSS
LUCIAN B. MERIWETHER
OTTO H. WORLEY
WM. A. BROWN

Indianapolis, Ind., October 1, 1945.

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

Gentlemen:

We, your Committee on Public Safety to whom was referred
General Ordinance No. 63, 1945, entitled

AN ORDINANCE regulating entrances and exits to parking lots,
beg leave to reoprt that we have had said ordinance under consider-
ation, and recommend that the same be held for further consideration.

R. C. DAUSS, Chairman
EDWARD R. KEALING
HERMAN E. BOWERS
OTTO H. WORLEY
MAX WHITE

Indianapolis, Ind., October 1, 1945.

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

Gentlemen:

We, your Committee on Public Safety to whom was referred
General Ordinance No. 68, 1945, entitled

AN ORDINANCE prohibiting parking on a certain part of East
Tenth Street,

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

R. C. DAUSS, Chairman
EDWARD R. KEALING
HERMAN E. BOWERS
OTTO H. WORLEY
MAX WHITE

Indianapolis, Ind., October 1, 1945.

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

Gentlemen:

We, your Committee on Public Health to whom was referred General Ordinance No. 69, 1945, Entitled

AN ORDINANCE establishing a "loading zone" on the east side of N. Alabama St. and E. Court St.,

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
A. ROSS MANLY
OTTO H. WORLEY
WM. A. BROWN

Indianapolis, Ind., October 1, 1945.

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

Gentlemen:

We, your Committee on Public Works, to whom was referred General Ordinance No. 70, 1945, entitled

AN ORDINANCE establishing a "loading zone" on the north side of W. South Street starting at a point 50 feet west of the first alley east of S. Meridian St. and extending west 25 feet,

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

EDWARD R. KEALING, Chairman
HERMAN E. BOWERS
R. C. DAUSS
WM. A. BROWN
MAX WHITE

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 72, 1945.

AN ORDINANCE transferring, reappropriating and reallocating the total sum of Sixty Thousand (\$60,000.00) Dollars (Gas Tax Monies) from certain items and funds under City Civil Engineers, Department of Public Works, according to 1945 Budget classifications, to Fund No. 26 (Gas Tax Monies) Other Contractual, in the Department of Public Works, Administration, for the purpose of paying for the resurfacing of certain city streets; 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 total sum of Sixty Thousand (\$60,000.00) Dollars (Gas Tax Monies), now held under the following designated items and funds under City Civil Engineer, Department of Public Works in the respective amounts indicated, to-wit:

	Gas Tax
Fund No. 43, Sidewalk and Curb	
Materials -----	\$ 23,000.00
Fund No. 12-8, Gas Tax Maintenance Division	
Plant Firemen -----	\$ 2,200.00
T. M. O. -----	400.00
Truck Drivers -----	400.00
Rakers -----	3,900.00
Tamper -----	1,800.00
Plant Laborers -----	1,300.00
Asphalt Laborers -----	11,500.00
Street Laborers -----	8,600.00
Finishers -----	500.00
Blacksmith -----	300.00
	<hr/>
Total from 12-8 -----	\$ 37,000.00
	<hr/>
	\$ 60,000.00

be and the same is hereby transferred, reappropriated and reallocated to the following fund (Gas Tax Monies) in the Department of Public Works, Administration, for the purpose indicated, to-wit:

Fund No. 26, Other Contractual, for	
purpose of paying for the re-	
surfacing of certain city	
streets -----	\$ 60,000.00

Section 2. This Ordinance shall be in full force and effect upon passage, approval by the Mayor, and compliance with all law pertaining thereto.

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

By the City Controller:

APPROPRIATION ORDINANCE NO. 73, 1945

AN ORDINANCE transferring, reappropriating and reallocating the sum of Eleven Thousand Five Hundred (\$11,500.00) Dollars from Fund No. 12-2 Sewer Sanitation, Street Commission Division of the Department of Public Works of the City of Indianapolis to Fund No. 72, Equipment, in the same division and department, for truck chassis for eductor tank and an eductor and pumper assembly; 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 Eleven Thousand Five Hundred (\$11,500.00) Dollars now held in the following Fund in the Division of Street Commissioner, Department of Public Works, to-wit:

Fund No. 12-2, Sewer Sanitation -----	\$11,500.00
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be and the same is hereby transferred, reappropriated and reallocated to the following fund in the same division and department, to-wit:

Fund No. 72, Equipment for truck chassis for	
eductor tank, and an eductor tank and pumper	
assembly -----	\$11,500.00

Section 2. This Ordinance shall be in full force and effect upon its passage, approval by the Mayor, and compliance with all law pertaining thereto.

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

By the City Controller:

APPROPRIATION ORDINANCE NO. 74, 1945

AN ORDINANCE transferring, reappropriating and reallocating the sum of One Thousand Eight Hundred (\$1,800.00) Dollars, from Fund No. 12-2, Sewer Sanitation, Street Commissioner, Department of Public Works of the City of Indianapolis,, according to 1945 budget classifications, to Fund No. 45, Repair Parts, in the same division and department, for the purpose of paying for parts to repair three (3) sewer eductors; 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 One Thousand Eight Hundred (\$1,800.00) Dollars, now held in the following fund in the division of Street Commissioner, Department of Public Works, to-wit:

Fund No. 12-2, Sewer Sanitation -----\$1,800.00

be and the same is hereby transferred, reappropriated and reallocated to the following Fund in the same division and department, to-wit:

Fund No. 45, Repair parts, to pay for parts to
repair 3 sewer eductors -----\$1,800.00

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all law pertaining thereto.

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

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Bowers:

GENERAL ORDINANCE NO. 71, 1945

AN ORDINANCE amending Appropriation Ordinance No. 66, 1945; 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 Appropriation Ordinance No. 66, 1945 be amended as follows:

By striking out the words and figures "Fund No. 11-2" in the preamble and also in Section 1 of said Appropriation Ordinance No. 66, 1945 and inserting in lieu thereof, "Fund No. 12-2."

Section 2. This Ordinance shall be in full force and effect upon its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

Which was read for the first time and referred to the Committee on Law & Judiciary.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 72, 1945

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96-1928, as amended; 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. Therefor the purpose of providing the owner or occupant of a certain premises fronting on a certain public street

in the City of Indianapolis with ingress and egress, for passengers, materials and merchandise coming to or going from such premises such owner of occupant having complied with the provisions of Section 26 of General Ordinance No. 96-1928, as amended, relative to its establishment and the Board of Public Safety having caused investigation to be made thereof and having recommended its establishment pursuant to the terms of said ordinance, as amended, the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, to-wit:

25 foot "loading zone" on the east side of north Pennsylvania Street starting at a point 186 feet south of the south curb line of East New York Street and extending south to a point 25 feet.

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

Which was read for the first time and referred to the Committee on City Welfare.

By Councilman Bowers:

GENERAL ORDINANCE NO. 73, 1945

AN ORDINANCE to amend Section 2 of General Ordinance No. 35-1937, amending Section 24 of General Ordinance No. 87-1935, and fixing the time when it shall take effect.

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

Section 1. That Section 2 of the first above entitled ordinance be amended to read as follows:

Section 2. That Section 24 of General Ordinance No. 87-1935, generally known as the taxicab ordinance be amended to read as follows:

Section 24. Any license issued under the provisions of this ordinance may be suspended by the Board of Public Safety upon violation by any licensee of any

provision of this ordinance for such period as the Board of Public Safety may determine. The Board of Public Safety may also revoke at any time any License issued hereunder upon the violation by any licensee of any provision of this ordinance; provided that, any licensee under this ordinance whose license has been suspended or revoked by the Board of Public Safety shall have the right to appeal to the Mayor of the City of Indianapolis, who, after full hearing, shall have the power to revoke the license or suspend the same or continue the same in force, and his action shall be final. In order to perfect his appeal, a licensee shall notify the Board of Public Safety in writing of any intention to appeal, before the expiration of ten (10) days from the date of any suspension or revocation.

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 for the first time and referred to the Committee on Finance.

ORDINANCES ON SECOND READING

Mr. Bowers called for Appropriation Ordinance No. 70, 1945 for second reading. It was read a second time.

On motion of Mr. Bowers, seconded by Mr. Manly, Appropriation Ordinance No. 70, 1945 was ordered engrossed, read a third time, and placed upon its passage.

Appropriation Ordinance No. 70, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley.

Mr. Manly called for Appropriation Ordinance No. 71, 1945 for second reading. It was read a second time.

On motion of Mr. Manly, seconded by Mr. Worley, Appropriation Ordinance No. 71, 1945 was ordered engrossed, read a third time, and placed upon its passage.

Appropriation Ordinance No. 71, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley.

Mr. Dauss called for General Ordinance No. 68, 1945 for second reading. It was read a second time.

On motion of Mr. Dauss, seconded by Mr. Bowers, General Ordinance No. 68, 1945 was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance No. 68, 1945, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley.

Dr. Meriwether called for General Ordinance No. 69, 1945 for second reading. It was read a second time.

On motion of Dr. Meriwether, seconded by Mr. Manly, General Ordinance No. 69, 1945 was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance No. 69, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bowers, Mr. Brown, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley.

Noes 1, viz: Mr. Dauss.

Mr. Bowers called for General Ordinance No. 70, 1945 for second reading. It was read a second time.

On motion of Mr. Bowers, seconded by Mr. Worley, General Ordinance No. 70, 1945 was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance No. 70, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley.

MISCELLANEOUS BUSINESS

The Council reverted to the previous order of business.

Mr. Worley made a motion that the rules be suspended for further consideration and passage of General Ordinance No. 71, 1945.

The motion was seconded by Mr. Bowers and carried by the following roll call vote:

Ayes 8, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley.

The rules were suspended.

COMMITTEE REPORTS

Indianapolis, Ind., October 1, 1945.

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

Gentlemen:

We, your Committee on Law & Judiciary, to whom was referred
General Ordinance No. 71, 1945, entitled

AN ORDINANCE amending Appropriation Ordinance No. 66, 1945,
by changing Fund No. 11-2 to Fund No. 12-2

beg leave to report that we have had said ordinance under consider-
ation, and recommend that the same be passed under suspension of
the rules.

OTTOH. WORLEY, Chairman
WILLIAM H. BROWN
HERMAN E. BOWERS
EDWARD R. KEALING
LUCIAN B. MERIWETHER

ORDINANCES ON SECOND READING

Mr. Worley called for General Ordinance No. 71, 1945
for second reading. It was read a second time.

On motion of Mr. Worley, seconded by Mr. Bowers, Gen-
eral Ordinance No. 71, 1945 was ordered engrossed, read
a third time and placed upon its passage.

General Ordinance No. 71, 1945 was read a third time
by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr.

Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley.

The Council reverted to the previous order of business.

Mr. Bowers made a motion that the rules be suspended for further consideration and passage of General Ordinance No. 73, 1945.

The motion was seconded by Mr. Worley and carried by the following roll call vote:

Ayes 8, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley.

The rules were suspended.

COMMITTEE REPORTS

Indianapolis, Ind., Oct. 1, 1945.

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

Gentlemen:

We, your Committee on Finance, to whom was referred General Ordinance No. 73, 1945, entitled

An Ordinance concerning taxicabs,

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

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

ORDINANCES ON SECOND READING

Mr. Bowers called for General Ordinance No. 73, 1945 for second reading. It was read a second time.

On motion of Mr. Bowers, seconded by Mr. Worley, General Ordinance No. 73, 1945 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 73, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley.

SPECIAL ORDER OF BUSINESS

September 29, 1945.

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

Gentlemen:

In Re: Special Ordinance No. 2, 1942,
Annexation, Cause 58466,
Quillen et al vs. The City of
Indianapolis:

In order to correct and complete the record of the council proceedings in reference to the above ordinance and injunction by which the City of Indianapolis was permanently enjoined from annexing certain contiguous territory, I am incorporating a certified copy of the court order of the Marion Superior Court dated December 28, 1942.

This order was not certified to the City Clerk at that time by the Marion County Clerk as provided by statute. Ralph Moore Marion County Auditor, has requested that this entry be made in our Journal so that the provisions of the statute may be complied with and the record made complete.

Sincerely yours,

FRANK J. NOLL, Jr.,

City Clerk

State of Indiana, Marion County, ss:

BE IT KNOWN, That on the 28th day of December, 1942 being the 19th judicial day of the December Term, 1942 of the Circuit Court of Marion County, held at the Court House in the City of Indianapolis, County of Marion, and State of Indiana, before the Honorable Earl R. Cox, Judge of Circuit Court.

Judge of said Court, the following proceedings were had in the cause of 58466, Clarence A. Quillen et al, vs: City of Indianapolis

Monday, December 28th, 1942' December Term 1942 19th Judicial Day
Clarence A. Quillen
Henry Scheparde
vs. ----- 58466
City of Indianapolis

Comes now the parties and this cause having been submitted and evidence heard and the court being fully advised, the court now finds for the plaintiffs and against defendant.

And the court further finds that the allegations of the plaintiff's complaint are true and for the reasons therein alleged finds that Special Ordinance No. 2, 1942, enacted by the defendant, City of Indianapolis, by and through its Common Council, and purporting to annex to the City of Indianapolis the following described real estate, situated in Marion County, State of Indiana, to-wit:

Beginning at a point in the present coropration line, said point being the intersection of the west property

line of west Riverside Drive with the north line of Woollings Gold Coast addition an addition to the City of Indianapolis, as recorded in Plat Book 24, Page 534, in the office of the Recorder of Marion County, Indiana, and said point being also One Hundred Eighty Seven and Seventy Three Hundredths feet north of the north property line of Twenty Third Street; Thence west on and along the North Line of the said Woollings Gold Coast addition to the Center Line of Warman Avenue: Thence south on and along the center line of Warman avenue to a point said point being twenty feet (20) south of and measured at right angles to the north property line of the Lafayette Road, Thence southeastwardly and parallel to the North property line, of the Lafayette Road, to a point in the production south ward of the west property line of West Riverside Drive: Thence north on the property line of West Riverside Drive to the point or place of beginning

is unreasonable and void and of no effect.

And the court further finds that the plaintiff is entitled to an injunction perpetually enjoining the defendant, City of Indianapolis and its officers and agents from exercising any control or authority over the aforesaid territory under or by virtue of Special Ordinance No. 2, 1942.

It is therefore considered and adjudged by the Court of Special Ordinance Number 2, 1942, enacted by the Common Council of the Defendant City of Indianapolis is void and of no effect and such defendant and its officers and agents are hereby perpetually enjoined from exercising any control or authority over the territory described in such ordinance under and by virtue of said Special Ordinance Number Two, 1942.

And it is further considered and adjudged that the plaintiffs recover of the defendant their costs herein laid out and expended, taxed at \$_____.

State of Indiana, Marion County, ss:

I, the undersigned, Clerk of the Circuit Court of Marion County,

in the State of Indiana, do hereby certify that the foregoing is a true and complete copy of the proceedings had in said Court, and entered on the records thereof, in the above entitled cause, on the day and year first aforesaid, as appears of record in my office.

In Testimony, whereof, I hereunto subscribe my name and affix the seal of said Circuit Court, at my office, in the City of Indianapolis, this 29th day of September, 1945.

A. JACK TILSON, Clerk Circuit, Marion County.

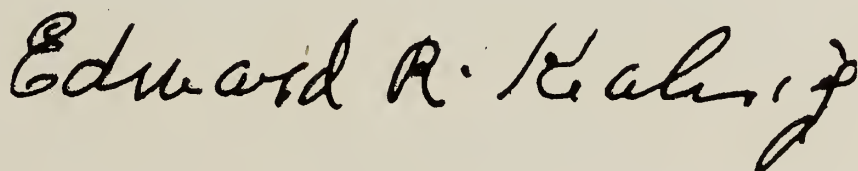
(Seal)

On motion of Mr. Bowers, seconded by Mr. Dauss, the Common Council adjourned at 9:00 P. M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 1st day of October, 1945, at 7:30 P. M.

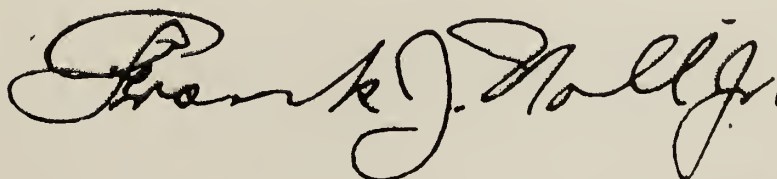
In Witness Whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

ATTEST:



Vice-President

ATTEST:



City Clerk

(SEAL)