

## REGULAR MEETING

Monday, January 20, 1936.  
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, January 20, 1936, at 7:30 p. m., in regular session. President Edward B. Raub in the chair.

The Clerk called the roll.

Present: Edward B. Raub, President, and eight members, viz: Theodore Cable, Silas J. Carr, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren, John A. Schumacher, Ross H. Wallace.

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

## COMMUNICATIONS FROM THE MAYOR

January 8, 1936.

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

Gentlemen:

I have today approved with my signature and delivered to Mr. Daniel J. O'Neill, Jr., City Clerk, the following ordinances:

### APPROPRIATION ORDINANCE NO. 33, 1935

AN ORDINANCE appropriating moneys out of the anticipated unappropriated and unexpended balance of the General Fund for the year 1935 to the Department of Public Safety budget, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 101, 1935

AN ORDINANCE amending General Ordinance No. 70, 1935, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 102, 1935

AN ORDINANCE approving the order of the Board of Public Safety designating a taxicab stand location, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 103, 1935

AN ORDINANCE providing for the revision, codification and publication of all ordinances of the City of Indianapolis, Indiana, and for the appointment of three (3) lawyers to prepare and index the same, appropriating money to defray the expense thereof, and fixing a time when the same shall take effect.

Respectfully,

JOHN W. KERN,  
Mayor.

## COMMUNICATIONS FROM CITY OFFICIALS

January 20, 1936.

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

Gentlemen:

We are submitting herewith an ordinance establishing the following "passenger zones" and/or "loading zones" and respectfully recommend the passage of this ordinance:

A. & A. Beverage Company—18 ft. zone at 22 South Delaware Street,  
Cash & Carry Candy Company—18 ft. zone at 217-219 North Alabama  
Street.

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City of Indianapolis, Ind.

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Respectfully submitted,

BOARD OF PUBLIC SAFETY,

BLYTHE Q. HENDRICKS,  
Executive Secretary.

January 20, 1936.

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

Gentlemen:

Your attention is directed to General Ordinances numbers 7 and 8, 1936, to set aside appropriations for the expenditures of certain sums of money for the purchase of incandescent lamps, Fifteen new motorcycles, Ten Thousand tons coal, Three automobiles and cotton, gauze and adhesive supplies, all of which supplies when purchased will exceed the sum of Two Thousand Dollars and which is needed in and for the various departments making such requests, for the year 1936.

These bids were duly advertised according to law and opened and awards to be made to the lowest and best bidders and to be paid out of funds heretofore appropriated for such purpose.

Very truly yours,

DEPARTMENT OF PUBLIC PURCHASE,

ALBERT H. LOSCHE,  
Purchasing Agent.

January 20, 1936.

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. 9, 1936, licensing and regulating itinerant poultry dealers, and local poultry dealers, repealing all ordinances in conflict therewith; also the peti-

tion of license dealers, requesting the change of time of payment of license fees as in this ordinance set out.

I respectfully recommend the passage of this ordinance under suspension of rules.

Yours very truly,

WALTER C. BOETCHER,  
City Controller.

January 20, 1936.

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

Gentlemen:

Attached please find fourteen copies of Special Ordinance No. 1, 1936, providing for the gift of certain ground to the State of Indiana for armory purposes, and also copy of resolution adopted by the Board of Park Commissioners at its meeting Thursday, January 16th, pertaining to this ordinance.

The WPA has allocated approximately \$350,000.00 for the erection of this building and Dr. McCulloch has informed us they are desirous of going to work at once on this project. However, they cannot start until a deed for this property has been delivered to the Armory Board. Therefore, we respectfully request that you suspend the rules and pass this ordinance at tonight's meeting, if it can possibly be done. Mr. Deery, Corporation Counsel, advises there is nothing in the law to prevent this action if you see fit to follow it.

Respectfully yours,

BOARD OF PARK COMMISSIONERS,  
JACKIEL W. JOSEPH,  
President.

DONATION RESOLUTION NO. 1, 1936

Donating Ground to the State of Indiana

WHEREAS: Under Section 7, page 185, Acts of the Indiana Legis-

lature 1907, page 307, same being Section 45-307 Burns Annotated Statutes, 1933, the City of Indianapolis is empowered under said Act to donate land to the State of Indiana for naval armory purposes, the said Section reading as follows:

"That such armory board shall have power to receive from counties, cities, municipalities or other sources, donations of land or contributions of money, to aid in providing or erecting armories throughout the state for the use of the National Guard of Indiana, and which shall be held as other property for the use of the State of Indiana; and such counties, cities or other municipalities are hereby authorized to make such contributions for the purposes of this act."

and,

WHEREAS, The State of Indiana is desirous of erecting an armory and is to receive government funds for the purpose thereof and is desirous of securing the location on the east bank of White River between 29th and 30th street on which to erect and maintain said armory,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PARK COMMISSIONERS OF THE CITY OF INDIANAPOLIS,

that under the said above and foregoing act does agree to cause a deed to be given, as soon as an ordinance is passed by the Common Council of the City of Indianapolis, authorizing same, to the State of Indiana, certain real estate, located and situate on the East Bank of White River between 29th and 30th Streets in said City, more particularly described as follows:

Part of the Southwest quarter of Section 22, and part of the Northwest quarter of Section 27, Township 16 North, Range 3 East, Marion County, Indiana, more particularly described as follows:

Beginning at a point on the south line of the southwest quarter of the aforesaid Section 22 at a point 1,205 ft. east of the southwest corner thereof, thence north at right angles to the south line of the aforesaid quarter Section a distance of 125 feet to a point; thence west making an angle of 90 degrees to the left, a distance of 190 feet to the low water mark of White River; thence southwestwardly, making an angle of 65 degrees to the left, along the low water mark of White River, a distance of 248.26 feet to a point; thence east parallel to the north line of the northwest quar-

ter of the aforesaid Section 27, a distance of 294.92 feet to a point; thence north making an angle of 90 degrees to the left, a distance of 100 feet to the place of beginning containing 1.25 acres,

said real estate to be used by the State of Indiana in erecting and maintaining thereon a Naval Armory for the use of the National Guard of Indiana. The said property is to revert to the City of Indianapolis when no longer used by the State for armory purposes; conditioned upon the building being open for use by the public under such rules and regulations as may be made by the Armory Board and the Park Board. Conditioned further upon the State of Indiana conveying to the City of Indianapolis a tract of ground on the premises of the Central Hospital for the Insane, suitable and acceptable for fire station purposes, the same to revert to the State when it is no longer used for fire station purposes.

IN WITNESS WHEREOF, said Board of Park Commissioners have hereunto set their hands and seals this 16th day of January, 1936.

(Signed) JACKIEL W. JOSEPH.  
PAUL E. RATHERT.  
ALBERT H. GISLER.  
MILDRED MARKUN.

BOARD OF PARK COMMISSIONERS OF THE  
CITY OF INDIANAPOLIS, INDIANA.

#### RESOLUTION

WHEREAS, the citizens of the South Side of Indianapolis are earnestly endeavoring to preserve the beauty and desirability of their neighborhood as a district of homes, and toward that end have protested the establishment of a junk yard on South Meridian Street at Regent, and

WHEREAS, they have solicited the support of the Mayor, the Common Council and the City Clerk of the City of Indianapolis in their efforts to prevent the deterioration of their community, and

WHEREAS, the wholehearted and outstanding character of the assistance which was accorded by these members of the official family of the City of Indianapolis is a source of deep gratification to all persons whose homes were so threatened,

NOW, THEREFORE, BE IT RESOLVED, That this expression of gratitude be transmitted in writing to Mayor John W. Kern, to

Mrs. Nannette Dowd, Mr. Adolph Fritz, Mr. Edward B. Raub, Dr. Theodore Cable, Mr. Ross Wallace, Dr. Silas J. Carr, Mr. John A. Schumacher, Mr. William Oren and Mr. Edward Kealing, members of the Common Council, and to Mr. Daniel J. O'Neill, Jr., City Clerk, as evidence of the appreciation of all South Side residents for the splendid spirit of cooperation which they have shown, and which they will continue to show throughout the controversy.

OLLIE BACH,  
Chairman.

ELLEN E. GREENE,  
Secretary.

Indianapolis, Ind., Jan. 20, 1936.

Indianapolis City Council,  
City Hall, Indianapolis, Indiana.

The Indianapolis Central Labor Union asks and expects the Council to vote for the repeal of the unfair anti-picketing ordinance. As this matter has been before the Council for months union labor feels they are entitled to the consideration of having this voted on tonight.

Respectfully,

ARTHUR LYDAY,  
Secretary.

Mrs. Dowd asked for a recess. The motion was seconded by Mr. Kealing and the Council recessed at 7:40 p. m.

The Council reconvened at 8:15 p. m., with the same members present as before.

## COMMITTEE REPORTS

Indianapolis, Ind., January 20, 1936.

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. 4, 1936, entitled Temporary loan of \$500,000.00 for General Fund of the City, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.  
THEODORE CABLE.  
SILAS J. CARR.  
ADOLPH J. FRITZ.  
NANNETTE DOWD.

Indianapolis, Ind., January 20, 1936.

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. 5, 1936, entitled Appropriating moneys to City Departments, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.  
THEODORE CABLE.  
SILAS J. CARR.  
ADOLPH J. FRITZ.  
NANNETTE DOWD.

Indianapolis, Ind., January 20, 1936.

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. 57, 1935, entitled Picketing Ordinance, Repealed, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

SILAS J. CARR, Chairman.  
ROSS H. WALLACE.  
WM. A. OREN.  
JOHN A. SCHUMACHER.



Indianapolis, Ind., January 20, 1936.

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. 87, 1935, entitled Concerning Taxicabs, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

SILAS J. CARR, Chairman.  
NANNETTE DOWD.  
ROSS H. WALLACE.  
WM. A. OREN.  
JOHN A. SCHUMACHER.

Indianapolis, Ind., January 20, 1936.

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. 104, 1935, entitled Amending G. O. 96, 1928, Traffic Ordinance, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

SILAS J. CARR, Chairman.  
NANNETTE DOWD.  
ROSS H. WALLACE.  
WM. A. OREN.  
JOHN A. SCHUMACHER.

Indianapolis, Ind., January 20, 1936.

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. 1, 1936, entitled Increasing salaries of police and firemen, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

SILAS J. CARR, Chairman.  
NANNETTE DOWD.  
ROSS H. WALLACE.  
WM. A. OREN.  
JOHN A. SCHUMACHER.

Indianapolis, Ind., January 20, 1936.

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. 3, 1936, entitled Loading zone—Chopped Steak Shop, 140 N. Illinois Street, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

SILAS J. CARR, Chairman.  
NANNETTE DOWD.  
ROSS H. WALLACE.  
WM. A. OREN.  
JOHN A. SCHUMACHER.

Indianapolis, Ind., January 20, 1936.

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 Appropriation Ordinance No. 1, 1936, entitled Allocating Gasoline Tax money, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

THEODORE CABLE, Chairman.  
ROSS H. WALLACE.  
SILAS J. CARR.  
WM. A. OREN.  
JOHN A. SCHUMACHER.

Indianapolis, Ind., January 20, 1936.

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 Appropriation Ordinance No. 2, 1936, entitled Appropriating moneys to City Departments, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

THEODORE CABLE, Chairman.  
ROSS H. WALLACE.  
SILAS J. CARR.  
WM. A. OREN.  
JOHN A. SCHUMACHER.

Indianapolis, Ind., January 20, 1936.

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

Gentlemen:

We, your Committee on City Welfare, to whom was referred Resolution No. 2, 1935, entitled Relocating Dog Pound, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

JOHN A. SCHUMACHER, Chairman.  
EDWARD R. KEALING.  
THEODORE CABLE.  
ADOLPH J. FRITZ.  
ROSS H. WALLACE.

Indianapolis, Ind., January 20, 1936.

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

Gentlemen:

We, your Committee on City Welfare, to whom was referred

General Ordinance No. 2, 1936, entitled Prohibiting dumping, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

JOHN A. SCHUMACHER, Chairman.  
EDWARD R. KEALING.  
THEODORE CABLE.  
ADOLPH J. FRITZ.  
ROSS H. WALLACE.

Indianapolis, Ind., January 20, 1936.

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

Gentlemen:

We, your Committee on Law and Judiciary, to whom was referred Special Ordinance No. 9, 1935, entitled Changing Nelson St. to Holliday St., beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

WM. A. OREN, Chairman.  
EDWARD R. KEALING.  
ROSS H. WALLACE.  
THEODORE CABLE.  
ADOLPH J. FRITZ.

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the Board of Park Commissioners:

SPECIAL ORDINANCE NO. 1, 1936

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

Section 1. That, pursuant to an act of the Legislature of the State of Indiana, the same being Section 7 of Chapter 185 of the Acts

of 1907, p 307 or Sec. 45-307, Burns Annotated Statutes, 1933, which reads as follows:

"That such armory board shall have power to receive from

counties, cities, municipalities or other sources, donations of land or contributions of money, to aid in providing or erecting armories throughout the state for the use of the National Guard of Indiana, and which shall be held as other property for the use of the State of Indiana; and such counties, cities or other municipalities are hereby authorized to make such contributions for the purposes of this act."

The City of Indianapolis is hereby authorized to convey, by such deed and under such conditions as the proper officers of said City may determine, to the State of Indiana for the purposes of erecting and maintaining an armory thereon, the following described real estate:

Part of the Southwest quarter of Section 22, and part of the North-west quarter of Section 27, Township 16 North, Range 3 East, Marion County, Indiana, more particularly described as follows:

Beginning at a point on the south line of the southwest quarter of the aforesaid Section 22 at a point 1,205 feet east of the southwest corner thereof, thence north at right angles to the south line of the aforesaid quarter Section a distance of 125 feet to a point; thence west making an angle of 90 degrees to the left, a distance of 190 feet to the low water mark of White River; thence southwestwardly, making an angle of 65 degrees to the left, along the low water mark of White River, a distance of 248.26 feet to a point; thence east parallel to the north line of the northwest quarter of the aforesaid Section 27, a distance of 294.92 feet, to a point; thence north making an angle of 90 degrees to the left, a distance of 100 feet to the place of beginning containing 1.25 acres.

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.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 6, 1936

AN ORDINANCE establishing certain passenger and/or loading zones in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, as amended by General Ordinance No. 58, 1931, 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 for the purpose of providing the owners or occupants of certain premises fronting on certain public streets in the City of Indianapolis with ingress and egress for passengers, materials and merchandise coming to or going from such premises, such owners or occupants having complied with the provisions of Section 26 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, as amended by General Ordinance No. 58, 1931, relative to the establishment of passenger and/or loading zones, at the places hereinafter set out, and the board of public safety having caused investigation to be made thereof and having recommended the establishment, pursuant to the terms of the aforesaid ordinances, the following passenger and/or loading zones be and the same are hereby established in the City of Indianapolis, to-wit

18 feet in front of No. 22 South Delaware Street, said premises being occupied by A. & A. Beverage Corporation.

18 feet in front of 217-219 North Alabama Street, said premises being occupied by Cash & Carry Candy Company.

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

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

By the Purchasing Department:

GENERAL ORDINANCE NO. 7, 1936

AN ORDINANCE authorizing the purchasing agent of the City of Indianapolis, Indiana, to purchase incandescent light bulbs for the various city departments for the year 1936, 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 purchasing agent of the City of Indianapolis, Indiana, is hereby authorized to purchase incandescent light bulbs for the various departments and subdivisions of the City of Indianapolis for the year 1936, the same to be of the kind and quality and according to the specifications heretofore advertised for and on file in the office of the department of public purchase.

Section 2. That said purchase shall be made from the lowest and best bidder, or bidders, after advertising for competitive bids thereon according to law, and the total cost thereof shall not exceed Five Thousand One Hundred Dollars (\$5,100.00).

Section 3. That the purchase price of said incandescent light bulbs shall be paid out of the funds heretofore appropriated to the various departments of the City of Indianapolis for the year 1936.

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

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

By the Purchasing Department:

GENERAL ORDINANCE NO. 8, 1936

AN ORDINANCE authorizing purchase of certain equipment, materials and supplies by the board of public safety and the board of

health of the City of Indianapolis, by and through the purchasing agent thereof, authorizing the trade-in of certain property on said purchases, 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. (a) That the board of public safety of the City of Indianapolis, by and through its duly authorized purchasing agent, be and it is hereby authorized to receive bids, after duly advertising therefor, and to purchase the following automobiles and equipment therefor, to be used in the police department of the City of Indianapolis:

Three (3) automobiles, each to be standard five (5) passenger automobile, either coach or sedan type; all glass to be shatterproof, including the windshield; to be equipped with bumpers, windshield wipers, five (5) wire wheels, with five (5) six (6) ply tires and five (5) heavy duty tubes, and either a Special Bosch 130 Watt Generator, Model RKC-; 30-6-900R or Special Police Delco Remy voltage regulated generator; color to be black.

Said board of public safety is hereby authorized to trade in on said purchase price of said three (3) new automobiles the following automobiles, which have been duly appraised by the board of appraisers of the City of Indianapolis, to wit: Police Car No. 10, Police Car No. 16, and Police Car No. 17.

or expenditure for said three (3) new automobiles shall not exceed the sum of Two Thousand Three Hundred Dollars (\$2,300.00).

(c) That the purchase price of said automobiles and equipment shall be paid out of the funds heretofore appropriated to the board of public safety, police department, for the year 1936.

Section 2. (a) That the board of public safety, by and through its duly authorized purchasing agent, be and it is, hereby authorized to receive bids for, after duly advertising therefor according to law, and to purchase the following motorcycles and motorcycle sidecars and equipment thereof, to be used in the police department:

Fifteen (15) motorcycles and fifteen (15) motorcycle sidecars



to be equipped according to specifications with special police radio generators and police equipment.

Said board of public safety is hereby authorized to trade in thereon, as a part of the purchasing price, fifteen (15) motorcycles and three (3) sidecars, which have been duly appraised by the board of appraisers of the City of Indianapolis, to-wit:

*Trade-in Equipment*

- Three Model 1930 Henderson Sidecars.
- No. 2 Model 1931 Henderson Motorcycle.
- No. 3 Model 1931 Henderson Motorcycle.
- No. 4 Model 1931 Henderson Motorcycle.
- No. 5 Model 1931 Henderson Motorcycle.
- No. 6 Model 1931 Henderson Motorcycle.
- No. 8 Model 1931 Henderson Motorcycle
- No. 9 Model 1931 Henderson Motorcycle
- No. 10 Model 1931 Henderson Motorcycle.
- No. 11 Model 1931 Indian Motorcycle.
- No. 12 Model 1931 Henderson Motorcycle.
- No. 13 Model 1929 Henderson Motorcycle.
- No. 14 Model 1930 Indian Motorcycle.
- No. 16 Model 1931 Henderson Motorcycle.
- No. 17 Model 1930 Henderson Motorcycle.
- No. 19 Model 1930 Henderson Motorcycle.

(b) The said purchase shall be made from the lowest and best bidder, or bidders, after advertising for competitive bids thereon according to law, and the total net cost or expenditure for said fifteen (15) motorcycles and fifteen (15) motorcycle sidecars shall not exceed the sum of Nine Thousand Dollars (\$9,000).

(c) That the purchase price of said motorcycles and motorcycle sidecars shall be paid out of the funds heretofore appropriated to the board of public safety, police department, for the year 1936.

Section 3. (a) That the board of health of the City of Indianapolis, Indiana, through its duly authorized purchasing agent, be, and it is hereby authorized to purchase surgical wadding, crinoline, cellulose, gauze, cotton, Zobec sponges, sutures, tape, napkins, and bandage rolls, to be used at and in connection with the Indianapolis City Hospital, the same to be the kind, quality, cut and fold according to

the specifications heretofore advertised for and in conformity with the uses as prescribed by the management of the Indianapolis City Hospital.

(b) The said purchase shall be made from the lowest and best bidder, or bidders, after advertising for competitive bids thereon according to law, and the total cost thereof shall not exceed Thirteen Thousand Dollars (\$13,000).

(c) That the purchase price of said merchandise shall be paid out of funds heretofore appropriated to the Department of Public Health and Charities of the City of Indianapolis for the year 1936.

Section 4. (a) That the board of health of the City of Indianapolis, through its duly authorized purchasing agent, be, and it is hereby authorized to purchase ten thousand (10,000) tons, more or less, coal, nut slack and/or screenings, from January 1, 1936, to December 31, 1936, to be delivered to the power plant, City Hospital, as ordered by the hospital authorities, said coal to be purchased only after competitive bids have been advertised therefor, according to law and purchase to be made from the lowest and best bidder, or bidders, and the total cost thereof shall not exceed Thirty Thousand Dollars (\$30,000).

(b) That said purchase price for said coal shall be paid out of the funds heretofore appropriated to the department of public health and charities of the City of Indianapolis for the year 1936.

Section 5. This ordinance shall be in full force and effect from and after its passage and approval by the mayor.

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

By the City Controller:

GENERAL ORDINANCE NO. 9, 1936

AN ORDINANCE licensing and regulating itinerant poultry dealers and local poultry dealers, defining who are itinerant poultry dealers and local poultry dealers, providing penalties for the violation thereof, repealing all ordinances and parts of ordinances

in conflict therewith, particularly General Ordinance No. 23, 1933, and General Ordinance No. 34, 1933, and declaring a time when the same shall take effect.

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

Section 1. Dealers in poultry, butter, eggs and game, for the purposes of this ordinance are hereby divided into two classes, viz.: "Itinerant Poultry Dealers," who are hereby defined as any person, firm, corporation or association, who, in person or from any vehicle or temporary location within the City of Indianapolis, sells or delivers or offers for sale, any butter, eggs, game, or live or dressed poultry, such dealer having no permanently established store in the City of Indianapolis where butter, eggs, game, and live or dressed poultry are regularly sold or offered for sale; and "Local Poultry Dealers," who are hereby defined as any person, firm, corporation or association having an established store or place within the City of Indianapolis, where there is sold or offered for sale, at retail or wholesale, any live poultry or game, and/or any store or place within the City of Indianapolis, where there is sold or offered for sale, at wholesale, any butter or eggs.

Section 2. It shall be unlawful for any person, firm, corporation or association to engage in the business of an "Itinerant Poultry Dealer" or "Local Poultry Dealer" in the City of Indianapolis, without first having secured a license so to do as hereinafter provided.

Section 3. Every applicant for any such license shall make application in writing to the city controller, which application shall set forth the name under which the business is to be conducted and the name of every person interested as owner or part owner in said business. Said application shall contain as reference the names of at least two citizens of the City of Indianapolis as to the character of the applicant or applicants.

Section 4. From and after the passage of this ordinance until July 1, 1936, licenses for the carrying on of said business shall be issued expiring June 30, 1936, and only one-half of the regular annual license fee provided herein shall be charged therefor.

Section 5. Beginning July 1, 1936, licenses for the carrying on of said business shall be issued annually and shall expire on the 30th day of June, of each year; shall not be transferable, and no deductions shall be allowed from the fee for such license for any part of the

year during which the license shall have been issued. The license fee for carrying on the business of "Itinerant Poultry Dealer," as herein defined, shall be Two Hundred Dollars (\$200.00) per annum. The license fee for carrying on the business of "Local Poultry Dealer," as herein defined, shall be Twenty-five Dollars (\$25.00) per annum for each and every such store or place. Provided that one-half of the regular license fee shall be charged for any license issued on or after January 1st of any year.

Section 6. Every such "Itinerant Poultry Dealer" licensee shall execute and file bond with the city controller of said city in the sum of Five Hundred Dollars (\$500.00) payable to the City of Indianapolis, to be approved by the city controller as to sureties and form, which bond shall be conditioned upon the faithful observance of the provisions of this ordinance and of all ordinances of the City of Indianapolis and laws of the State of Indiana concerning or regulating the merchandising and handling of said products dealt in by the licensee, and it shall also be conditioned so as to indemnify any person obtaining a judgment against the licensee because of any damage sustained on account of the violation by the licensee of any terms of this ordinance.

Section 7. Upon filing of the bond and the payment of the license fee hereinbefore prescribed, the city controller shall issue to the "Itinerant Poultry Dealer" applicant a license as "Itinerant Poultry Dealer" and shall furnish the said licensee two signs upon which shall be inscribed "Itinerant Poultry Dealer's License, Indianapolis, Indiana, No. \_\_\_\_\_," filling in the blank space the number of such license and the year during which the same shall be in force, which signs shall be carried on the person of such licensee or securely fastened in plain view on both sides of the vehicle used by such licensee whenever such licensee is engaged in operating under such license.

Section 8. Upon the payment of the license fee hereinbefore prescribed, the city controller shall issue to such "Local Poultry Dealer" applicant a license as "Local Poultry Dealer," a sign, upon which shall be inscribed "Local Poultry Dealer's License, Indianapolis, Indiana, No. \_\_\_\_\_," filling in the blank space with the number of such license and the year during which the same shall be in force, which license certificate shall be conspicuously displayed in the place of business of said licensee.

Section 9. No license as an "Itinerant Poultry Dealer" shall be required of firms, corporations or associations who sell such produce exclusively to any licensed "Itinerant Poultry Dealer" or "Local Poultry Dealer," as defined by this ordinance, nor of any person sell-

ing such produce entirely of his own raising or producing, provided such person selling such produce of his own raising or producing, shall file with the city controller an affidavit setting forth his name and address, the amount and variety of such produce he proposes to sell annually, the place where such produce has been, is or will be grown and produced by him. Upon the filing of such affidavit and the payment of a registration fee of One Dollar (\$1.00) for the current calendar year, the city controller shall issue to such person a registration certificate, duly numbered, and which shall be carried by him when selling or delivering such produce of his own raising or producing. Such certificates shall be issued annually and shall not be transferable.

Section 10. Each "Itinerant Poultry Dealer," at the time of making any sale of such produce, shall deliver to the purchaser a sales slip which shall contain in a conspicuous place thereon the name, address and license number of such license. Any person selling any such produce of his own raising or producing shall deliver to the purchaser a sales slip which shall contain his name and residence, and the number of his registration certificate.

Section 11. The issuance of any license hereunder shall not be construed in any manner to exempt the holder thereof from the obligation of compliance with any and all other ordinances of the City of Indianapolis or laws of the State of Indiana.

Section 12. Every "Itinerant Poultry Dealer" and "Local Poultry Dealer" to whom a license shall be issued under this ordinance, shall display such produce for inspection by inspectors assigned to such duty by the Board of Public Health and Charities and/or the Board of Public Safety of the City of Indianapolis, upon demand by such inspector and upon said inspector showing evidence of his authority so to do; and, upon inspection, if any of such produce shall be found unwholesome, stale, diseased, or otherwise unfit for food purposes, such produce shall be forthwith condemned and removed from the vehicle or other place where found and shall not be sold, but as to all other produce which shall be passed by said inspectors as fit for food purposes there shall be issued a certificate to such "Itinerant Poultry Dealer" or "Local Poultry Dealer" showing that such produce has been inspected and passed on the date therein set out.

Section 13. No poultry shall be slaughtered, picked or drawn in the same room where other fresh meats or other food products are sold or offered for sale, nor at any place not zoned for business under any present or future zoning ordinance of the City of Indianapolis.

Section 14. Any person, firm, corporation or association, or any officer, agent, servant or employee thereof, violating any of the provisions or regulations contained in this ordinance, shall, upon conviction thereof, be fined in any sum not exceeding Two Hundred Dollars (\$200.00), or by imprisonment for a period of not more than ten (10) days, or both such fine and imprisonment, for each and every offense, and each violation during any day or fraction of a day shall be considered a separate and distinct offense.

Section 15. Any person, firm, corporation or association who has heretofore secured a license for the year 1936 as an "Itinerant Poultry Dealer" under and by virtue of General Ordinance No. 23, 1933, as originally enacted or amended by General Ordinance No. 34, 1933, and/or General Ordinance No. 34, 1933, from the city controller and has paid the required license fee of Two Hundred Dollars (\$200.00) therefor, shall not be required to secure a license for the year beginning July 1, 1936, and ending June 30, 1937, as an "Itinerant Poultry Dealer," and may exercise all the rights and privileges as an "Itinerant Poultry Dealer" until January 1, 1937.

Section 16. Any person, firm, corporation or association who has heretofore secured a license for the year 1936 as a "Local Poultry Dealer" under and by virtue of General Ordinance No. 23, 1933, as originally enacted or amended by General Ordinance No. 34, 1933, and/or General Ordinance No. 34, 1933, from the city controller and has paid the required license fee of Twenty-five Dollars (\$25.00) therefor, shall not be required to secure a license for the year beginning July 1, 1936, and ending June 30, 1937, as a "Local Poultry Dealer" and may exercise all the rights and privileges as a "Local Poultry Dealer" until January 1, 1937.

Section 17. All ordinances and parts of ordinances in conflict herewith are hereby repealed, and particularly General Ordinance No. 23, 1933, is hereby specifically repealed, and particularly General Ordinance No. 34, 1933, is hereby specifically repealed.

Section 18. This ordinance shall be in full force and effect from and after its passage, approval by the mayor and publication according to law.

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

## ORDINANCES ON SECOND READING

Mr. Cable called for Appropriation Ordinance No. 1, 1936, for second reading. It was read a second time.

On motion of Mr. Cable, seconded by Mr. Kealing, Appropriation Ordinance No. 1, 1936, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 1, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Cable called for Appropriation Ordinance No. 2, 1936, for second reading. It was read a second time.

On motion of Mr. Cable, seconded by Mr. Wallace, Appropriation Ordinance No. 2, 1936, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 2, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for General Ordinance No. 4, 1936, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Cable,

General Ordinance No. 4, 1936, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 4, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for general Ordinance No. 5, 1936, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Cable, General Ordinance No. 5, 1936, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 5, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Oren called for Special Ordinance No. 9, 1935, for second reading. It was read a second time.

Mr. Oren presented the following written motion to amend Special Ordinance No. 9, 1935:

Indianapolis, Ind., January 20, 1936.

Mr. President:

I move that Special Ordinance No. 9, 1935, be amended by striking out the word "Nelson" in the first line of section 1 and substituting therein the word "Holliday," and by striking out the word "Holliday" in line 2 of section 1 and substituting therein the word "Nelson."

WM. A. OREN, Councilman.



The motion was seconded by Mrs. Dowd and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

On motion of Mr. Oren, seconded by Mr. Fritz, Special Ordinance No. 9, 1935, as amended, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 9, 1935, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Carr called for General Ordinance No. 57, 1935, for second reading. It was read a second time.

Mr. Carr made a motion to strike General Ordinance No. 57, 1935, from the files. The motion was seconded by Mr. Oren and passed by the following roll call vote:

Ayes, 6, viz: Mr. Carr, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Noes, 3, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz.

Mr. Carr called for General Ordinance No. 104, 1935, for second reading. It was read a second time.

Mr. Carr presented the following written motion to amend General Ordinance No. 104, 1935:

Indianapolis, Ind., January 20, 1936.

Mr. President:

I move that General Ordinance No. 104, 1935, be amended to read as follows:

AN ORDINANCE amending General Ordinance No. 96, 1928, by adding thereto a new and supplemental section, Section 36½, making owners of vehicles prima facie responsible for the parking of said vehicles, and naming an effective date.

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

Section 1. That General Ordinance No. 96, 1928, be, and the same hereby is amended by adding thereto a new and supplemental section, Section 36½, which shall read as follows:

Section 36½. OWNER PRIMA FACIE RESPONSIBLE FOR ILLEGAL PARKING.

If any vehicle be found upon a street, highway, alley or other public way, in violation of any of the provisions of this code, or of any of the ordinances of Indianapolis regulating the stopping, standing, or parking of vehicles, and the identity of the operator can not be determined, the owner, or person in whose name such vehicle is registered, shall be held prima facie responsible for such violation.

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.

SILAS J. CARR, Councilman.

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

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

On motion of Mr. Carr, seconded by Mrs. Dowd, General Ordinance No. 104, 1935, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 104, 1935, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Carr called for General Ordinance No. 3, 1936, for second reading. It was read a second time.

Mr. Carr made a motion to strike General Ordinance No. 3, 1936, from the files. The motion was seconded by Mr. Oren and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Schumacher called for General Ordinance No. 2, 1936, for second reading. It was read a second time.

On motion of Mr. Schumacher, seconded by Mr. Fritz, General Ordinance No. 2, 1936, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 2, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Fritz asked for suspension of the rules for further consideration and passage of General Ordinance No. 9, 1936. The motion was seconded by Mr. Carr and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

The rules were suspended.

The Council reverted to a previous order of business.

## COMMITTEE REPORT

Indianapolis, Ind., January 20, 1936.

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

Gentlemen:

We, your Committee on Public Health and Charities, to whom was referred General Ordinance No. 9, 1936, entitled Licensing and regulating poultry dealers, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed under suspension of the rules.

ADOLPH J. FRITZ, Chairman.  
THEODORE CABLE.  
NANNETTE DOWD.  
WM. A. OREN.  
EDWARD R. KEALING.

## ORDINANCES ON SECOND READING

Mr. Fritz called for General Ordinance No. 9, 1936, for second reading. It was read a second time.

On motion of Mr. Fritz, seconded by Mr. Kealing, General Ordinance No. 9, 1936, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 9, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mrs. Dowd asked for suspension of the rules for further consideration and passage of Special Ordinance No. 1, 1936. The motion was seconded by Mr. Cable and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

The rules were suspended.

The Council reverted to a previous order of business.

### COMMITTEE REPORT

Indianapolis, Ind., January 20, 1936.

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. 1, 1936, entitled Donating ground to State of Indiana for armory, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed under suspension of the rules.

NANNETTE DOWD, Chairman.  
SILAS J. CARTER.  
ADOLPH J. FRITZ.  
WM. A. OREN.  
EDWARD R. KEALING.

### ORDINANCES ON SECOND READING

Mrs. Dowd called for Special Ordinance No. 1, 1936, for second reading. It was read a second time.

On motion of Mrs. Dowd, seconded by Mr. Carr, Special Ordinance No. 1, 1936, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 1, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

### MISCELLANEOUS BUSINESS

Mr. Fritz asked that the rules be suspended to permit the introduction of General Ordinance No. 10, 1936. The request in the form of a motion was seconded by Mr. Oren and passed by the viva voce vote of the Council.

The rules were suspended.

### INTRODUCTION OF GENERAL ORDINANCES

By Councilman Fritz:

#### GENERAL ORDINANCE NO. 10, 1936

AN ORDINANCE to amend Sections 633, 634 and 635 of General Ordinance No. 121, 1925, and fixing a time when the same shall take effect.

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

Section 1. That Section 633 of General Ordinance No. 121, 1925, be, and the same is hereby amended to read as follows:

Section 633. It shall be unlawful for any person or persons while patrolling the premises of another wherein persons are employed, or any place where such employees lodge or reside, to threaten bodily harm or violence or by any unlawful means seek to compel, coerce or induce the persons employed to quit their employment, or by threats of bodily harm, acts of violence or unlawful means attempt to compel, coerce, prevent or deter any person or persons from seeking to enter or freely entering into employment.

Section 2. That Section 634 of General Ordinance No. 121, 1925, be, and the same is hereby amended to read as follows:

Section 634. It shall be unlawful for three or more persons when

in association or agreement, to assemble, congregate or meet together in the vicinity of any approaches or places adjacent thereto and by acts of violence, threats of violence or by any other unlawful means attempt to compel or coerce the persons therein employed to quit their employment, or by acts of violence, threats of violence or by any other unlawful means attempt to compel, coerce, prevent or deter any person or persons from seeking to enter or freely entering into employment therein.

Section 3. That Section 635 of General Ordinance No. 121, 1925, be and the same is hereby amended to read as follows:

Section 635. It shall be unlawful for any person, for the purpose of compelling, coercing any person to quit his or her employment, or to compel, coerce, prevent or deter any person or persons from seeking to enter freely or freely entering into such employment to utter to or within the hearing of such person or persons, any indecent epithets, gestures or language, or threats of violence.

Section 4. No section or provisions of this ordinance shall be construed so as to prevent any person or persons to give publicity to the existence of, or the facts involved in, any labor dispute, whether by advertising, speaking, picketing or patrolling, or by any other method not involving violence, breach of the peace or other unlawful means; Provided, however, that while patrolling it shall be unlawful for two or more persons to join hands or in any other manner cut off the ingress to or egress from the property of any person, firm or corporation.

Section 5. Any person violating any of the sections or provisions of this ordinance, upon conviction thereof, shall be fined not less than one dollar (\$1.00), nor more than one hundred dollars (\$100.00), to which may be added imprisonment not exceeding ten (10) days.

Section 6. This ordinance shall be in full force and effect from and after its passage, approval by the mayor and publication according to law.

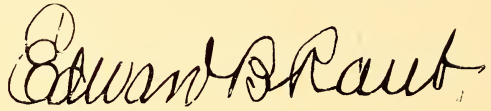
Which was read the first time and referred to the Committee on Public Safety.

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

We hereby certify that the above and foregoing is a

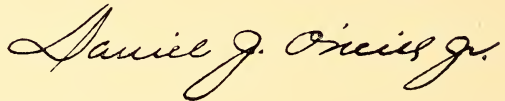
full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 20th day of January, 1936, at 7:30 p. m.

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

A handwritten signature in cursive script, reading "Edward R. Raut".

President.

Attest:

A handwritten signature in cursive script, reading "Samuel J. Orvis Jr.".

City Clerk.

(SEAL)