

REGULAR MEETING

Monday, March 21, 1938
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, March 21, 1938, 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. Cable, seconded by Mr. Fritz.

COMMUNICATIONS FROM THE MAYOR

March 9, 1938

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. 11, 1938
(As Amended)

AN ORDINANCE amending Sections 66, 67 and 68 of General Ordinance No. 96, 1928, and repealing conflicting ordinances, particularly Section 3 of General Ordinance No. 9, 1929, and Section 14 of General Ordinance No. 31, 1931 (as amended), and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 18, 1938

AN ORDINANCE approving a certain agreement and permit granting Jesse C. Moore the right to lay and maintain a sidetrack or switch across Sixteenth Place according to blue print attached, in the City of Indianapolis, Indiana.

GENERAL ORDINANCE No. 20, 1938

AN ORDINANCE fixing the annual salaries for certain officers of the City of Indianapolis and fixing a time when the same shall take effect.

Respectfully,

WALTER C. BOETCHER,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

March 21, 1938

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

Gentlemen:

Attached please find copies of a proposed general ordinance authorizing the acting City Controller for and on behalf of the City of Indianapolis, Indiana, to borrow the sum of Two Hundred Twenty-five Thousand (\$225,000.00) Dollars and to issue for this purpose and to sell Two Hundred Twenty-five (225) bonds of One Thousand (\$1,000.00) Dollars each, to be designated as "City of Indianapolis Relief Sewer Bonds of 1938—First Issue."

I take this action by virtue of a certified resolution addressed to me from the Board of Public Works and Sanitation requesting me to borrow the above sum of money for the improvement of the College Avenue Sewer System as per the plans and specifications of the board.

The passage of this ordinance I respectfully recommend.

Yours very truly,

H. NATHAN SWAIM
Acting City Controller

March 21, 1938]

City of Indianapolis, Ind.

131

March 21, 1938

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. 26, 1938, authorizing the Board of Works and Sanitation of City of Indianapolis to purchase SAND AND CEMENT, used and to be used in the repair, construction and maintenance of Bridges, Streets, and Thoroughfares in the City of Indianapolis, and fixing the time when the same shall take effect.

Respectfully submitted,

DEPARTMENT OF PUBLIC PURCHASE

A. H. LOSCHE
Purchasing Agent

March 21, 1938

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

Gentlemen:

Submitted herewith is General Ordinance No. 27, 1938 establishing an 18 foot "loading zone" at 105 North Pennsylvania Street for the Indianapolis Paint and Color Company.

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By, THEO. H. DAMMEYER

President

March 21, 1938

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

Gentlemen:

Submitted herewith is General Ordinance No. 28, 1938, prohibiting parking on the south side of West 18th street from the east curb line of North Capitol Avenue east to the west curb line of the first alley.

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By T. H. Dammeyer,

President.

Indianapolis, Indiana

March 21, 1938

Mr. Daniel J. O'Neill
City Clerk
City Hall
Indianapolis, Indiana

Common Council of the City of Indianapolis
City Hall
Indianapolis, Indiana

Gentlemen:

I am herewith presenting an Ordinance regulating Pawnbrokers and licensing the same and expressly repealing General Ordinance No. 121, of 1925 as amended and supplemented by General Ordinance No. 75, of 1937. I am asking that the same be presented at the meeting of the Common Council on Monday, March 21st.

The proposed Ordinance has been carefully considered by me and it is my opinion that it offers a substantial opportunity to regulate and oversee the business of pawnbroking in the City of Indianapolis, without however overregulating the same and without attempting to add limitations and restrictions which are not required by the present laws and statutes of the State of Indiana.

As a reading of the proposed ordinance will disclose, it is merely supplemental to and in no way in conflict with or in derogation of

the Indiana State Laws regulating pawnbrokers or any regulations of the Department of Financial Institutions of the State of Indiana.

As you will note, Section 1 defines pawnbrokers and conforms with the definition of same as set out in the statute of this State. Section 2 confers the power to license pawnbrokers and Section 3 sets out the requirements and conditions preliminary thereto, one of which as you will note is the requirement that the applicant shall have first been granted a license by the State of Indiana. Section 4 provides for a license for each separate establishment. Section 5 limits the hours of conducting said business to between seven (7:00 a. m.) and eight (8:00 p. m.) on any day and extends the same to eleven (11:00 p. m.) on Fair week and the first twenty-four (24) days of December. Section 6 prescribes the record that must be kept describing the Article received, i. e. pledged or bought and a precise description of the person pledging or selling the same. Section 7 requires the signature of the pledgor to be affixed to the pawn ticket. Section 8 sets out the form and requirements of the pawn ticket. Section 9 establishes the negotiability of the ticket and the right of the person presenting the same to receive the goods in conformity with the limitations therein set out. Section 10 provides for a copy of the complete record for the Police Department of the City of Indianapolis and provides for the form thereof. Section 11 permits inspection by the Police Department of all records. Section 12 sets out prohibited transactions. Section 13 prescribes a penalty for violation of the ordinance. Section 14 expressly repeals the old ordinance of 1925 as amended by the Ordinance of 1937. And Section 15 fixes an effective date for the ordinance.

After lengthly discussion of the conditions obtaining in this business and carefully thinking out what regulations and limitations they ought to be subjected to both as a matter of police regulation and legal permissibility, I have arrived at the conclusion that the within Ordinance meets the need of the public in the matter of general regulation of the pawnbroking business and at the same time while safeguarding the public generally does not place such prohibitory restrictions upon the pawnbrokers as might operate to confiscate in a sense their business and property.

As the newly proposed ordinance is in conformity with the present state law, it has the general safeguard of legality and validity.

Very truly yours,

EDWARD R. KEALING

Councilman

OTHER COMMUNICATIONS

FILING OF PETITIONS

Petitions bearing the signature of more than fifty (50) persons purporting to own taxable real estate in the City of Indianapolis were filed, which petitions requested the Common Council to cause to be issued bonds of the City of Indianapolis in a total sum not exceeding two hundred twenty-five thousand dollars (\$225,000.00), for the purpose of providing funds to be used as follows: For the purpose of constructing relief sewers, repairing and enlarging existing sewers, and improving generally the College Avenue district sewer system. Said petitions were verified by more than one of the signers thereof and there was attached to said petitions a certificate of the Auditor of Marion County, Indiana, to the effect that all such petitioners are owners of taxable real estate in the City of Indianapolis.

Said petitions, omitting the signatures thereon, were in the following words and figures.

“PETITION FOR THE ISSUANCE OF
BONDS FOR THE CONSTRUCTION OF
THE COLLEGE AVENUE DISTRICT RE-
LIEF SEWER.”

“We, the undersigned, hereby state that we are owners of taxable real estate situated in the City of Indianapolis, and hereby petition the Board of Public Works and Sanitation and the Common Council of the City of Indianapolis that bonds be issued in order to provide for the necessary funds for the construction of an intercepting sanitary sewer along the course of Fall Creek, and for the correction of the College Avenue district sewer

condition by the installation of additional sewers, drains and other incidentals, all in the limits of the City of Indianapolis.”

The form of verifications on said petitions was as follows:

“STATE OF INDIANA
COUNTY OF MARION

SS:

“..... being first duly sworn upon his oath deposes and says that he knows of his knowledge that the signers of the foregoing petition praying for the issuance of bonds to provide funds so that the College Avenue District Relief Sewer or Sewers and an intercepting sanitary sewer along the course of Fall Creek may be constructed, are all owners of taxable real estate in the City of Indianapolis. That he himself is such an owner and for and on behalf of himself and the other owners of taxable real estate files this petition and makes this affidavit for the purpose of causing the Board of Public Works and Sanitation to issue sufficient bonds to provide funds to construct the new Fall Creek Interceptor and the College Avenue District Relief Sewer or Sewers.

.....
Subscribed and sworn to before me this.....
day of....., 1938.

.....
Notary Public

My commission expires:
.....”

A copy of the certificate of the Auditor of Marion County attached thereto is as follows:

“STATE OF INDIANA
COUNTY OF MARION

SS:

“I, Charles A. Grossart, Auditor of Marion County, Indiana, hereby certify that the attached list of persons are property owners in Marion County, Indiana.

“Witness my hand this 21st day of March, 1938.

(signed) Chas. A. Grossart,
Auditor Marion County, Indiana.

By

(signed) Joe Grossart,
Chief Deputy Transfer Clerk.”

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

The Council reconvened at 7:50 p. m., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., March 21, 1938.

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. 23, 1938, entitled:

Prohibiting parking on Herman Street and W. S. of
Barth Avenue

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

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

INTRODUCTION OF GENERAL ORDINANCES

By the Board of Public Works and Sanitation:

SWITCH PERMIT

GENERAL ORDINANCE No. 24, 1938

AN ORDINANCE approving a certain agreement and permit granting Grady Bros. the right to lay and maintain a sidetrack or switch from point on C. C. C. & St. L. Railway tracks over and across 27th Street according to blue print attached, in the City of Indianapolis, Indiana.

Whereas, heretofore, to-wit: on the day of March, 1938, William J. Grady and Frank S. Grady, doing business as Grady Brothers Construction Co., filed their petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION

To Board of Public Works,
City of Indianapolis.

Gentlemen:

William J. Grady and Frank S. Grady of the City of Indianapolis, Marion County, Indiana, doing business under the style and trade name of Grady Bros. Construction Co., with their office and principal place of business at 2702 Barnes Avenue, Indianapolis, Indiana, herewith make application for and petition for the work of constructing a railroad switch from a point approximately 40 feet south of 27th Street, in the City of Indianapolis, on the Big Four Railroad and running thence northwesterly over and across said 27th Street into the property of petitioners herein as more particularly hereinafter described.

Now, Therefore, This agreement made and entered this day of March, 1938, by and between William J. Grady and Frank S. Grady, doing business as Grady Brothers Construction Co., of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth: That the party of the first part, being desirous of securing a permit for a right of way for a sidetrack or switch from a point 40 feet south of 27th Street and extending northwestwardly over and across said 27th Street into the property of petitioners herein, in the City of Indianapolis, which is more specifically described as follows:

Beginning at a point in the center line of an existing track known as the Udell track, and owned by the Cleveland, Cincinnati, Chicago & St. Louis Railway Company, the New York Central Railroad Company lessee, 46 feet south of the south line of 27th Street; thence continuing northwestwardly along a curve to the right whose radius is 487.24 feet, 124 feet to the north line of 27th Street, being also the south line of a parcel of property owned by Grady Brothers Construction Company; thence continuing along a tangent to the curve of the aforementioned point, measure 77 feet; thence measure along a curve to the right, whose radius is 716.25 feet, 90 feet to point of ending, said point being the northerly line of property owned by Grady Brothers Construction Company.

hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, he will lay, construct, maintain and pay all costs and expenses either now or hereafter connected with said track upon the terms and conditions hereinafter set forth, to-wit:

(1) They shall be so laid, maintained, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis, and to all laws and ordinances, adopted and enacted pursuant to the police powers of said city.

(2) Said track and switch shall be laid upon such grade as shall be established by said board, and shall be put down under its supervision and to its satisfaction and approval. Said track shall

be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said board, and shall be made to conform in all respects with any ordinance passed by the Common Council, or with any resolution or resolutions made by said board, for the elevation or depression of said track, or tracks; provided further that all the costs thereof shall be paid by the said party of the first part, who hereby waives any division of such costs as now or hereafter provided by any statute, or otherwise.

(3) The crossing where said track intersects, shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, upon the written order of said board, made for any cause affecting the interest of the city or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said board shall in no wise become a trespasser. Said notice shall fix a day for hearing before said board where objections to such removal may be heard; but the decision of said board shall be final and conclusive on the party of the first part who hereby expressly waives any right to have such exercise of discretion reviewed by any court.

(5) The party of the first part agrees to pave between the rails of said track and for eighteen inches on both sides thereof, to the entire satisfaction of the second party, and in case said tracks and pavement or either thereof shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair, reconstruct, or remove same, failing in which, after notification in writing of ten (10) days, said board may do or cause the same to be done at the expense of the said party of the first part and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds himself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance, or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending against any such claims.

(7) Any violation of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this permit, provided, however, that the same may be terminated by said board as hereinbefore set forth.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled, "An act concerning municipal corporations," approved March 6, 1905, and of all acts amendatory thereof or supplemental thereto, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby grants and duly permits said party of the first part to exercise the right, privilege and authority to lay and maintain an additional sidetrack or switch across in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

In Witness Whereof, we have hereunto set our hands this day of March, 1938.

Grady Brothers Construction Co.,
Per William J. Grady,
Party of the First Part.

Witness:

Joseph O. Hoffmann.

CITY OF INDIANAPOLIS

By

Louis C. Brandt, President
Robert K. Eby
M. E. Tennant
Thomas A. Moynahan
As Board of Public Works,
Party of the Second Part.

Approved by me

WALTER C. BOETCHER,
as Mayor.

And, Whereas, Said agreement and permit has been submitted by the Board of Public Works to the Common Council of the City of Indianapolis, for its consideration and action, now, therefore,

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

Section 1. That such agreement and permit above set forth be, and the same is hereby in all things confirmed and approved.

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

Attest:

.....
Clerk of the Common Council

.....
President of the Common Council..

Approved by me, this.....day of....., 193....

.....
Mayor

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

By the City Controller:

GENERAL ORDINANCE No. 25, 1938

AN ORDINANCE of the City of Indianapolis, Indiana, authorizing the issuance and sale of bonds of said city, designated "City of Indianapolis Relief Sewer Bonds of 1938—First Issue," including all matters pertaining thereto, appropriating the funds and proceeds therefrom, and fixing an effective date.

WHEREAS, on the 14th day of March, 1938, the Board of Public Works and Sanitation of the City of Indianapolis adopted Miscellaneous Resolution No. 401, 1938, duly spread of record on the minute book of said board, providing for relief sewers and other improvements in the College Avenue district sewer system, calling for an expenditure of Two Hundred Twenty-five Thousand Dollars (\$225,000.00); and,

WHEREAS, on the 21st day of March, 1938, there were filed with this Common Council petitions bearing the signatures of more

than fifty (50) persons owning taxable real estate in the City of Indianapolis, Indiana, certified as such by the Auditor of Marion County, Indiana, and verified as such in each petition filed with this council, requesting the members of this Common Council to authorize the issuance of bonds to provide funds for the purpose of constructing relief sewers, repairing and enlarging existing sewers, and improving generally the College Avenue district sewer system; and,

WHEREAS, there exists at the present time an acute, grave and extreme emergency, in that due to the growth of the city population northward the existing College Avenue sewer system is inadequate, overtaxed, and a condition has arisen thereby which is a nuisance and a menace to the health of all the citizens, and particularly those residing in the College Avenue area; and,

WHEREAS, it is by the Common Council of this city deemed necessary and proper that this condition be remedied, and that conditions be improved by the construction, repair, and general improvement of the existing College Avenue sewer system, and the construction of such additional relief sewers as provided in said Miscellaneous Resolution No. 401, 1938, of the Board of Public Works and Sanitation; and,

WHEREAS, there are not now and there will not be sufficient funds in the treasury of this city with which to provide the cost of this sewer improvement as planned, which is estimated at Two Hundred Twenty-five Thousand Dollars (\$225,000.00); and,

WHEREAS, further, the Works Progress Administration of the United States of America has indicated its willingness to provide labor to assist in such project, at this time; and,

WHEREAS, it will be necessary for the City of Indianapolis to borrow the sum of Two Hundred Twenty-Five Thousand Dollars (\$225,000.00) in order to secure a fund for the purposes herein set out, and to issue its bonds for such amount as evidence of its obligation, to be repaid from its general fund or from such other funds as may now or hereafter be provided by law;

NOW, THEREFORE,

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

Section 1. That there be issued and sold, for the purpose of obtaining funds with which to repair, enlarge, improve, and to do

all things to make adequate the present College Avenue sewer system, including the construction of relief sewers, two hundred twenty-five (225) direct negotiable general obligation bonds of the City of Indianapolis, Indiana, in the denomination of One Thousand Dollars (\$1,000.00) each, numbered from one to two hundred twenty-five (225), both inclusive, and designated as "City of Indianapolis Relief Sewer Bonds of 1938—First Issue." All of such bonds shall be dated as of May 20, 1938. Said bonds shall mature and be paid as follows: Eleven (11) bonds on July 1, 1943, and eleven (11) bonds on each first day of January and first day of July thereafter, including January 1st, 1953; and five (5) bonds on July 1st, 1953.

Said bonds shall bear interest at a rate not exceeding five per cent (5%) per annum, the exact rate to be determined by bidding as hereinafter more particularly provided. The first interest shall be payable July 1, 1939. Thereafter the interest on said bonds shall be payable semi-annually on the first day of January and the first day of July of each year for the period of said bonds. Said installments of interest shall be evidenced by interest coupons attached to said bonds.

Section 2. Said bonds and the interest coupons attached thereto shall be payable at the office of the Treasurer of the City of Indianapolis, in said city, in lawful money of the United States of America. Said bonds shall be signed in the name of the City of Indianapolis, by Walter C. Boetcher, the Acting Mayor of said city, countersigned by H. Nathan Swaim, the Acting City Controller, and attested by the City Clerk, who shall affix to each of said bonds the corporate seal of the city. The interest coupons attached to said bonds shall be executed by placing thereon the facsimile signatures of the said Acting Mayor and the said Acting City Controller, who, by the signing of said bonds, shall adopt as and for their own proper signatures their facsimile signatures appearing on said coupons. Said bonds shall, in the hands of the bona fide holders, have all the qualities of negotiable instruments under the law merchant.

Section 3. The form and tenor of said bonds and the interest coupons to be attached thereto shall be substantially as follows, all blanks to be filled in properly prior to delivery:

UNITED STATES OF AMERICA

STATE OF INDIANA	COUNTY OF MARION
No.....	\$1,000.00

CITY OF INDIANAPOLIS
RELIEF SEWER BONDS OF 1938
FIRST ISSUE

The City of Indianapolis, in Marion County, State of Indiana, for value received, hereby acknowledges itself indebted and promises to pay to the bearer hereof the principal amount of

ONE THOUSAND DOLLARS

on the first day of....., 19....., and to pay interest thereon from the date hereof until the principal is paid, at the rate of.....per cent (%) per annum, payable on July 1, 1939, and semi-annually thereafter on the first days of January and July in each year, which interest to maturity is evidenced by and payable upon presentation and surrender of the annexed interest coupons as they severally become due.

Both principal and interest of this bond are payable at the office of the Treasurer of the City of Indianapolis, in said city, in lawful money of the United States of America.

This bond is one of an issue aggregating Two Hundred Twenty-five Thousand Dollars (\$225,000.00), numbered from 1 to 225, inclusive of like date, tenor and effect as this bond, except as to dates of maturity, issued by the City of Indianapolis, pursuant to an ordinance entitled, "An ordinance of the City of Indianapolis, Indianā, authorizing the issuance and sale of bonds of said city, designated 'City of Indianapolis Relief Sewer Bonds of 1938—First Issue,' including all matters pertaining thereto, appropriating the funds and proceeds therefrom, and fixing an effective date," duly adopted by the Common Council of said city on the.....day of....., 1938, and in compliance with an act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, and all laws amendatory thereof and supplemental thereto.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form, as provided by law, and that this bond and said total issue of bonds is within every limit of indebtedness prescribed by the Constitution and laws of the State of Indiana. The full faith and credit of the City of Indianapolis are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the City of Indianapolis, in Marion County, State of Indiana, has caused this bond to be signed in its corporate name by its Acting Mayor, countersigned by its Acting City Controller, its corporate seal to be hereunto affixed and attested by its City Clerk, and the interest coupons hereto attached to be

executed by placing thereon the facsimile signatures of said Acting Mayor and Acting City Controller, as of the.....day of May, 1938.

CITY OF INDIANAPOLIS

By
Acting Mayor

Countersigned:

.....
Acting City Controller

Attest:

.....
City Clerk

(Form of Interest Coupon)

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

On the.....day of....., 193...., the City of Indianapolis, in Marion County, Indiana, will pay to bearer at the office of the City Treasurer in said City..... Dollars, being the interest due on said date on its Relief Sewer Bond of 1938, First Issue, No.....

CITY OF INDIANAPOLIS

By(Facsimile)
Acting Mayor

.....
Acting City Controller

Section 4. On final adoption of this ordinance, the City Clerk shall immediately cause to be published and posted, in the manner required by law, a notice of the determination of the city to issue all of the bonds authorized by this ordinance and to incur the debt evidenced thereby; and shall also include therein announcement of the filing with the Common Council of the City of Indianapolis prior to the passage of this ordinance of petitions by more than fifty (50) owners of taxable real estate in the City of Indianapolis requesting said Common Council to cause to be issued bonds of the City of Indianapolis in a total sum not exceeding Two Hundred Twenty-five

Thousand Dollars (\$225,000.00) for the purposes as expressed herein in Section 1 hereof and of the determination of said council, by the passage of this ordinance, to issue the bonds so petitioned for in an amount of Two Hundred Twenty-five Thousand Dollars (\$225,000.00). Said notice shall be published once each week for two (2) consecutive weeks in two newspapers of opposite political parties published in the City of Indianapolis and said notice shall be posted in three (3) public places in said city.

Section 5. Said bonds shall be offered for sale by the Acting City Controller as soon as may be done after the passage of this ordinance and the expiration of the time provided by law in which remonstrances may be filed by the owners of taxable real estate with said Common Council praying that the bonds herein authorized be not issued. Prior to the sale of any said bonds the Acting City Controller shall cause to be published a notice of the sale of said bonds, once each week for two weeks in two (2) local newspapers. The date fixed for the sale of said bonds shall be not earlier than even days after the last of said publications. Said bond sale notice shall state the time and place of sale, the purpose for which the bonds are issued, the amount thereof, the maximum rate of interest thereon, the time of payment, and the terms and conditions upon which bids will be received and the sale made, and such other information as the Acting City Controller shall deem necessary.

Among other things such notice shall advise the bidders that all bids for said bonds shall be filed with the Acting City Controller in his office in said city, in sealed envelopes marked "Bid for City of Indianapolis Relief Sewer Bonds of 1938—First Issue"; that each bid shall be accompanied by a certified check payable to the City of Indianapolis in an amount equal to two and one-half per cent ($2\frac{1}{2}\%$) of the amount of said bonds to guarantee the good faith of the bidder, and that in the event the bidder to whom the bonds are awarded shall fail or refuse to comply with the provisions of its bid, then said check and the proceeds thereof shall be and become the property of the City of Indianapolis and shall be taken and considered as the liquidated damages of the city on account of such failure or refusal. Said notice shall also provide that bidders for said bonds shall be required to name the rate of interest which said bonds are to bear, not exceeding the maximum rate herein provided, and that such interest must be in multiples of one-fourth ($\frac{1}{4}$) of one per cent (1%), and not more than one interest rate shall be named by each bidder; that the Acting City Controller will award said bonds to the highest qualified bidder who has submitted his bid in accordance with the notice of the sale, and that the highest bidder

shall be the one who offers the lowest net interest cost to the city, determined by computing the total interest on all the bonds to their maturities and deducting therefrom the premium bid, if any.

Section 6. No bid for less than the par value of said bonds, including the accrued interest from the date of said bonds to the date of delivery thereof, at the rate named in the bid, shall be considered. The Acting City Controller shall have the right to reject any and all bids. In the event the Acting City Controller shall receive no satisfactory bid for said bonds at the time fixed in said notice of sale, he shall be authorized to continue to receive bids thereafter from day to day until a satisfactory bid has been received, and in the event of the continuation of sale the Acting City Controller shall open all bids filed at the same hour each day as stated in the bond sale notice.

Section 7. The Acting City Controller is hereby authorized and directed to have said bonds and coupons prepared, and the Acting Mayor, Acting City Controller and City Clerk are hereby authorized and directed to execute said bonds and the interest coupons to be attached thereto in the form and manner herein provided, and the Acting City Controller shall, after the execution of said bonds, deliver the same to the Treasurer. The Treasurer is hereby authorized and directed to deliver said bonds to the purchaser thereof upon receipt from the purchaser of the amount bid for said bonds, as certified to the Treasurer by the Acting City Controller.

Section 8. The bonds taken and paid for to the satisfaction of the Acting City Controller shall be a binding obligation on the City of Indianapolis, Indiana, according to their tenor and effect, and the proceeds derived from such sale, as herein authorized, shall be and hereby are appropriated to the Board of Public Works and Sanitation for the purposes of constructing relief sewers and enlarging, repairing and otherwise improving the sewers in the College Avenue district of the City of Indianapolis, and the same shall constitute and continue as an appropriation for the specified purposes hereinbefore set out until all of said improvements have been made and paid for.

Section 9. Immediately upon adoption of this ordinance, the City Clerk and the Acting City Controller shall deliver a certified copy of this ordinance to the Auditor of Marion County, with the request that the same be forwarded to the State Board of Tax Commissioners of the State of Indiana.

Section 10. This ordinance shall be in full force and effect immediately upon its passage, approval and signing by the Acting Mayor.

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

By the Purchasing Department:

GENERAL ORDINANCE NO. 26, 1938

AN ORDINANCE authorizing the Board of Public Works and Sanitation of the City of Indianapolis to purchase, through its duly authorized purchasing agent, certain materials and supplies for the use of said board in the completion of the Shelby Street Bridge over Pleasant Run, and fixing a time when the same shall take effect.

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

Section 1. That the Board of Public Works and Sanitation of the City of Indianapolis be and it is hereby authorized and empowered to purchase, through its duly authorized purchasing agent, the hereinafter specified materials and supplies for use in the completion of the Shelby Street Bridge over Pleasant Run. Said purchases shall be made after receiving bids for the same subsequent to advertisement for such bids, and the cost thereof shall not exceed the amounts hereinafter designated, to-wit:

Requisition No. 48—1850 barrels (more or less, as required) Common Portland Cement, in cloth sacks, city's specifications\$4300.00

Requisition No. 49—800 tons sand (more or less;) 840 tons (more or less) "L" gravel; 450 tons (more or less) "U" gravel.....\$2500.00

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

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 27, 1938

AN ORDINANCE establishing passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended 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 a certain public street in the City of Indianapolis with ingress and egress for passengers, materials and merchandise coming to or going from such premises, such owner 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 place 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 zone be and the same is hereby established in the City of Indianapolis, to-wit:

An 18 foot zone in front of 105 North Pennsylvania Street, said premises being occupied by Indianapolis Paint and Color Company.

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 Board of Public Safety:

GENERAL ORDINANCE NO. 28, 1938

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

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

Section 1. It shall be unlawful for the operator of any vehicle to park the same, or suffer, permit or allow the same to be parked on the south side of West 18th Street, from the east curb line of Capitol Avenue east to the west curb line of the first alley.

Section 2. Any person violating any of the provisions of this ordinance shall, upon conviction, be fined in any sum not exceeding Three Hundred Dollars (\$300.00,) to which may be added imprisonment not exceeding one hundred eighty (180) days.

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

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

By Councilman Kealing:

GENERAL ORDINANCE No. 29, 1938

AN ORDINANCE to license and regulate pawn brokers, and repealing General Ordinance No. 121, 1925, as amended and supplemented by General Ordinance No. 75, 1937.

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

Section 1—DEFINITION—Every person, firm or corporation who loans money on deposit or pledge of personal property or who deals in the purchasing of personal property on condition of selling the same back again at a stipulated price, is hereby defined and declared to be a pawn broker.

Section 2—LICENSE—It shall be unlawful for any person, firm or corporation to engage or continue in the business of pawn broker, as defined in section 1, without first procuring a license therefore as provided in this ordinance.

Section 3—APPLICATION FOR LICENSE—Every person, firm or corporation desiring to conduct, maintain or engage in the business of pawn broker, shall make application in writing to the Controller (Comptroller) for license so to do, specifying the street and house number of the building in which such applicant intends to carry on

such business, which application shall also be signed by at least three (3) resident free holders of said city, specifying that the applicant is of good moral character, and showing that the applicant has theretofore duly received a license from the State of Indiana to engage in such business, and that said license is unrevoked. Any such license so issued by the Controller shall bear date as of the second Monday in January of the year in which it was issued, and no reduction of the required license fee shall be made for any part of the year elapsed at the time of making such application.

Section 4—LICENSE FOR EACH STORE—No person, firm or corporation shall, by virtue of one license, conduct, maintain or engage in the business of keeping or operating more than one pawn broker's establishment, provided however, that, that any person may procure from the City Controller any number of the license herein provided for, upon payment of the stipulated fee and a compliance with the other requirements of this ordinance. And, provided, also, that such person may remove from one place of business to another in said city by giving an immediate written notice to the City Controller of said city, specifying the street and house number of the building to which such removal is made.

Section 5—It shall be unlawful for any person, firm or corporation engaged in the business of pawn broking to receive as pawn, pledge or purchase on any condition whatsoever, any article or personal property, or to keep open such place of business between the hours of 8 o'clock P. M. on any day and the hour of 7 o'clock A. M. on the following day; provided, however, that any person engaged in any such business of pawn broking may be permitted to keep open such place of business on Saturday of each week, and on all the days during the week when the State Fair shall be held, and on the first twenty-four (24) days of December (except Sundays) on which said days it shall be lawful to conduct and carry on such business between the hours of 7 o'clock A. M. and 11 o'clock P. M.

Section 6—RECORD—MUST KEEP—Every person, firm or corporation licensed to conduct, maintain or engage in such business of pawn broker shall, unless otherwise required by the Department of Financial Institutions, keep a book in which shall be legibly written in ink at the time of the pledging, taking or receiving of any things, articles or goods, and shall preserve an accurate account and description in the English language of the goods, articles or things pledged, received or taken; the amount of money loaned thereon; the time of taking or receiving, or of the pledging or pawning of said

goods, articles or things; the name, residence, age, color, height, weight complexion, style of beard, style of dress of the person or persons, pawning, pledging or delivering said goods, articles or things, and the number of the pawn ticket issued therefore.

Section 7—SIGNATURE OF PLEDGOR—The pawn broker shall, at the time of making the loan, require the pledgor or his agent to write his signature on the duplicate copy of the pawn ticket retained by the pawn broker as hereinafter provided for.

Section 8—PAWN TICKET—The pawn broker shall at the time of making a loan, deliver to the pledgor or his agent a memorandum or ticket, on which shall be legibly written or printed the name of the pledgor; the name of the pawn broker and the place where the pledge is made; the article or articles pledged; the amount of the loan; the date of the transaction; the serial number of the loan; the rate of interest; amount of interest; amount of charge, and principal due at maturity; and shall keep a duplicate copy thereof in its office, which duplicate copy together with all other books, accounts, and records shall be kept for at least two (2) years after making the final entry on any loan therein.

Section 9—NEGOTIABILITY OF TICKET—The holder of such ticket shall be presumed to be the person entitled to redeem the pledge; and the pawn broker shall deliver the pledge to the person presenting the ticket, on payment of principal, interest and charge, except that any personal property or goods bought by the pawn broker from any person shall be retained at least ninety-six (96) hours before the same shall be sold or disposed of to any third persons.

Section 10—COPY OF RECORD FOR POLICE—Every person, firm or corporation licensed as aforesaid shall make and deliver to the Chief of Police of said city every day before the hour of 12 noon a legible and accurate copy from the book required by this ordinance, giving an accurate account and description of the goods, articles and things pledged, pawned, taken or received, during the preceding day, the amount loaned thereon, the precise time of pledging pawning, taking or receiving of the same; the name, residence, age, color, height, weight, complexion, style of beard, and style of dress of the person or persons from whom such goods, articles or things were taken or received, and the number of the pawn ticket issued therefor, said copy to be made on blank white paper ten (10) by twenty (20) inches in size, on one side thereof only, in the following form.

Date.....

REPORT TO CHIEF OF POLICE
Indianapolis, Indiana

Of all property received by me as pawnbroker, my agents, servants and employees, since the making of my last report, as required by an ordinance of said city regulating the duties of pawnbrokers.

(Signed)Pawnbroker
No.Street

March 21, 1938]

City of Indianapolis, Ind.

Number of Check or Badge	TIME		DESCRIPTION OF ARTICLES				AMOUNT		DESCRIPTION OF PERSON									
	A.M.	P.M.	Article	Make	Numbers	Engravings	Dollars	Cents	Name	Address	Age	Feet	Inches	Weight	Color	Complexion	Style of Beard	Style of Dress
				M														
				C														
				M														
				C														
				M														
				C														
				M														
				C														

Section 11—INSPECTION OF RECORDS—The books and records provided for in this ordinance shall be at all reasonable times open to the inspection of the Chief of Police of said city, or any member of the police force, authorized by the Chief of Police to examine the same.

Section 12—PROHIBITED TRANSACTIONS—No pawn broker shall;

(1) receive any pledge or purchase any article or anything from a minor;

(2) receive any pledge or purchase any article from any person who is known by him to be a thief, or associate of a thief, or a receiver of stolen property, or from any person who he has reason to suspect or believe to be any of the foregoing.

Section 13—PENALTY—Any person violating any of the provisions of this ordinance shall, upon conviction, be fined in any sum not less than five dollars (\$5.00) nor more than three hundred dollars (\$300.00,) to which may be added imprisonment not exceeding thirty (30) days.

Section 14—General Ordinance No. 121, 1925, being entitled an ordinance concerning pawn brokers, as amended and supplemented by General Ordinance No. 75 of 1937 is hereby repealed.

Section 15—This ordinance shall be in effect 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.

ORDINANCES ON SECOND READING

Mr. Carr called for General Ordinance No. 23, 1938, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Wallace, General Ordinance No. 23, 1938, was ordered engrossed, read a third time and placed upon its passage.

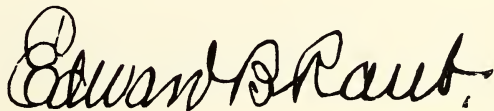
General Ordinance No. 23, 1938, was read a third time by the Clerk and passed by the following roll call vote:

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

On motion of Mr. Wallace, seconded by Mr. Kealing, the Common Council adjourned at 8:55 p. m.

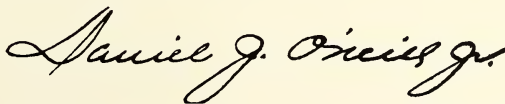
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 21st day of March, 1938, at 7:30 p. m.

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)