

REGULAR MEETING

Monday, September 21, 1936,
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, September 21, 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 five members, viz: Theodore Cable, Silas J. Carr, Adolph J. Fritz, Edward R. Kealing, John A. Schumacher.

Absent: Nannette Dowd, William A. Oren, Ross H. Wallace.

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

COMMUNICATIONS FROM THE MAYOR

Indianapolis, Ind., September 14, 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:

GENERAL ORDINANCE NO. 58, 1936

AN ORDINANCE establishing a special and additional annual budget of the anticipated, unexpended and unappropriated balance of funds belonging to the Municipal Airport of the City of Indianapolis for the year 1936 and the anticipated, unexpended and unappropriated miscellaneous receipts thereof for the year 1937

of the City of Indianapolis Municipal Airport, under the Department of Public Works for the fiscal year beginning January 1, 1937, and ending December 31, 1937, and appropriating from the anticipated unappropriated and unexpended balance of said Municipal Airport for the year 1936 and from all anticipated miscellaneous receipts thereof for the year 1937, moneys for the purpose of aiding in the defraying of all expenses and outstanding claims and obligations thereof, and fixing a time when this ordinance shall take effect.

GENERAL ORDINANCE NO. 59, 1936

AN ORDINANCE amending Sections B-1203 and B-1206 of Part Twelve of Division B and Section A-507 of Part Five of Division A of Section 865 of General Ordinance No. 121, 1925, said Section 865 being known as the Indianapolis Building Code of 1925, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 60, 1936

As Amended.

AN ORDINANCE establishing the annual budget of the City of Indianapolis, Indiana, for the fiscal year beginning January 1, 1937, and ending December 31, 1937, appropriating moneys for the purpose of defraying the expenses and all outstanding claims and obligations of the several departments and officials of the city government; and fixing and establishing the annual rate of taxation and tax levy for the year 1936 for each fund for which a special tax levy is authorized, and fixing a time when this ordinance shall take effect.

GENERAL ORDINANCE NO. 61, 1936

As Amended.

AN ORDINANCE amending Section 9 of General Ordinance No. 31, 1931 (as amended), an ordinance amending General Ordinance No. 96, 1928, and other ordinances amendatory thereof, as amended by General Ordinance No. 79, 1932 (as amended), as amended by General Ordinance No. 79, 1935, and fixing a time when the same shall take effect.

Respectfully,

JOHN W. KERN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

Indianapolis, Ind., September 21, 1936.

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. 27, 1936, appropriating the sum of Five Thousand Dollars (\$5,000.00) from the unexpended and unappropriated 1935 balance of the General Fund of the City of Indianapolis to Department of Public Safety, Dog Pound Budget, Fund No. 71—Buildings, Structures and Improvements, for the erection of a new dog pound building.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,

City Controller.

Indianapolis, Ind., September 21, 1936.

Walter C. Boetcher,
City Controller,
City of Indianapolis.

Dear Sir:

The Board of Public Safety having approved plans for the erection of a new dog pound building on the grounds of the Sanitation Plant (Eagle Woods)—said ground having been properly transferred by the Board of Works and Sanitation Resolution No. 21 to the Board of Safety, and accepted by the Board of Safety by their Resolution No. 1, the appropriation of funds for the construction of the building is necessary. The Board of Safety to be aided in the construction of this building by the Works Progress Administration.

We are, therefore, asking that you cause to be prepared an ordinance setting up in the Board of Safety budget—Fund No. 71—Buildings, Structures and Improvements—and appropriate thereto from the unexpended and unappropriated 1935 balance of the General Fund of the City of Indianapolis, the sum of Five Thousand (\$5,000.00) Dollars.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By THEO. H. DAMMEYER, President.

Indianapolis, Ind., September 21, 1936.

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. 28, 1936, appropriating the sum of Six Thousand Four Hundred Seventy-five (\$6,475.00) Dollars from the anticipated unappropriated and unexpended balance of the Gasoline Tax Fund hereto appropriated to the Street Commissioner's office for the year 1936, to the following designated funds in the office of the Street Commissioner in the amounts specified:

Gasoline Tax Fund No. 12-4, Street Sanitation	\$2,975.00
Gasoline Tax Fund No. 12-7, Unpaved Street Maintenance	3,500.00

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

Indianapolis, Ind., September 10, 1936.

Mr. Walter C. Boetcher,
City Controller.

Dear Sir:

Upon recommendation of the Street Commissioner the Board of Public Works and Sanitation respectfully requests that you cause to be prepared an ordinance appropriating the sum of \$6,475.00 from the unexpended and unappropriated Street Commissioner Gas Tax Fund 1936, into the following funds:

No. 12-4 Gas Tax	\$2,975.00
No. 12-7 Gas Tax	3,500.00
	<hr/>
	\$6,475.00

This additional appropriation is made necessary due to the overtime work during the months of January, February and March, in snow removal.

Will you kindly submit the same to the Common Council with the

recommendation from the Board of Public Works and Sanitation that the same be passed?

Very truly yours,
BOARD OF PUBLIC WORKS & SANITATION,
ERNEST F. FRICK, Secretary.

Indianapolis, Ind., September 21, 1936.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 29, 1936, appropriating moneys from the unexpended and unappropriated 1935 balance of the General Fund to certain designated funds.

I respectfully recommend the passage of this ordinance.

Yours very truly,
WALTER C. BOETCHER,
City Controller.

Indianapolis, Ind., August 19, 1936.

Mr. Walter C. Boetcher,
City Controller.

Dear Sir:

The Board of Public Works and Sanitation respectfully requests that you cause to be prepared an ordinance appropriating the sum of \$15,000.00 out of the unexpended and unappropriated balance of the General Fund 1935, into Board of Public Works and Sanitation Administration No. 22, Heat, Light and Power, which is made necessary by the fact that the 1936 request for this item was based upon the execution of a new contract for public lighting. As you know this did not materialize and we are now operating under an extension of the old contract and the saving anticipated was therefore not effected.

This fact was brought to the attention of the Common Council at the time of the submitting of the 1936 budget.

Will you kindly present the same to the Common Council at its next meeting with the recommendation from the Board of Public Works and Sanitation that the same be passed?

Very truly yours,
BOARD OF PUBLIC WORKS & SANITATION,
ERNEST F. FRICK, Secretary.

Indianapolis, Ind., September 11, 1936.

Mr. Walter C. Boetcher,
City Controller,
City Hall.

Dear Sir:

Because of the continued heavy demands on this office due to the enforcement of the traffic regulations, it will be necessary to continue the services of a temporary clerk.

In accordance therewith will you cause to be prepared an ordinance appropriating the sum of \$150.00 from the unappropriated and unexpended balance of the 1935 general fund and reappropriating and reallocating the same to City Clerk—Fund No. 12—Salaries and Wages, Temporary, and present the same to the Common Council at their next regular meeting with the recommendation of the City Clerk that the same be passed.

Very truly yours,
DANIEL J. O'NEILL, JR.,
City Clerk.

Indianapolis, Ind., September 21, 1936.

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

Gentlemen:

We are submitting herewith General Ordinance No. 63, 1936, abolishing a three car taxicab stand located at 1033 Prospect Street, and respectfully recommend its passage.

Respectfully submitted,
BOARD OF PUBLIC SAFETY,
BLYTHE Q. HENDRICKS,
Executive Secretary.

Indianapolis, Ind., September 21, 1936.

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

Gentlemen:

Attached please find copies of General Ordinance No. 64, 1936,

transferring moneys from certain funds in the Police Department budget and reappropriating and reallocating the same to other designated funds in said department.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,

City Controller.

Indianapolis, Ind., August 11, 1936.

Walter C. Boetcher,
City Controller,
City of Indianapolis.

Dear Sir:

On the recommendation of Chief Morrissey, we are asking that you cause to be prepared an ordinance transferring the following funds in the Police Department budget:

Eight Thousand (\$8,000.00) Dollars from Fund No. 11—Salaries and Wages, Regular—Patrolmen First Grade, to funds as follows:

One Thousand (\$1,000.00) to Fund No. 26—Other Contractual.

Six Thousand (\$6,000.00) Dollars to Fund No. 33—Garage and Motor Supplies.

One Thousand (\$1,000.00) Dollars to Fund No. 72—Equipment.

Seven Hundred (\$700.00) Dollars from Fund No. 11—Salaries and Wages, Regular, Detective Sergeants, to Fund No. 45—Repair Parts.

Five Hundred (\$500.00) Dollars from Fund No. 11—Salaries and Wages, Regular, Humane Sergeants, to Fund No. 38—General Supplies.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By THEO. DAMMEYER, President.

Indianapolis, Ind., September 21, 1936.

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

Gentlemen:

Attached please find copies of General Ordinance No. 65, 1936,

transferring the sum of Fourteen Thousand Two Hundred and Fifty (\$14,250.00) Dollars from certain funds in the City Hospital Budget and reappropriating the same to other designated funds in said City Hospital Budget.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,

City Controller.

Indianapolis, Ind., September 21, 1936.

Mr. Walter Boetcher, Controller,
City of Indianapolis, Indiana.

Dear Sir:

Acting under instructions from the Department of Public Health and Charities, I am directed to request that you submit to the City Council a bill for an ordinance transferring moneys from certain funds in the City Hospital Budget and reappropriating the same to other numbered funds in said City Hospital Budget, and fixing a time when the same shall take effect.

Respectfully yours,

H. G. MORGAN.

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

The Council reconvened at 8:10 p. m., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., September 21, 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. 27, 1936, entitled Repealing picketing ordinance, 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.

WILLIAM A. OREN.

JOHN A. SCHUMACHER.

Indianapolis, Ind., September 21, 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. 51, 1936, entitled Amending General Ordinance 61, 1935, 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.
JOHN A. SCHUMACHER.

Indianapolis, Ind., September 21, 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. 56, 1936, entitled Fireworks—sale and display, 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.
JOHN A. SCHUMACHER.

Indianapolis, Ind., September 21, 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 General Ordinance No. 40, 1936, entitled Agreement between the Board of Public Works and Indianapolis Railways, Inc., beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

THEODORE CABLE, Chairman.
SILAS J. CARR.
JOHN A. SCHUMACHER.

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 27. 1936

AN ORDINANCE appropriating the sum of Five Thousand Dollars

(\$5,000) from the unexpended and unappropriated 1935 balance of the General Fund of the City of Indianapolis to and for the use of the Department of Public Safety in erecting a new dog pound building, 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 there is hereby appropriated out of the unexpended and unappropriated 1935 balance of the General Fund of the City of Indianapolis to the Department of Public Safety the sum of Five Thousand Dollars (\$5,000) for the purpose of aiding in the construction and erection of a new city dog pound building to be built and erected by the Board of Public Safety and the Works Progress Administration on the property known as the Sanitation Plant (Eagle Woods), and said sum is hereby appropriated and allocated to the following designated fund, hereby established, of the following, department of said city:

Department of Public Safety, Dog Pound
Fund No. 71—Buildings, Structures and Improvements.

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 Elections.

By the City Controller:

APPROPRIATION ORDINANCE NO. 28, 1936

AN ORDINANCE appropriating to certain designated funds moneys from the anticipated unappropriated and unexpended balance of the Gasoline Tax Fund heretofore appropriated to the Street Commissioner's office in the Department of Public Works 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 there be and there is hereby appropriated, from the anticipated unappropriated and unexpended balance in the Gasoline Tax Fund heretofore appropriated, allocated and distributed to the Street Commissioner's Office in the Department of Public Works, the total sum of Six Thousand Four Hundred Seventy-five Dollars (\$6,475.00) to the following designated funds in the office of the Street Commissioner in the amounts specified, to-wit:

Gasoline Tax Fund No. 12-4, Street Sanitation.....\$2,975.00

Gasoline Tax Fund No. 12-7, Unpaved Street Maintenance	3,500.00
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Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the mayor.

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

By the City Controller:

APPROPRIATION ORDINANCE NO. 29, 1936

AN ORDINANCE appropriating moneys from the unexpended and unappropriated 1935 balance of the General Fund to certain designated funds in the amounts specified, 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 Fifteen Thousand Dollars (\$15,000) now in the unexpended and unappropriated 1935 balance of the General Fund, be and the same is hereby appropriated therefrom to Board of Public Works and Sanitation Administration Fund No. 22—Heat, Light and Power.

Section 2. That the sum of One Hundred Fifty Dollars (\$150.00) be and the same is hereby appropriated from the 1935 balance of the General Fund to City Clerk Fund No. 12—Salaries and Wages, Temporary.

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

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

INTRODUCTION OF GENERAL ORDINANCES

By the Board of Safety:

GENERAL ORDINANCE NO. 63, 1936

AN ORDINANCE abolishing the taxicab stand heretofore established

at 1633 Prospect Street, 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 taxicab stand heretofore established at 1033 Prospect Street be and the same is hereby abolished.

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 City Controller:

GENERAL ORDINANCE NO. 64, 1936

AN ORDINANCE transferring moneys from certain funds in the Police Department budget of the Department of Public Safety, reappropriating and reallocating the same to other designated funds in said department, 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 following sums of money now in the respective designated funds in the Police Department budget of the Department of Public Safety be and the same are hereby transferred therefrom, reappropriated and reallocated to other specified funds in said Police Department, to-wit:

Eight Thousand Dollars (\$8,000) from Fund No. 11—Salaries and Wages, Regular—Patrolmen First Grade,
to the following designated funds in the amounts specified:

One Thousand Dollars (\$1,000) to Fund No. 26—Other Contractual;

Six Thousand Dollars (\$6,000) to Fund No. 33—Garage and Motor Supplies;

One Thousand Dollars (\$1,000) to Fund No. 72—Equipment.

Seven Hundred Dollars (\$700.00) from Fund No. 11—Salaries and Wages, Regular, Detective Sergeants, to Fund No. 45—

Repair Parts;

Five Hundred Dollars (\$500.00) from Fund No. 11—Salaries and Wages Regular, Humane Sergeants, to Fund No. 38—General Supplies.

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

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

By the City Controller:

GENERAL ORDINANCE NO. 65, 1936

AN ORDINANCE transferring moneys from certain funds in the City Hospital budget, under the Department of Public Health and Charities, reappropriating the same to other numbered funds in said City Hospital budget, 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 sums of money now in the respective numbered funds in the City Hospital budget, under the Department of Public Health and Charities, as follows:

C. H. General

Fund No. 211	Freight, Drayage and Express	\$ 100.00
Fund No. 221	Electric Current	100.00
Fund No. 251	Repair of Building	2,500.00
Fund No. 252	Repair of Equipment	500.00
Fund No. 316	Milk, Cream and Ice Cream	4,300.00
Fund No. 44	General Material	1,500.00
Fund No. 51	Insurance and Premiums	150.00
Fund No. 54	Rents	50.00
Fund No. 11	Salaries and Wages, Regular, Offices	100.00
Fund No. 11	Salaries and Wages, Regular, Social Service	150.00
Fund No. 11	Salaries and Wages, Regular, Dietary	1,000.00
Fund No. 11	Salaries and Wages, Regular, House-keeping	100.00

Fund No. 11	Salaries and Wages,* Regular, Maintenance and Repair -----	100.00
C. H. Power Plant		
Fund No. 251	Building Repair -----	350.00
Fund No. 332	Oil -----	100.00
Fund No. 726	Other Equipment -----	400.00
Fund No. 11	Salaries and Wages, Regular, Power Plant -----	100.00
C. H. Laundry		
Fund No. 252	Repairs of Equipment -----	200.00
Fund No. 451	Parts of Equipment -----	100.00
C. H. Laboratory		
Fund No. 252	Repairs of Equipment -----	150.00
Fund No. 344	Other Institutional Supplies -----	300.00
Fund No. 722	Instruments, Laboratory -----	150.00
C. H. X-Ray Fund No. 726	Other Equipment -----	200.00
C. H. Garage Fund No. 334	Other Garage and Motor Supplies -----	450.00
C. H. Training School Fund No. 11	Salaries and Wages, Regular -----	1,000.00
C. H. Dispensary Fund No. 11	Salaries and Wages, Regular -----	100.00
Such funds totaling -----		\$14,250.00

be and the same are hereby transferred therefrom and reappropriated to the following designated funds in the budget of the City Hospital in the amounts specified:

C. H. General

Fund No. 214	Telephone and Telegraph -----	\$ 500.00
Fund No. 222	Gas -----	100.00
Fund No. 224	Water -----	100.00
Fund No. 242	Printing -----	75.00
Fund No. 312	Butter, Eggs and Cheese -----	3,435.00
Fund No. 315	Meats, Poultry and Fresh Fish -----	4,000.00
Fund No. 343C	Rabies -----	2,650.00
Fund No. 41	Building Materials -----	1,200.00
Fund No. 45	Repair Parts -----	835.00
Fund No. 726	Other Equipment -----	5.00

Fund No. 13 Other Compensation (hereby established) -----	500.00
C. H. Laundry Fund No. 342 Laundry and Cleaning ----	300.00
C. H. Laboratory Fund No. 723 Live Stock -----	100.00
C. H. Garage Fund No. 331 Gasoline -----	100.00
C. H. Garage Fund No. 724 Motor -----	50.00
C. H. Garage Fund No. 252 Repairs of Equipment ----	300.00
Total -----	\$14,250.00

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

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

ORDINANCES ON SECOND READING

Mr. Cable called for General Ordinance No. 40, 1936, for second reading. It was read a second time.

Mr. Cable introduced the following written motion to amend General Ordinance No. 40, 1936:

Indianapolis, Ind., September 21, 1936.

Mr. President:

I move that General Ordinance No. 40, 1936, be amended as follows:

By striking out all of Sections 1 and 2 of said ordinance and inserting in lieu thereof the following:

"Section 1. That the foregoing contract is hereby ratified, confirmed and approved subject to the modifications thereof as herein set forth, and on condition that the same, as modified, be approved by the Board of Public Works and Sanitation and that it be accepted by Indianapolis Railways, Incorporated, in the manner hereinafter provided; that said modifications of said contract are as follows:

"(1) Article 8 shall be modified and amended to read as follows:

'Article 8. The Company agrees to pay the City for the actual number of miles, or fraction thereof, of streets used by the Company for trackless car operation, where local or intracity street cars are not also being operated on rails, at the rate of \$357.23 per mile per annum from and after March 26, 1936, payment therefor to be made semi-annually as herein provided. On the first day of July and the first day of January of each year the Company shall file with the Board of Public Works and Sanitation a verified statement showing the actual number of miles of such streets used for trackless trolley service during the preceding period, and shall also set forth any additions to such service or any abandonments thereof made during said period, together with the dates upon which such additions or abandonments were made; a copy of such statements shall at said time be filed with the City Controller and the City Civil Engineer. From such statements so filed there shall be computed the average number of miles, or fraction thereof, of such streets actually used for trackless trolley operations during said period and the amount due said City at said rate of \$357.23 per mile per annum; and on said dates the said Company agrees to pay to the City Controller the amount then due for the preceding period.'

"(2) From Article 2 there shall be eliminated the following:

'Minnesota Street—East to Ringgold Street.

Ringgold Street—Minnesota Street to Pleasant Run Blvd.,
N. D.

Pleasant Run Blvd., N. D.—Ringgold Street to Shelby Street.'

"(3) The use of additional streets by Indianapolis Railways, Incorporated, for trackless trolley car operation by permit from the Board of Public Works and Sanitation under the provisions of Articles 1 and 2 of said contract shall be subject to prior approval of such permits by the Common Council.

"(4) In case any of said payments set forth in Article 8 are in default for a period of more than sixty days, the City shall, at its election, have the right to terminate said entire contract by resolution to that effect regularly adopted by the Common Council, approved by the Mayor, and a copy thereof served upon the President of Indianapolis Railways, Incorporated.

"Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor, and the said contract as modified in Section 1 of this Ordinance shall become binding between the City of Indianapolis and Indianapolis Railways, Incorporated, upon the filing with the City Clerk of a written acceptance thereof by Indianapolis Railways, Incorporated, and upon approval

of said contract, as modified, by the Board of Public Works and Sanitation; that when so accepted and approved, the said contract shall be effective as of the time therein provided, viz., the 26th day of March, 1936. The said contract, as modified in Section 1 of this ordinance, when accepted and approved as in this Section 2 provided, is hereby in all things ratified, confirmed and approved.

“Section 3. BE IT FURTHER ORDAINED BY THE COMMON COUNCIL, that if for any reason the foregoing modifications and amendments, or any part thereof set forth in Sections 1 and 2 of this ordinance, shall be held void, ineffective or in any sense not binding, then in any such event the entire contract shall in all things be null and void.”

That when so amended, said General Ordinance No. 40, 1936, do pass.

THEODORE CABLE, Chairman.

SILAS J. CARR.

JOHN A. SCHUMACHER.

Committee on Public Works.

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

Ayes, 6, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Schumacher, President Raub.

On motion of Mr. Cable, seconded by Mr. Carr, General Ordinance No. 40, 1936, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 40, 1936, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 6, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Schumacher, President Raub.

On motion of Mr. Fritz, seconded by Mr. Cable, the Common Council adjourned at 8:25 p. m.

We hereby certify that the above and foregoing is a

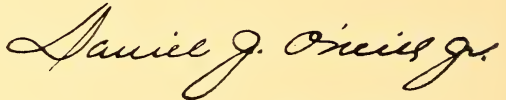
full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 21st day of September, 1936, at 7:30 p. m.

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



President.

Attest:



City Clerk.

(SEAL)