

REGULAR MEETING

Monday, February 15, 1932.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, February 15, 1932, at 7:30 p. m., in regular session. President Ernest C. Ropkey in the chair.

The Clerk called the roll.

Present: Ernest C. Ropkey, President, and six members, viz: Fred C. Gardner, James A. Houck, C. A. Hildebrand, Chas. C. Morgan, Maurice E. Tennant, Leo F. Welch.

Absent: George A. Henry, Clarence I. Wheatley.

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

COMMUNICATIONS FROM THE MAYOR

February 8, 1932.

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

GENERAL ORDINANCE NO. 10, 1932

AN ORDINANCE authorizing the Board of Health of the City of Indianapolis, Indiana, to purchase Three Hundred Thousand (300,000) yards of mesh gauze for use in connection with the Indianapolis City Hospital, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 11, 1932

AN ORDINANCE authorizing the Board of Health of the City of Indianapolis, Indiana, to purchase Fourteen Thousand Four Hundred (14,400) pairs of surgeons' rubber gloves for use at and in connection with the Indianapolis City Hospital; and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 13, 1932

AN ORDINANCE transferring moneys from certain numbered funds and reappropriating and reapportioning the same to other numbered funds, and fixing a time when the same shall take effect.

## APPROPRIATION ORDINANCE NO. 1, 1932

AN ORDINANCE appropriating the sum of Fifteen Hundred Dollars (\$1500.00) from the estimated unexpended and unappropriated balance of the year 1932, and fixing a time when the same shall take effect.

Yours very truly,

R. H. SULLIVAN,  
Mayor.

## COMMUNICATIONS FROM CITY OFFICIALS

February 11, 1932.

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

Gentlemen:

I am submitting herewith 14 copies of Special Ordinance No. 2, 1932, providing for the change of name of a certain street in this city. In order that an improvement project will not be delayed it is respectfully requested that this ordinance be passed under suspension of rules.

Very truly yours,

H. B. STEEG,  
Secretary-Engineer,  
CITY PLAN COMMISSION.

February 15, 1932.

*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. 4, 1932, appropriating and transferring to certain funds of the Street Commissioner's Department the total sum of Forty Thousand

(\$40,000.00) Dollars out of the Gasoline Tax Fund, now unappropriated, for the repair and maintenance of streets and public thoroughfares and bridges and for labor, material, supplies and equipment necessary thereto.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,  
City Controller.

February 5, 1932.

*Mr. William L. Elder,  
City Controller,  
City Hall,*

Dear Sir:

The Board of Public Works respectfully requests that you cause to be prepared an ordinance appropriating the following amounts from the Gasoline Tax Fund:

\$20,000.00 to Account 12-7, Street Maintenance

20,000.00 to Account 12-8, Street Repairs

and present the same to the Common Council at the next meeting with the recommendation of the Board of Public Works that the same be passed.

Yours very truly,

/s/ ERNEST F. FRICK,  
Secretary, Board of Public Works.

February 15, 1932.

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

Gentlemen:

Attached please find copies of General Ordinance No. 18, 1932, authorizing the City Controller to issue and sell One Hundred (100)

Bonds of One Thousand (\$1,000.00) Dollars each for the purpose of defraying the City's portion of the Track Elevation work for the year 1932.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,  
City Controller.

February 15, 1932.

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

Gentlemen:

Attached please find copies of General Ordinance No. 19, 1932, transferring the sum of Ten (\$10.00) Dollars from Department of Public Safety, Fire Department Fund No. 11—Salaries and Wages, First Grade Firemen, and reappropriating the same to Department of Public Safety, Fire Department Fund No. 52—Licenses.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,  
City Controller.

February 9, 1932.

*Wm. L. Elder, City Controller,  
City of Indianapolis.*

Dear Sir:

On the recommendation of Harry E. Voshell, Chief of the Fire Department, we are requesting an ordinance drawn and presented to the Common Council asking for the transfer of Ten (\$10.00) Dollars from the Fire Department Salary Fund No. 11—First Grade Firemen, and the reappropriation of the same to Fund No. 52—Licenses—Fire Department.

Very truly yours,

BOARD OF PUBLIC SAFETY,  
/s/ WALTER O. LEWIS,  
Executive Secretary.

Mr. Houck asked for a recess. The motion was made and seconded by Mr. Welch and the Council recessed at 7:35 p. m.

The Council reconvened from its recess at 8:20 p. m., with the same members present as before.

### COMMITTEE REPORTS

Indianapolis, Ind., February 15, 1932.

*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. 8, 1932, entitled Bond Issue—\$88,000.00 Thoroughfare Funding Bond—First Issue, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

J. A. HOUCK, Chairman.  
CARL A. HILDEBRAND.  
LEO F. WELCH.  
F. C. GARDNER.  
MAURICE E. TENNANT.

Indianapolis, Ind., February 15, 1932.

*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. 9, 1932, entitled Transfer of \$50.00—Board Health, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.  
CARL A. HILDEBRAND.  
LEO F. WELCH.  
F. C. GARDNER.  
MAURICE E. TENNANT.

Indianapolis, Ind., February 15, 1932.

*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. 12, 1932, entitled Amending Sec. 12-6 Dept. of Pub. Works, and Sec. 2, G. O. 18, 1931, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

J. A. HOUCK, Chairman.  
CARL A. HILDEBRAND.  
LEO F. WELCH.  
F. C. GARDNER.  
MAURICE E. TENNANT.

Indianapolis, Ind., February 15, 1932.

*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. 14, 1932, entitled Amending Building Code—Div. E—Part six of Sec. 865, etc., beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

MAURICE E. TENNANT, Chairman.  
F. C. GARDNER.  
LEO F. WELCH.  
C. A. HILDEBRAND.

Indianapolis, Ind., February 15, 1932.

*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. 17, 1932, entitled Amending Building Code—Div.

E—part five, of Sec. 865, etc., beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

MAURICE E. TENNANT, Chairman.  
F. C. GARDNER.  
LEO F. WELCH.  
CHAS. C. MORGAN.

Indianapolis, Ind., February 15, 1932.

*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, 1932, entitled Appropriating \$30,531.67 in Park Dept. and correcting an error in 1932 Budget, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.  
LEO F. WELCH.  
F. C. GARDNER.  
MAURICE E. TENNANT.  
CARL A. HILDEBRAND.

Indianapolis, Ind., February 15, 1932.

*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, 1932, entitled Appropriating \$2,500 from anticipated 1932 balance of General Fund to various Depts.—Municipal Airport, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.  
CARL A. HILDEBRAND.  
LEO F. WELCH.  
F. C. GARDNER.  
MAURICE E. TENNANT.

Indianapolis, Ind., February 15, 1932.

*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. 1, 1932, entitled Authorization to purchase Real Estate, beg leave to report that we have had said ordinance nance under consideration, and recommend that the same be passed.

CARL A. HILDEBRAND, Chairman.  
LEO F. WELCH  
F. C. GARDNER.  
MAURICE E. TENNANT.  
CHAS. C. MORGAN.

#### INTRODUCTION OF APPROPRIATION ORDINANCES

By City Controller:

#### APPROPRIATION ORDINANCE NO. 4, 1932

AN ORDINANCE appropriating and transferring to certain funds of the Street Commissioner's Department the total sum of Forty Thousand Dollars (\$40,000.00) out of the Gasoline Tax Fund, now unappropriated, for the repair and maintenance of streets and public thoroughfares and bridges and for labor, material, supplies and equipment necessary thereto, and fixing a time when the same shall take effect.

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

Section 1. That the sum of Forty Thousand Dollars (\$40,000.00) out of the Gasoline Tax Fund, now unappropriated, be and the same is hereby appropriated and transferred in the following amounts to the following funds in the Street Commissioner's Department for the repair and maintenance of streets, public thoroughfares and bridges, and for labor, material, supplies and equipment necessary thereto, to-wit:

Fund No. 12-7 Street Maintenance	.....\$20,000.00
Fund No. 12-8 Street Repairs	..... 20,000.00

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 Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By City Controller:

GENERAL ORDINANCE NO. 18, 1932

AN ORDINANCE providing for and authorizing the city controller for and on behalf of the City of Indianapolis to borrow the sum of One Hundred Thousand Dollars (\$100,000.00) and the sale of one hundred (100) bonds of One Thousand Dollars (\$1,000.00) each of said city, payable from the general revenues and funds of said city, or as may be required by law for the purpose of procuring money for the payment of the respective part of said city of the cost of elevating and altering grade crossings in said city, and work thereunto appertaining, and providing for the time and manner of advertising sale of bonds and the receipt of bids for the same, together with the mode and terms of sale, appropriating the money received from said sale to the Board of Public Works of said city, and fixing a time when the same shall take effect.

WHEREAS, heretofore on the 26th day of June, 1925, the Board of Public Works of said city adopted Track Elevation Resolution No. 19 calling for the alteration of certain grade crossings in said city and for other work thereunto appertaining; and

WHEREAS, heretofore on the.....day of....., 1932, the city civil engineer of said city made an estimate of the respective part of said city of the cost of said improvements for the year 1932 under said Track Elevation Resolution, a copy of said estimate being attached hereto and made a part hereof and for the purpose of identification being marked "Exhibit A"; and

WHEREAS, heretofore on the 8th day of February, 1932, the board of public works passed a resolution requesting the issuance of bonds in the sum of One Hundred Thousand Dollars (\$100,000.00) a copy of said resolution being attached hereto and made a part hereof and for the purpose of identification being marked "Exhibit B"; and

WHEREAS, it is necessary to the safety and convenience of the public that money be provided to complete the elevation and alteration of grade crossings in said city; and

WHEREAS, there is not now, and will not be, sufficient funds in the treasury of the City of Indianapolis with which to meet the aforesaid expenditure for such elevation and alteration of grade crossings, and it being necessary for the City of Indianapolis to borrow the sum of One Hundred Thousand Dollars (\$100,000.00) in order to procure such a fund to be devoted to said purposes, and to issue and sell its bonds in such an amount, payable from the general revenues and funds of said city, or from the sinking fund, or as may be required by law;

NOW, THEREFORE,

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

Section 1. That the city controller be and he is hereby authorized, for the purpose of procuring money for the payment of the respective part of the City of Indianapolis of the cost of elevating and altering grade crossings in said city and work thereunto appertaining, as set out in a resolution of the board of public works, a copy of which is marked "Exhibit E" and attached hereto and made a part hereof, to prepare issue and sell one hundred (100) bonds of the City of Indianapolis, Marion County, Indiana, of One Thousand Dollars (\$1,000.00) each, which bonds shall bear the date of May 2, 1932, and shall be numbered one (1) to one hundred (100), both inclusive, and shall bear interest at the rate of four and one-half percent (4½%) per annum, payable semi-annually on the first day of January and the first day of July of each year of the period of said bonds, and said bonds shall be issued in twenty (20) series, each series of which shall consist of five (5) bonds of One Thousand Dollars (\$1,000.00) each. The first series of said bonds shall be due and payable on July 1, 1933, and one (1) of said series shall be due and payable on the first day of July of each year thereafter until and including July 1, 1952. The interest on said bonds shall be evidenced by proper coupons thereunto attached for the payment of said semi-annual interest, and the first coupon attached to each bond shall be for the interest on said bond from the date of issue until the first day of July, 1933; said bonds and the interest coupons thereunto attached shall be negotiable and payable at the office of the city treasurer of the City of Indianapolis, at Indianapolis, Indiana, and said bonds shall be signed by the Mayor and city controller of the City of Indianapolis, and attested by the city clerk, who shall affix the seal of the city to each

bond, and the interest coupons attached to said bonds shall be authenticated by a lithographic fac simile of the signatures of the Mayor and the city controller of said city engraved thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof. Said bonds shall be prepared by the city controller of said city in due form, irrevocably pledging the faith and credit of the city of Indianapolis, Indiana, to the payment of the principal and interest stipulated therein respectively. It shall be the duty of the city controller, at the time of the issuance and negotiation of said bonds, to register in the book kept for that purpose all of said bonds so issued and negotiated in serial numbers, beginning with the bond numbered one (1), giving also the date of issuance, the amount, the date of maturity, rate of interest, and the time and place where said interest shall be payable; and said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before the issuance thereof.

No..... \$1,000.00

UNITED STATES OF AMERICA  
CITY OF INDIANAPOLIS

MARION COUNTY STATE OF INDIANA

TRACK ELEVATION BONDS OF 1932—FIRST ISSUE  
TOTAL ISSUE—\$100,000.00

For value received, the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer, on the first day of July, 19...., at the City Treasurer's office in the City of Indianapolis, Indiana, One Thousand Dollars (\$1,000.00) in lawful money of the United States of America, together with interest thereon at the rate of four and one-half percent (4½%) per annum from date until paid.

The first interest payable on the first day of July, 1933, and the interest thereafter payable semi-annually on the first day of January and July, respectively, upon presentation of the proper interest coupons hereunto attached and which are made a part of this bond.

This bond is one of an issue of one hundred (100) bonds of One Thousand Dollars (\$1,000.00) each, numbered from one (1) to one hundred (100), both inclusive, of date of May 2, 1932, which bonds mature in series of five (5) bonds each year for twenty (20) years, the first series maturing July 1, 1933, and the successive series on the first day of July of each year thereafter until and including July 1, 1952. These bonds are issued by the City of Indianapolis, Indiana,

pursuant to an ordinance duly passed by the Common Council of said city on the.....day of....., 1932, and by virtue of the laws of the State of Indiana, including an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and an act of 1923, approved March 8, 1923, entitled "An Act to provide for the alteration of steam railroad grade crossings and to secure the depression or elevation of steam railroad tracks where the same cross streets or other highways in cities of more than one hundred thousand population according to the last preceding United States census, and authorizing the opening, change and vacation of streets and other highways and change of grades thereof in connection therewith; providing for the payment of the cost of such improvement by railroad companies, street railway companies, and the city and county in which such city is located, and incorporated towns lying within (or) surrounded by the corporate limits of such city, and repealing all laws in conflict therewith," and all acts amendatory thereof and supplemental thereto. The object of this issue is to secure a total fund of One Hundred Thousand Dollars (\$100,000.00), duly appropriated by the ordinance aforesaid for the use of the Board of Public Works of the said City of Indianapolis, as set out in "Exhibit A" attached to the ordinance described above.

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

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, Marion County, Indiana, has caused this bond to be signed by the Mayor and City Controller, and attested by the City Clerk, and the corporate seal of the city to be affixed thereto, this as of the .....day of....., 1932.

.....  
 Mayor

.....  
 City Controller

Attest:

.....  
 City Clerk

Section 2. The city controller shall, as soon as possible after the passage of this ordinance, advertise for bids or proposals for said bonds, by at least one (1) insertion each week for two (2) weeks in two (2) daily newspapers of general circulation, printed and published in the English language in the City of Indianapolis, Indiana, and as required and authorized by law, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisement shall describe said bonds with such detail as the city controller may see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they may bear; the date of opening bids or proposals therefor, the terms of sale, the right of the city controller to reject any and all bids, the amount of deposit each bidder shall be required to make, and when and where the bonds shall be delivered and paid.

Section 3. Each and every bid and proposal shall be presented to the city controller sealed, and shall be accompanied by a duly certified check, or cashier's check, upon some responsible bank or trust company in the City of Indianapolis, payable to the order of the city treasurer, for a sum of money which shall equal two and one-half percent ( $2\frac{1}{2}\%$ ) of the face or par value of the bonds bid for or proposed to be purchased. The city controller shall continue to receive all bids or proposals therefor at the office of the city controller until eleven (11) o'clock A. M. on the day fixed by the city controller and designated in the advertisement for receiving bids or proposals, at which time and place and between the said hour and twelve (12) o'clock noon of said day he shall open said bids or proposals, and shall continue to receive bids at said time and place from day to day thereafter until said bonds are sold. The city controller shall award said bonds, or as he shall see fit, a part or any number thereof, to the highest and best bidder therefor, but said city controller shall have the right to reject any and all bids or proposals or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole or a less number of bonds covered by said bid, he being the sole judge of the sufficiency or insufficiency of any kind. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. The provisions shall apply to the case of reoffering and readvertising of said bonds as hereinafter provided.

Section 4. In case the city controller shall reject all bids submitted, or, if he shall award only a part of said bids, he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is

authorized and directed to fix the date and time both of receiving and opening bids or proposals, and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time in like manner to readvertise said bonds for sale until said bonds are sold.

Section 5. In case any bid or proposal shall not be accepted and there shall be no award of bonds thereon by the city controller, he shall thereupon return to such unsuccessful bidder the certified or cashier's check accompanying the same. If the city controller shall award the whole or any part of the bonds upon any bid or proposal he shall deliver the certified or cashier's check accompanying the same to the city treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of contract for purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to readvertise said bonds for sale at once, and shall, in such event, retain such check and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the city. In case any successful bidder shall fail to complete the purchase price of the bonds so awarded and to pay for the same within the time and manner herein required, or which may be prescribed by the city controller as herein provided, the proceeds of such certified or cashier's check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use, but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified or cashier's check shall thereupon be returned to such bidder, or at the option of the city controller at the time of the completion of the sale and payment for the bonds said proceeds of said certified or cashier's check may be applied and deemed a payment on account of the purchase of said bonds.

Section 6. Delivery of any bonds shall be made at the office of the city controller of the City of Indianapolis, Indiana, upon such day or days as may be specified in the advertisement or advertisements for proposals or within such time thereafter as may be fixed by the

city controller and the purchaser or purchasers, and the city controller may extend the time for such delivery not more than twenty (20) days after the day or days specified or agreed upon as above provided, and the successful bidder or bidders shall take the bonds awarded to him or them and pay for the same at such time and place, and his or their refusal, neglect or omission so to do shall be a breach of the contract of his bid or proposal on account of which damages shall be retained or recovered as liquidated, as provided in this ordinance.

Section 7. The bonds taken and paid for to the satisfaction of the city controller shall be a binding obligation on the city of Indianapolis, according to their tenor and effect, and the proceeds derived from the sale, or sales, or both, as herein authorized, shall be and are hereby appropriated to the board of public works for the purpose of elevating and altering grade crossings, and the same shall constitute and continue as an appropriation for the specified purposes as hereinbefore set out until all the said improvements have been duly made and paid for, and any residue of such proceeds remaining thereafter shall become part of and is hereby appropriated to the Track Elevation Fund of the board of public works of said city to be used by said board in the elevation and alteration of grade crossings of said city as said board may, by resolution, direct.

Section 8. The mayor, city controller and corporation counsel are hereby authorized and directed to publish notices of the herein determination to issue bonds, as required by law.

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

“EXHIBIT A”

TRACK ELEVATION FUND AND ESTIMATE OF THE CITY'S COST OF WORK FOR THE YEAR 1932, UNDER TRACK ELEVATION RESOLUTION NO. 19, ADOPTED BY THE BOARD OF PUBLIC WORKS ON JUNE 26, 1925.

Balance from Comptroller's Records.....	\$ 71,041.85
Outstanding Bills:	
October, 1931 .....	\$ 7,294.54
December, 1931 .....	8,093.95
January, 1932 .....	9,148.91

City's portion of Bluff Road pavement, contract let .....	1,200.00	
City's portion of Illinois Central R. R. fill.....	17,009.00	42,737.40
		<hr/>
Balance Feb. 1, 1932.....		\$ 28,304.45

Belt Railroad expenditures for 1932 to be used in connection of the West Morris Street Bridge and adjacent filling, and filling West of White River in the vicinity of the Stock Yards.....	\$300,000.00	
54% City's portion .....	102,000.00	
Engineering incidentals and extras 15%.....	15,300.00	\$117,300.00
		<hr/>
DEFICIT .....		\$ 88,995.00

(signed) A. H. MOORE,  
City Civil Engineer.

APPROVED:

(signed) E. KIRK MCKINNEY,  
" LOUIS C. BRANDT,  
" C. O. BRITTON,  
Board of Public Works.

(signed) WM. L. ELDER,  
City Controller.

Ernest F. Frick, first being duly sworn upon his oath says he is Secretary of the Board of Public Works of the City of Indianapolis and as such certifies that the foregoing statement is a true and correct estimate of the cost of Track Elevation Work for the year 1932 under Track Elevation Resolution No. 19, as submitted by the City Civil Engineer and approved by the Board of Public Works and the City Controller.

(signed) ERNEST F. FRICK,  
Secretary.

Subscribed and sworn to before me this 8th day of February, 1932.

(signed) LOUISE RICH,  
Notary Public.

My commission expires April 10, 1934.

(SEAL)



“EXHIBIT B”

IN RE: TRACK ELEVATION RESOLUTION—No. 19  
Elevation of Belt Railroad Tracks

WHEREAS, the Board of Public Works of the City of Indianapolis has heretofore, on the 24th day of April, 1925, approved plans and specifications for the elevation of the Belt Railroad tracks from West New York Street to English Avenue, and from East Michigan Street to East Thirteenth Street; and

WHEREAS, on the 26th day of June, 1925, said Board of Public Works adopted Track Elevation Resolution No. 19, providing for said elevation of said tracks and subsequent thereto, on the 7th day of August, 1925, after due notice as provided by law and after hearing all parties interested and affected thereby, confirmed said resolution as modified; and

WHEREAS, the City of Indianapolis, by and through its said Board of Public Works and approval of the Mayor entered into an agreement for said track elevation with the Belt Railroad Company on the 19th day of August, 1925; and

WHEREAS, pursuant to said Track Elevation Resolution No. 19 and agreement thereon the work of elevating said tracks has progressed by the completion of a number of sections of said track elevation program; and

WHEREAS, the City Civil Engineer and Track Elevation Engineer have filed with the Board of Public Works a certificate showing the present balance of the Track Elevation Fund and estimate of the City's cost of the work contemplated under said Track Elevation program for the year 1932, which is as follows:

TRACK ELEVATION FUND AND ESTIMATE OF THE CITY'S  
COST OF WORK FOR THE YEAR 1932, UNDER TRACK  
ELEVATION RESOLUTION NO. 19, ADOPTED BY  
THE BOARD OF PUBLIC WORKS ON JUNE 26, 1925.

Balance from Comptroller's Records.....	\$ 71,041.85
Outstanding Bills:	
October, 1931 .....	\$ 7,294.54
December, 1931 .....	8,093.95
January, 1932 .....	9,148.91

City's portion of Bluff Road pavement, contract let .....	1,200.00	
City's poition of Illinois Central R. R. fil.....	17,000.00	42,737.40
		<hr/>
Balance Feb. 1, 1932.....		\$ 28,304.45
Brought forward .....		\$ 28,304.45

Belt Railroad expenditures for 1932 to be used in connection of the West Morris Street Bridge and adjacent filling, and filling West of White River in the vicinity of the Stock Yards.....	\$300,000.00	
34% City's portion .....	102,000.00	
Engineering incidentals and extras 15%.....	15,300.00	\$117,300.00
		<hr/>
DEFICIT .....		\$ 88,995.00

(signed) A. H. MOORE,  
City Civil Engineer.

APPROVED:

(signed) E. KIRK MCKINNEY,  
" LOUIS C. BRANDT,  
" C. O. BRITTON,  
Board of Public Works.

(signed) WM. L. ELDER,  
City Controller.

Ernest F. Frick, first being duly sworn upon his oath says he is Secretary of the Board of Public Works of the City of Indianapolis and as such certifies that the foregoing statement is a true and correct estimate of the cost of Track Elevation Work for the year 1932 under Track Elevation Resolution No. 19, as submitted by the City Civil Engineer and approved by the Board of Public Works and the City Controller.

(signed) ERNEST F. FRICK,  
Secretary.

Subscribed and sworn to before me this 8th day of February, 1932.

(signed) LOUISE RICH,  
Notary Public.

My commission expires April 10, 1934.

and

WHEREAS, the Board of Public Works is desirous of continuing to an early completion the remaining projects provided for in said track elevation resolution; and

WHEREAS, the payment of the City's cost of said track elevation will necessitate an issuance of bonds by the City of Indianapolis; now

THEREFORE, BE IT RESOLVED by the Board of Public Works that the completion of the remaining projects under Track Elevation Resolution No. 19 is of public necessity, convenience and general utility, and that the City Controller be, and he is hereby requested to cause to be prepared an ordinance providing for a bond issue in the sum of \$100,000.00, and submit the same to the Common Council at it's next meeting with the recommendation of the Board of Public Works that the same be passed.

(signed) E. KIRK MCKINNEY,  
" LOUIS C. BRANDT,  
" C. O. BRITTON,  
Board of Public Works.

I, Ernest F. Frick, Clerk of the Board of Public Works, of the City of Indianapolis, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Public Works on the 8th day of February, 1932.

(signed) ERNEST F. FRICK

C O P Y

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

By City Controller:

GENERAL ORDINANCE NO. 19, 1932

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

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

Section 1. That the sum of Ten Dollars (\$10.00), now in Department of Public Safety, Fire Department Fund No. 11—Salaries and Wages, First Grade Firemen, be and the same is hereby transferred

therefrom and reappropriated to Department of Public Safety, Fire Department Fund No. 52—Licenses.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication as by law required.

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

By City Plan:

#### SPECIAL ORDINANCE NO. 2, 1932

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 the name of Michigan Street from Dorman Street to Highland Avenue be and the same is hereby changed to and shall hereafter be known and designated as Michigan Place.

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 Parks.

#### ORDINANCES ON SECOND READING

Mr. Houck called for General Ordinance No. 8, 1932, for second reading. It was read a second time.

Mr. Houck presented the following written motion to amend General Ordinance No. 8, 1932:

Indianapolis, Ind., February 15, 1932.

*Mr. President:*

I move that General Ordinance No. 8, 1932, be amended to read as follows, to-wit:

## GENERAL ORDINANCE NO. 8, 1932

## AS AMENDED

AN ORDINANCE providing for and authorizing the City Controller for and on behalf of the City of Indianapolis to borrow the sum of Eighty-seven Thousand Three Hundred Eighty-eight Dollars and Forty Cents (\$87,388.40), and for the sale of eighty-eight (88) bonds of said city, eighty-seven (87) of said bonds to be for One Thousand Dollars (\$1,000.00) each and one bond to be for Three Hundred Eighty-eight Dollars and Forty Cents (\$388.40), payable from the general revenues and funds of said city or from the sinking fund of said city, or as may be required by law, for the purpose of procuring money required for payment of increases in certain awards of damages made by the courts, as set out hereinafter, and for payment of deficiencies in the original damage roll arising from reductions in the benefits assessed against certain property, as made by the Board of Public Works and ordered assessed against said city as a general benefit, which reductions are hereinafter set out, all as now shown upon the assessment roll, and for the payment of all interest accrued on any thereof; all arising out of the proceedings by said Board under Declaratory Resolution No. 14054, 1929, for the opening and widening of Sixteenth Street in said city from the west line of North Delaware Street to the east line of Northwestern Avenue; and providing a time and manner of advertising the sale of said bonds and the receiving of bids for the same, together with the mode and terms of sale, appropriating the money received from said sale to the "Thoroughfare Plan Fund" of the City Plan Commission of the City of Indianapolis, and fixing a time when this ordinance shall take effect.

WHEREAS, certificates of damages have been issued by the Board of Public Works of the City of Indianapolis and the City Controller of said city in payment of certain judgments for final awards of excess damages made and ordered by the courts in appeals to be assessed against said City of Indianapolis in the matter of the opening and widening of Sixteenth Street from the west line of North Delaware Street to the east line of Northwestern Avenue, under Declaratory Resolution No. 14054, 1929, of said board; a description whereof, including the total amount of each separate certificate and the total increase therein, as adjudged and ordered by the courts, over the original award of excess damages, being as follows:

(a) Certificate No. 343, dated October 17, 1930, issued to J. F. & C. Barnhill for the total excess of damages, in the sum of \$12,812.15; the amount of damages increased by the Marion Circuit Court, in Cause No. 44065, and included in the sum aforesaid, being a total of \$7,034.85, together with interest at 6% per annum upon such increase from date of certificate to May 2, 1932, in the sum of \$651.13.

(b) Certificate No. 353, dated October 15, 1930, issued to E. O. Hunter for a total excess of damages in the sum of \$7,533.13; the amount of damages increased by the Marion Superior Court, in Cause No. A-52262 in Room 4, and included in the sum aforesaid, being a total of \$2,339.00, together with interest at 6% per annum upon such increase from date of certificate to May 2, 1932, in the sum of \$217.26.

(c) Certificate No. 357, dated October 20, 1930, issued to U. S. Encaustic Tile Company for a total excess of damages in the sum of \$14,952.09; the amount of damages increased by the Marion Superior Court, in Cause No. A-52213 in Room 5, and included in the sum aforesaid, being a total of \$8,025.60, together with interest at 6% per annum upon such increase from date of certificate to May 2, 1932, in the sum of \$738.87.

(d) Certificate No. 358, dated October 20, 1930, issued to Catherine Doneff for a total excess of damages in the sum of \$4,733.54; the amount of damages increased by the Marion Circuit Court, in Cause No. 44112, and included in the sum aforesaid, being a total of \$850.00, together with interest at 6% per annum upon such increase from date of certificate to May 2, 1932, in the sum of \$78.25.

(e) Certificate No. 366, dated October 22, 1930, issued to the Trustees of Hall Place M. E. Church for a total excess of damages in the sum of \$30,000.00; the amount of damages increased by the Marion Circuit Court, in Cause No. 44106, and included in the sum aforesaid, being a total of \$13,714.48, together with interest at 6% per annum upon such increase from date of certificate to May 2, 1932, in the sum of \$1,258.10.

(f) Certificate No. 377, dated October 31, 1930, issued to W. A. & H. F. Brennen for a total excess of damages in the sum of \$17,108.45; the amount of damages increased by the Marion Circuit Court, in Cause No. 44100, and included in the sum aforesaid, being a total of \$2,440.00, together with interest at 6% per annum from date of certificate to May 2, 1932, in the sum of \$220.22.

(g) Certificate No. 514, dated December 29, 1931, issued to A. Edward Mantel for a total excess of damages, in the sum of \$2,464.98; the amount of damages increased by the Marion Circuit Court, in Cause No. 44066, and included in the sum aforesaid, being a total of \$792.14, together with interest at 6% per annum upon such increase from date of certificate to May 2, 1932, in the sum of \$16.28.

(h) Certificates Nos. 515, 516 and 517, dated January 5, 1932, in the total amount of \$76,894.63, which respective certificates were issued to R. E. & J. Chislett in the sum of \$58,394.63, to Emil Mantel in the sum of \$9,250.00, and to Charles Medias in the sum of \$9,250.00; the amount of damages increased from the original award of one sum for both the owners and lessees, as adjudged and ordered assessed against said city by the Marion Circuit Court, in Consolidated Cause No. 44055, and included in the total sum aforesaid, being a total of \$34,074.63 for all the aforesaid parties, as owners and lessees of said property, together with interest at 6% per annum upon such increase from date of certificates to May 2, 1932, in the sum of \$661.02; the original benefits in the sum of \$2,440.57 being also wholly reduced and ordered to be reassessed against said city, as hereinafter listed and set out; and

WHEREAS, in certain instances in said opening and widening of Sixteenth Street from the west line of North Delaware Street to the east line of Northwestern Avenue, under said Declaratory Resolution No. 14054, the Board of Public Works has, by several supplementary proceedings and orders, compromised and settled certain pending appeals and claims and has thereby reduced to the actual benefits the amount of benefits originally assessed against certain property of individual owners benefited by said improvement, all as set out hereinafter, each and all of which said sums of such reductions were thereupon ordered assessed against the City of Indianapolis as a general benefit and obligated said city to pay such sums upon the original damage roll, with 6% per annum interest thereon in each instance from January 1, 1930, (which was 60 days after the final confirmation of the original assessment roll on November 1, 1929) to May 2, 1932; which settlements and reductions are listed separately as follows:

(a) The original benefit assessment against property listed in the name of Fredonia Allen, now deceased, and title in the name of Union Trust Company of Indianapolis, Trustee, in the

sum of \$1170.80, was reduced to the sum of \$585.40, said reduction being \$585.40, with aforesaid interest thereon in the sum of \$82.00.

(b) The original benefit assessment against property listed in the name of Chateau Realty Company in the sum of \$5638.77 was reduced to the sum of \$2819.39, said reduction being \$2819.38, with aforesaid interest thereon in the sum of \$394.91.

(c) The original benefit assessment against property listed in the name of Richard E. & J. Chislett (as owners) and Emil Mantel and Charles Medias (as lessees) in the sum of \$2440.57 was reduced in such total sum and all thereof was adjudged and ordered reassessed against said city as a general benefit, by the Marion Circuit Court, in Consolidated Cause No. 44055, as a part of the same judgment increasing said owners' and lessees' award of damages; such reduction being \$2440.57, with aforesaid interest thereon in the sum of \$341.85.

(d) The original benefit assessment against property listed in the name of Louise S. Duck in the sum of \$339.75 was reduced to the sum of \$170.00, said reduction being \$169.75 with aforesaid interest thereon in the sum of \$23.78.

(e) The original benefit assessment against property listed in the name of Julia T. Eastman in the sum of \$1041.98 was reduced to the sum of \$937.78, said reduction being \$104.20, with aforesaid interest thereon in the sum of \$14.60.

(f) The original benefit assessment against property listed in the name of Otto D. Ferger in the sum of \$585.41 was reduced to the sum of \$351.26, said reduction being \$234.15, with aforesaid interest thereon in the sum of \$32.80.

(g) The original benefit assessment against property listed in the name of Fifteenth & Penna. Realty Company in the sum of \$545.48 was reduced to the sum of \$272.74, said reduction being \$272.74 with aforesaid interest thereon in the sum of \$38.20.

(h) The original benefit assessment against property listed in the name of Kate M. Fraser in the sum of \$284.83 was reduced to the sum of \$170.90, said reduction being \$113.93, with aforesaid interest thereon in the sum of \$15.96.

(i) The original benefit assessment against property listed in the name of A. S. Garber (Pilgrim Properties, Inc., Now lessee), in the sum of \$266.22 was reduced to the sum of \$159.73, said reduction being \$106.49, with aforesaid interest thereon in the sum of \$14.92.



(j) The original benefit assessment against property listed in the name of India C. Harris in the sum of \$994.70 was reduced to the sum of \$569.37, said reduction being \$425.33, with aforesaid interest thereon in the sum of \$59.58.

(k) The original benefit assessment against property listed in the name of Julia F. Hauelsen, now deceased, and title in the name of William C. Hauelsen et al., in the sum of \$1203.09 was reduced to the sum of \$998.00, said reduction being \$205.09, with aforesaid interest thereon in the sum of \$28.73.

(l) The original benefit assessment against property listed in the name of Indianapolis Propylaeum Association in the sum of \$687.92 was reduced to the sum of \$412.77, said reduction being \$275.15, with aforesaid interest thereon in the sum of \$38.54.

(m) The original benefit assessment against property listed in the name of E. & A. R. Isaac in the sum of \$204.23 was reduced to the sum of \$136.15, said reduction being \$68.08, with aforesaid interest thereon in the sum of \$9.54.

(n) The original benefit assessment against property listed in the name of Roy H. Jones, now deceased, and title in the name of Wilbur Steers, Trustee, in the sum of \$439.25 was reduced to the sum of \$292.83, said reduction being \$146.42, with aforesaid interest thereon in the sum of \$20.51.

(o) The original benefit assessment against property listed in the name of F. & F. Lemontree (now deceased, administrator being T. Wilson Annabal), in the sum of \$123.03 was reduced to the sum of \$73.82, said reduction being \$49.21, with aforesaid interest thereon in the sum of \$6.89.

(p) The original benefit assessment against property listed in the name of Hugh M. Love (now in the name of Meridian Corporation) in the sum of \$1772.10 was reduced to the sum of \$1422.10, said reduction being \$350.00, with aforesaid interest in the sum of \$49.02.

(q) The original benefit assessment against property listed in the names of E. L. & G. W. McKee in the sum of \$204.54 was reduced to the sum of \$153.41, said reduction being \$51.13, with aforesaid interest thereon in the sum of \$7.16.

(r) The original benefit assessment against property listed in the name of A. Edward Mantel in the sum of \$523.82 was reduced to the sum of \$301.93, said reduction being \$221.89, with aforesaid interest thereon in the sum of \$31.08.

(s) The original benefit assessment against property listed in the name of A. Edward & Samuel Mantel in the sum of \$42.77 was reduced to the sum of \$21.39, said reduction being \$21.38, with aforesaid interest thereon in the sum of \$2.99.

(t) The original benefit assessment against property listed in the name of Marleigh Realty Company in the sum of \$247.46 was reduced to the sum of \$123.73, said reduction being \$123.73, with aforesaid interest thereon in the sum of \$17.33.

(u) The original benefit assessment against property listed in the name of National Investment Company in the sum of \$121.35 was reduced to the sum of \$72.81, said reduction being \$48.54, with aforesaid interest thereon in the sum of \$6.80.

(v) The original benefit assessment against property listed in the name of Pickwick Realty Company in the sum of \$1475.76 was reduced to the sum of \$983.84, said reduction being \$491.92, with aforesaid interest thereon in the sum of \$68.90.

(w) The original benefit assessment against property listed in the name of Charles L. Railsback in the sum of \$611.39 was reduced to the sum of \$366.83, said reduction being \$244.56, with aforesaid interest thereon in the sum of \$34.25.

(x) The original benefit assessment against property listed in the name of Louisa M. Rainier in the sum of \$54.28 was reduced to the sum of \$36.19, said reduction being \$18.09, with aforesaid interest thereon in the sum of \$2.53.

(y) The original benefit assessment against property listed in the name of J. E. & W. E. Rice in the sum of \$52.30 was reduced to the sum of \$34.86, said reduction being \$17.44, with aforesaid interest thereon in the sum of \$2.44.

(z) The original benefit assessment against property listed in the name of Rodman Realty Company in the sum of \$3335.34 was reduced to the sum of \$2223.10, said reduction being \$1111.84, with aforesaid interest thereon in the sum of \$155.73.

(aa) The original benefit assessment against property listed in the name of Frank B. Ross in the sum of \$414.42 was reduced to the sum of \$276.28, said reduction being \$138.14, with aforesaid interest thereon in the sum of \$19.35.

(bb) The original benefit assessment against property listed in the name of Charles J. Sherman in the sum of \$249.57 was reduced to the sum of \$166.36, said reduction being \$83.21, with aforesaid interest thereon in the sum of \$11.65.

(cc) The original benefit assessment against property listed in the name of F. A. & Susie M. Steele in the sum of \$412.88

was reduced to the sum of \$206.44, said reduction being \$206.44, with aforesaid interest thereon in the sum of \$28.92.

(dd) The original benefit assessment against property listed in the name of William G. Sullivan in the sum of \$1035.61 was reduced to the sum of \$621.38, said reduction being \$414.23, with aforesaid interest thereon in the sum of \$58.02.

(ee) The original benefit assessment against property listed in the name of Charles N. Thompson in the sum of \$786.35 was reduced to the sum of \$550.45, said reduction being \$235.90, with aforesaid interest thereon in the sum of \$33.04.

(ff) The original benefit assessment against property listed in the name of Albert E. Uhl in the sum of \$800.71 was reduced to the sum of \$440.39, said reduction being \$360.32, with aforesaid interest thereon in the sum of \$50.47.

(gg) The original benefit assessment against property listed in the name of Harry Weill in the sum of \$109.29 was reduced to the sum of \$72.87, said reduction being \$36.42, with aforesaid interest thereon in the sum of \$5.10.

(hh) The original benefit assessment against property listed in the name of Charles N. Williams in the sum of \$828.72 was reduced to the sum of \$497.24, said reduction being \$331.48, with aforesaid interest thereon in the sum of \$46.43; and

WHEREAS, the total amount of all said increases in damages is \$69,270.70, and the total amount of the aforesaid interest due thereon, from date of certificates issued respectively thereon to May 2, 1932, is \$3,841.13, which aggregate sums have been duly assessed against the City of Indianapolis, and all of the several amounts of such increases are due to those respectively entitled thereto, as hereinbefore set out; and the total amount of all said reductions in benefits is \$12,522.55, and the total amount of the aforesaid interest due thereon from January 1, 1930, to May 2, 1932, is \$1,754.02, which aggregate sums have been duly assessed against the City of Indianapolis as a general benefit and all such aggregate sums are due and delinquent and must now be apportioned upon all awards of damages as the same were originally made and shown upon said assessment roll; the aggregate amount combined of all such increases in awards of damages and reductions in assessments of benefits, and legal interest, already charged against and now due from said city being the sum of \$87,338.40; and

WHEREAS, the original damage and assessment roll in said proceeding was finally confirmed by the Board of Public Works on November 1, 1929, awarding damages in the aggregate sum of \$409,189.77 for all the real estate appropriated by said city and assessing the city as a whole and also all property within the benefited district, as fixed by such resolution and found to be benefited, in a like aggregate amount to pay such damages; sixty percent (60%) thereof being so assessed against said city and being thereupon paid in full from the "Thoroughfare Fund" of the City Plan Commission, and the balance of forty percent (40%) thereof being assessed wholly against public and private property within such benefited district; and

WHEREAS, all the aforesaid increases in damages and reductions in benefits and interest thereon now constitute and are a valid debt of the City of Indianapolis, being so charged and assessed, as provided by law, and as herein set forth, against said City of Indianapolis; and

WHEREAS, there is not now and will not be sufficient funds in the treasury of the City of Indianapolis with which to meet the aforesaid payments of increases in awards of damages and assessments due to reductions in benefits and payable on all original awards of damages, with legal interest on all thereof; and

WHEREAS, the city is required by law to pay interest at the rate of 6% per annum on all the amounts of said certificates of damages from the dates thereof as issued and on benefits assessed against the city and applicable for payment upon all awards of such damages, from January 1, 1930, all until paid, and it being necessary for the said city to borrow said sum of \$87,388.40 in order to procure a fund to be devoted for the purposes set out herein and to issue and sell its bonds in said total amount, payable from the general revenues of said city, or as may be otherwise authorized or required by law, or as authorized by an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto;

NOW, THEREFORE,

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

Section 1. That for the purpose of procuring money to be used for the payment of all of said sums, as recited in the preamble hereof, duly assessed against, chargeable to and now due from said city, with legal interest thereon, to all persons now having awards of damages upon said assessment roll, as their respective interests thereby now appear, including the payment in full of all the aforesaid increases made in certain of the original awards of damages, and the proportionate payment on all original awards of damages of all benefit assessments duly ordered reduced and reassessed as aforesaid against said city, all as set out in the preamble hereof, the City Controller be and he is hereby authorized to prepare, issue and sell 88 bonds of the City of Indianapolis, Marion County, Indiana, 87 bonds of \$1,000.00 each and one (1) bond of \$388.40, all of which shall bear the date of May 2, 1932, and shall be numbered from 1 to 88, both inclusive, and shall be designated as "Thoroughfare Funding Bonds of 1932, First Issue," and shall bear interest at the rate not to exceed  $4\frac{1}{2}\%$  per annum, to be determined as set out hereafter, payable semi-annually on the first day of January and the first day of July of each year for the period of said bonds, and said bonds shall be issued in 20 series. The first 12 series shall consist of 4 bonds of \$1,000.00 each; the following 7 series shall consist of 5 bonds of \$1,000.00 each; and the last, or 20th series, shall consist of 4 bonds of \$1000.00 each and one (1) bond of \$388.40. The first series of said bonds shall be due and payable on July 1, 1933, and one of said series shall be due and payable on the first day of July of each year thereafter until and including July 1, 1952.

The said interest on said bonds shall be evidenced by proper coupons thereunto attached for the payment of said semi-annual interest and the first coupon attached to each bond shall be for the interest on said bond from the date of issue until the first day of July, 1933. Said bonds and interest coupons thereunto attached shall be negotiable and payable at the City Treasurer's office of the City of Indianapolis, Indiana, at Indianapolis, Indiana; said bonds shall be signed by the Mayor and City Controller of the City of Indianapolis, and attested by the City Clerk, who shall affix the seal of said city to each of said bonds; and the interest coupons attached to said bonds shall be authenticated by a lithographic fac simile of the signatures of the Mayor and City Controller of said city engraved thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof; said bonds shall be prepared by the City Controller of said city in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Indiana, to the payment of the principal and interest stipulated therein respectively. It shall be the duty of the City Controller at the time of the issuance and

negotiation of said bonds to register in the book kept for that purpose, all of said bonds so issued and negotiated in serial numbers, beginning with the bond numbered one (1), giving also the date of issuance, the amount, day of maturity, rate of interest and the time and place where said interest shall be payable, and said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before the issuance thereof:

No..... \$.....

UNITED STATES OF AMERICA  
CITY OF INDIANAPOLIS

MARION COUNTY STATE OF INDIANA

THOROUGHFARE FUNDING BONDS OF 1932—FIRST ISSUE

For value received the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer, without any relief from valuation or appraisement laws, on the first day of July, 19....., at the City Treasurer's office of the City of Indianapolis, Indiana,

.....in lawful money of the United States of America, together with interest thereon at the rate of.....per cent (.....%) per annum from date until paid.

The first interest payable on the first day of July, 1933, and the interest thereafter payable semi-annually on the first day of January and July, respectively, upon presentation of the proper interest coupons hereunto attached and which are made a part of this bond.

This bond is one of an issue of eighty-eight (88) bonds, of which eighty-seven (87) are for One Thousand Dollars (\$1,000.00) each, and one (1) is for Three Hundred Eighty-eight and forty hundredths Dollars (\$388.40), numbered one (1) to eighty-eight (88), both inclusive, of date of May 2, 1932. Said bonds shall mature in series of four (4) bonds of One Thousand Dollars (\$1,000.00) each, each year for the first twelve (12) years, the first series of four (4) bonds maturing July 1, 1933; five (5) bonds of One Thousand Dollars (\$1,000.00) each, each year for the following seven (7) years; and the last, or twentieth (20th) series shall consist of four (4) bonds of One Thousand Dollars (\$1,000.00) each, and one bond of Three Hundred Eighty-eight and forty hundredths Dollars (\$388.40). These bonds are issued by the City of Indianapolis pursuant to an ordinance passed by the Common Council of the City of Indianapolis on the..... day of February, 1932, and by virtue of an act of the General

Assmby of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto.

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

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, Marion County, Indiana, has caused this bond to be signed by the Mayor and City Controller, and attested by the City Cltrk and the corporate seal of said city to be affixed this as of the .....day of February, 1932.

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Mayor

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City Controller

ATTEST:

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City Clerk

Section 2. The City Controller shall, as soon as possible after the passage of this ordinance, advertise for bids or proposals for said bonds, by at least one insertion each week for two weeks, in two daily newspapers of general circulation, printed and published in the English language in the City of Indianapolis, and as required and authorized by law, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisement shall describe said bond with such minuteness and particularity as the City Controller may see fit, and shall set forth the amount of the bonds to be sold and what rate of interest they may bear will be determined by the rate of interest bid therefor, not to exceed four and one half percent (4½%) per annum, that the bidder may bid for all or any part of said bonds; the date of opening bids or proposals therefor, the right of the City Controller to reject any or all bids, the amount of deposit each bidder shall be required to make and when and where the bonds shall be delivered and paid for.

Section 3. Each and every bid and proposal shall be presented to the City Controller sealed, and shall be accompanied by a duly certified check or cashier's check upon some responsible bank or trust company in the City of Indianapolis, payable to the order of the City Treasurer for a sum of money which shall equal two and one-half percent ( $2\frac{1}{2}\%$ ) of the face or par value of the bonds bid for or proposed to be purchased. The City Controller shall continue to receive all bids or proposals therefor at the office of the City Controller until eleven (11) o'clock A. M. on the day fixed by the City Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between the hour and twelve (12) noon, of said day, he shall open said bids or proposals, and shall continue to receive bids at said time and place from day to day thereafter until said bonds are sold. The City Controller shall award said bonds, or as he shall see fit, a part or any number thereof, to the best bidder bidding therefor the lowest rate of interest, said rate of interest not to exceed four and one-half percent ( $4\frac{1}{2}\%$ ) per annum, but said City Controller shall have the right to reject any and all of such bids or proposals or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole or a less number of bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any kind. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply to the case of reoffering and readvertising of said bonds as hereinafter provided.

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

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



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

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

Section 7. The bonds taken and paid for to the satisfaction of the City Controller shall be a binding obligation upon the City of Indianapolis according to their tenor and effect; and all the proceeds derived from the sale or sales, or both, as herein authorized, shall be and hereby are appropriated to the "Thoroughfare Plan

Fund" of the City Plan Commission of the City of Indianapolis for the payment of all sums and obligations described and referred to in the preamble hereof, which preamble is hereby incorporated as a part of this section, by this reference thereto, as fully as though fully repeated herein.

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

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

J. A. HOUCK,  
Councilman.

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

Ayes, 7, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, President Ropkey.

On motion of Mr. Houck, seconded by Mr. Morgan, General Ordinance No. 8, 1932, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 8, 1932, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, President Ropkey.

Mr. Houck called for General Ordinance No. 9, 1932, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Welch, General Ordinance No. 9, 1932, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 9, 1932, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, President Ropkey.

Mr. Houck called for General Ordinance No. 12, 1932, for second reading. It was read a second time.

Mr. Houck presented the following written motion to amend General Ordinance No. 12, 1932:

Indianapolis, Ind., February 15, 1932.

*Mr. President:*

I move that General Ordinance No. 12, 1932, be amended to read as follows, to-wit:

GENERAL ORDINANCE NO. 12, 1932  
(AMENDED)

AN ORDINANCE amending Fund Sub-section 12-6 Department of Public Works—Street Commissioner, and Fund Sub-section 26 Department of Finance, Office of City Controller of Section 2 of Appropriation Ordinance No. 18, 1931, and amending Section 4 of said ordinance, 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 Fund Sub-section 12-6 Department of Public Works—Street Commissioner, of Section 2 of Appropriation Ordinance No. 18, 1931, be and the same is hereby amended to read as follows, to-wit:

"12-6 Division of Sidewalks and Curbs	
Cement finishers @ 70c.....	\$1,020.00
Trucks @ 50c to 55c.....	1,600.00
Laborers @ 45c and 50c.....	4,580.00
	\$7,200.00"

Section 2. That Fund Sub-section 26 Department of Finance, of Section 2 of Appropriation Ordinance No. 18, 1931, be amended to read as follows:

"26 Mayor's Contingent Fund.....\$25,000.00"

Section 3. That Section 4 of Appropriation Ordinance No. 18, 1931, be amended to read as follows:

"Section 4. That the 'reserve for contingencies' appropriation contained herein, in the appropriations for the Department of Finance, known as Fund No. 26 Mayor's Contingent Fund, shall be expended as follows: The Mayor shall determine that a contingency has arisen requiring the expenditure of an appropriation or any part thereof. He shall then notify the City Controller of such circumstances. The Controller shall

give his approval to the proposed expenditure and shall then notify the City Council in writing, giving all pertinent facts regarding the contingency and the manner in which it is proposed to meet the contingency. The City Council shall then adopt a resolution setting forth the circumstances regarding the contingency and approving the proposed expenditure from the said appropriation. This procedure must be followed before any part of this appropriation may be expended. After such procedure has been carried out, then the money may be spent only for the purpose designated by the Council in its resolution, and in the usual manner for spending any other moneys of the city general fund."

Section 4. This ordinance shall be in full force and effect from and after its passage, publication and approval according to law.

J. A. HOUCK,  
Councilman.

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

Ayes, 7, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, President Ropkey.

On motion of Mr. Houck, seconded by Mr. Morgan, General Ordinance No. 12, 1932, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 12, 1932, as amended, was read a second time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, President Ropkey.

Mr. Tennant called for General Ordinance No. 14, 1932, for second reading. It was read a second time.

On motion of Mr. Tennant, seconded by Mr. Gardner, General Ordinance No. 14, 1932, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 14, 1932, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, President Ropkey.

Mr. Tennant called for General Ordinance No. 17, 1932, for second reading. It was read a second time.

On motion of Mr. Tennant, seconded by Mr. Welch, General Ordinance No. 17, 1932, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 17, 1932, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, President Ropkey.

Mr. Houck called for Appropriation Ordinance No. 2, 1932, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Welch, Appropriation Ordinance No. 2, 1932, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 2, 1932, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, President Ropkey.

Mr. Houck called for Appropriation Ordinance No. 3, 1932, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Morgan, Appropriation Ordinance No. 3, 1932, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 3, 1932, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, President Ropkey.

Mr. Hildebrand called for Special Ordinance No. 1, 1932, for second reading. It was read a second time.

On motion of Mr. Hildebrand, seconded by Mr. Welch, Special Ordinance No. 1, 1932, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 1, 1932, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, President Ropkey.

Mr. Gardner asked for suspension of the rules for further consideration and passage of Special Ordinance No. 2, 1932. The motion was seconded by Mr. Tennant and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, President Ropkey.

The rules were suspended.

The Council reverted to a previous order of business.

#### COMMITTEE REPORT

Indianapolis, Ind., February 15, 1932.

*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 Special Ordinance No. 2, 1932, entitled Changing the name of Michigan Street, etc., beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed under suspension of the rules.

F. C. GARDNER, Chairman.  
CARL A. HILDEBRAND.  
J. A. HOUCK.

#### ORDINANCES ON SECOND READING

Mr. Gardner called for Special Ordinance No. 2, 1932, for second reading. It was read a second time.

On motion of Mr. Gardner, seconded by Mr. Tennant, Special Ordinance No. 2, 1932, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 2, 1932, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, President Ropkey.

MISCELLANEOUS BUSINESS

Mr. Tennant announced that the Committee on Public Safety was not ready to report on General Ordinances Nos. 15 and 16, 1932, and asked for further time for consideration of said ordinances, which was granted.

On motion of Mr. Morgan, seconded by Mr. Houck, the Common Council adjourned at 8:40 p. m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council at the City of Indianapolis, held on the 15th day of February, 1932, at 7:30 p. m.

IN WITNESS WHEREOF, We have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

*Ernest C Ropkey*

President.

Attest:

*Henry O Goett*

City Clerk.

(SEAL)