

REGULAR MEETING

Monday, October 17, 1938

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, October 17, 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. Oren, seconded by Mr. Wallace.

COMMUNICATIONS FROM THE MAYOR

October 5, 1938.

To the Honorable President and  
Members of 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. 73, 1938

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, as amended by General Ordinance No. 58, 1931, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE No. 74, 1938

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

## GENERAL ORDINANCE No. 76, 1938

AN ORDINANCE amending Section 44½ of General Ordinance No. 96, 1928, as said section has been added to said ordinance by General Ordinance No. 88, 1935, by adding to said section a sub-section (c), and fixing a time when the same shall take effect.

## GENERAL ORDINANCE No. 77, 1938

AN ORDINANCE of the City of Indianapolis, Indiana, authorizing the issuance and sale of refunding bonds of said city, and matters connected therewith, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE No. 79, 1938

AN ORDINANCE authorizing the Board of Public Works and Sanitation to contract for items required for a part of the College Avenue Main Storm Relief Sewer, and fixing a time when the same shall take effect.

Respectfully,

Walter C. Boetcher,  
Acting Mayor.

## COMMUNICATIONS FROM CITY OFFICIALS

October 17, 1938.

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

Gentlemen:

In re: A. O. No. 13, 1938.

I beg leave to report that pursuant to the laws of the State of Indiana, I caused notice by publication to be inserted in the Indianapolis Star and Indianapolis Commercial on October 6, 1938, that taxpayers would have a right to be heard on the above ordi-

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nance at the regular meeting of the Common Council, to be held on October 17, 1938, and by posting a copy of said notice in the City Hall, Court House and Police Station.

Very truly yours,

DANIEL J. O'NEILL, JR.,  
City Clerk.

October 17, 1938.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 14, 1938, appropriating the sum of Eight Hundred Dollars (\$800.00) from the anticipated unappropriated and unexpended 1938 balance of the General Fund of the Department of Public Health and Charities to Child Hygiene Division Fund No. 31—Food.

I respectfully recommend the passage of this appropriation ordinance.

Yours very truly,

H. NATHAN SWAIM,  
Acting City Controller.

October 10, 1938.

Mr. H. Nathan Swaim, Controller,  
City of Indianapolis, Indiana.

Dear Mr. Swaim:

Acting under instructions from the Department of Health and Charities, I am directed to request that you submit a bill for an ordinance appropriating \$800.00 from the unexpended balance of the Board of Health General Fund, to Fund No. 31—Child Hygiene Division.

This appropriation is necessary because of the inadequate appropriation for the purchase of milk for bottle fed infants who are under the supervision and care of the baby clinics.

The fund is now depleted and an attempt to reach the first of the year without adequate food for these infants would result in a very tragical situation.

Respectfully yours,

/s/ HERMAN G. MORGAN,  
Secretary, Board of Health.

October 17, 1938.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 15, 1938, appropriating to the Board of Public Works and Sanitation Department of Public Works the proceeds derived from the sale of "City of Indianapolis Bridge Bonds of 1938—First Issue" and Federal grant funds.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,  
Acting City Controller.

October 17, 1938.

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

Gentlemen:

Submitted herewith is General Ordinance No. 80, 1938, making South East Street preferential between Washington and Raymond streets, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,  
By Theo H. Dammeyer,  
President.

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October 17, 1938.

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

Gentlemen:

Submitted herewith is General Ordinance No. 81, 1938, prohibiting parking on the south side of Walnut Street, between Delaware and Alabama streets, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By Theo H. Dammeyer,

President.

October 17, 1938.

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

Gentlemen:

Attached please find copies of General Ordinance No. 82, 1938, transferring moneys from a certain fund in the Radio Division of the Police Department budget of the Board of Public Safety and reappropriating the same to other funds of said Radio Division.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,

Acting City Controller.

October 11, 1938.

Mr. H. Nathan Swaim,  
City Controller,  
City of Indianapolis.

Dear Sir:

Because several funds in the Police Department budget, Radio Division, will be sufficient to meet the needs for the remaining months of the year, the Board of Safety has today approved Chief



Morrissey's recommendation for the transfer of the following funds in Radio Division budget.

We, therefore, ask that you cause to be prepared an ordinance transferring in the Police Department budget, Radio Division:

One Hundred Thirteen Dollars and Sixty Cents (\$113.60) from Fund No. 38—General Supplies, Radio Division budget, and reappropriate

Ninety-eight (\$98.00) Dollars to Fund No. 22—Heat, Light and Power, Radio Division,

Ten (\$10.00) Dollars to Fund No. 24—Printing and Advertising, Radio Division,

and

Five Dollars and Sixty Cents (\$5.60) to Fund No. 34—Institutional and Medical, Radio Division.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By Theo H. Dammeyer,  
President.

October 17, 1938.

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

Gentlemen:

Attached please find copies of General Ordinance No. 83, 1938, transferring the sum of Eight Hundred (\$800.00) Dollars from Fire Department budget Fund No. 45—Repair Parts to Fire Department budget Fund No. 71—Buildings, Structures and Improvements.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,  
Acting City Controller.

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October 11, 1938.

H. Nathan Swaim,  
City Controller,  
City of Indianapolis.

Dear Sir:

We find that an emergency has arisen in connection with the building of new Fire Station No. 1, West Michigan Street and White River Boulevard, and the money appropriated for this purpose will run short about Eight Hundred Dollars of paying contracted bills.

We, therefore, ask that you cause to be prepared an ordinance transferring in the Fire Department budget

Eight Hundred (\$800.00) Dollars from Fund No. 45—Repair Parts, and reappropriate this amount to Fund No. 71—Buildings, Structures and Improvements.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,  
By Theo H. Dammeyer,  
President.

October 1, 1938.

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

Gentlemen:

Attached please find copies of General Ordinance No. 84, 1938, authorizing the acting City Controller to borrow the sum of Sixty-two Thousand Dollars (\$62,000.00) and to issue bonds for said purpose to provide funds for the reconstruction and renovation of the West New York Street Bridge over White River.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,  
Acting City Controller.

## OTHER COMMUNICATION

Indianapolis, Indiana,  
October 14, 1938.

Daniel J. O'Neill, Jr.,  
City Clerk of the City of Indianapolis  
and  
All Members of the Common Council  
of the City of Indianapolis.

Gentlemen:

I am enclosing herewith 15 copies of Resolution No. 10, 1938, entitled:

“A RESOLUTION by the Common Council of the City of Indianapolis requesting an investigation of the office of the chief of police and the police department of the City of Indianapolis, and also an investigation of gambling, vice and immoral conditions alleged to exist in the City of Indianapolis.”

I am a citizen and taxpayer of the City of Indianapolis, and I am asking that you kindly file this resolution and place same before the Common Council of the City of Indianapolis for its regular meeting Monday night, October 17.

It is common knowledge among the citizens of Indianapolis that, for some time past, minors, in open defiance of the law, have been and are permitted to frequent beer and liquor taverns as entertainers, employees and patrons. It is also common knowledge that Michael F. Morrissey, as chief of police of the City of Indianapolis refuses to allow his police officers to enter taverns for the purpose of making investigations and arrests unless said police officers first have specific authority of the chief of police.

It is a very unusual situation when police officers are prohibited from enforcing the law while minors are allowed to patronize taverns without fear of molestation by police authorities.

It is also common knowledge that gambling and other forms of vice operate in the City of Indianapolis. That many ministers and public spirited citizens have many times requested the authorities of this city as well as the Governor of the State of Indiana to enforce the law, all to no avail.

In the October 8, 1938, issue of the Indianapolis Times, Toner M. Overley, manager of the Better Business Bureau, stated:



"certain forms of gambling, lotteries and similar violations have occurred and are existing in our city,"

and he further stated:

"it is possible that there are some members of the police force who are not as straight as they should be."

Legitimate tavern proprietors are, themselves, rebelling against the laxity of law enforcement as to closing hours, Sunday sales and bootlegging.

The members of the Common Council of the City of Indianapolis are paid salaries by the citizens of Indianapolis, and it is their duty, as public servants, to protect the citizens of Indianapolis from crime, as well as dishonest political practices.

Surely, it is not asking too much of the City Council to investigate the conditions in our city, to determine whether or not the charges published by reputable citizens in the Indianapolis newspapers are true or false.

This action on my part is not one of politics but is a sincere effort to curb vice and crime in this community, so that our sons and daughters will be protected by our police department, which is paid for by the taxpayers of Indianapolis.

I respectfully submit this resolution to the Common Council of the City of Indianapolis, and trust that the Common Council, as public servants, will do their duty to the citizens of this community.

Yours very truly,

REV. L. N. TROTTER.

At this time those present were given a chance to speak on matters pending before the Council. Several responded.

Mr. Cable made a motion for recess. The motion was seconded by Mrs. Dowd and the Council recessed at 8:10 p. m.

The Council reconvened at 8:15 p. m., with all the members present.

## COMMITTEE REPORTS

Indianapolis, Ind., October 17, 1938.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 13, 1938, entitled:

Appropriating the sum of \$1300.00 to Fund No. 22—  
Gamewell Division

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  
NANNETTE DOWD  
ADOLPH J. FRITZ

## INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

## APPROPRIATION ORDINANCE No. 14, 1938

AN ORDINANCE appropriating the sum of Eight Hundred Dollars (\$800.00) from the anticipated unappropriated and unexpended 1938 balance of the general fund of the Department of Public Health and Charities to Child Hygiene Division Fund No. 31—Food, of said department, and fixing a time when the same shall take effect.

WHEREAS, an emergency has arisen in that there are insufficient funds in Child Hygiene Division Fund No. 31—Food, of the Department of Public Health and Charities; and

WHEREAS, an extraordinary emergency is in existence in that it is necessary to provide proper nutrition for children and food for such children to carry out the purposes of the Child Hygiene Division of that department;

NOW, THEREFORE,

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

Section 1. That the sum of Eight Hundred Dollars (\$800.00) be and the same is hereby appropriated from the anticipated unappropriated and unexpended 1938 balance of the general fund of the Department of Public Health and Charities to the Child Hygiene Division Fund No. 31—Food, of said department.

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

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

By the City Controller:

APPROPRIATION ORDINANCE No. 15, 1938

AN ORDINANCE appropriating to the Board of Public Works and Sanitation Department of Public Works the proceeds derived from the sale of "City of Indianapolis Bridge Bonds of 1938—First Issue," provided for in General Ordinance No. —, 1938, and Federal grant funds, and fixing a time when the same shall take effect.

WHEREAS, the Common Council now finds that an extraordinary emergency exists for the appropriation of additional sums not included in the existing budget and levies at the time of the making thereof, for the strengthening of the substructure, constructing of a new wing-wall and the increasing of the weight load on the West New York Street bridge over White River in this city; that this bridge is now closed to traffic and the outer part thereof is such as to endanger the safety of school children, in that there are not proper guard rails or sidewalks on said bridge and that this will be a dangerous and treacherous hazard during the coming icy winter term of school for said children who use said bridge and that the bridge is a traffic outlet to the west side of Indianapolis and is in much demand and at the present time vitally necessary for both pedestrians including school children who must cross said bridge during the winter season and for vehicular traffic as well, and that thereby an emergency exists whereby the city should now undertake to accomplish this work and for the added reason that the Public Works Administration of the Federal Govern-

ment has offered aid and assistance and that the balance of the money required can be borrowed at the present time at a low rate of interest, and,

WHEREAS, it is necessary under the provisions of Chapter 150 of the 1935 legislature to afford taxpayers an opportunity to be heard as to such additional appropriation, and also to obtain the approval of the State Board of Tax Commissioners as to such additional appropriation,

NOW, THEREFORE,

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

Section 1. That the proceeds derived from the sale of "City of Indianapolis Bridge Bonds of 1938—First Issue," in the amount of Sixty-two Thousand Dollars (\$62,000) be and the same is hereby appropriated to the Board of Public Works and Sanitation, Department of Public Works of the City of Indianapolis, and that any premium offered at the time of the sale of such bonds be likewise appropriated to said fund, but only to the extent that said premium be used to retire bonds on which said premium was offered. Said appropriation shall be a continuing one until all of the improvement of the New York Street bridge over White River is brought about and completed.

Section 2. The Public Works Administration of the Federal Government having indicated that it will grant to the City of Indianapolis funds in the amount of Forty-nine Thousand Nine Hundred and Nine Dollars (\$49,909) to aid in the project of the New York Street Bridge over White River, this sum, and any and all sums of money which may be granted to the City by the Federal Government, shall be and the same hereby is appropriated to the Board of Public Works and Sanitation, Department of Public Works, and the fund may be also designated under any additional description which the Public Works Administration of the Federal Government may require.

Section 3. The City Clerk shall give notice to taxpayers as to a date on which said taxpayers shall have an opportunity to be heard, and shall likewise deliver a certified copy of this ordinance to the Auditor of Marion County, Indiana, to be forwarded to the State Board of Tax Commissioners as provided for by Chapter 150 of the Acts of 1935.

Section 4. This ordinance shall be in full force and effect from and after its passage, and signing by the duly qualified and acting mayor of the City of Indianapolis.

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

## INTRODUCTION OF GENERAL ORDINANCES AND RESOLUTIONS

By the Board of Public Safety:

### GENERAL ORDINANCE No. 80, 1938

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, by adding thereto sub-section (40), 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 44 of General Ordinance No. 96, 1928, be amended by adding thereto the following sub-section (40), to-wit:

- (40) South East Street, from Washington Street to Raymond Street.

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 Board of Public Safety:

### GENERAL ORDINANCE No. 81, 1938

AN ORDINANCE prohibiting parking on a certain street of 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 Walnut Street, between Delaware and Alabama Streets.

Section 2. Any person violating any provision 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 the City Controller:

GENERAL ORDINANCE No. 82, 1938

AN ORDINANCE transferring moneys from a certain fund in the Radio Division of the Police Department budget of the Board of Public Safety and reappropriating the same to other funds of said Radio Division, and fixing a time when the same shall take effect.

WHEREAS, several funds in the Radio Division of the Police Department budget of the Board of Public Safety are insufficient to meet the needs for the remaining months of this year; and

WHEREAS, the Board of Public Safety has heretofore approved Chief Morrissey's recommendation for the transfer of moneys from a certain fund hereinafter named to said funds; and

WHEREAS, an extraordinary emergency has arisen in that unless such transfers are made the Radio Division of the Police Department will not be able to operate at the fullest efficiency; and

WHEREAS, it is of the utmost importance that said division of the Police Department operate efficiently and to the fullest extent for the remainder of this year;

NOW, THEREFORE,

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

Section 1. That the sum of One Hundred Thirteen Dollars and Sixty Cents (\$113.60) now in the following fund:

Board of Public Safety  
Police Department  
Radio Division

Fund No. 38—General Supplies

Be and the same is hereby transferred therefrom and reappropriated and reallocated to the following designated funds in the amounts specified:

Board of Public Safety  
Police Department  
Radio Division

Fund No. 22—Heat, Light and Power.....	\$ 98.00
Fund No. 24—Printing and Advertising.....	10.00
Fund No. 34—Institutional and Medical.....	5.60
	<hr/>
Total .....	\$113.60

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. 83, 1938

AN ORDINANCE transferring moneys from a certain fund in the Board of Public Safety, Fire Department budget, to another fund in said department, and fixing a time when the same shall take effect.

WHEREAS, the Board of Public Safety has been proceeding to the construction and has accomplished the erection of a new fire station, No. 1, at West Michigan Street and White River Boulevard; and

WHEREAS, the Board of Public Safety of the City of Indianapolis had contemplated at the outset that the interior of said fire station would be painted by employees of the Fire Department of the City of Indianapolis, and that the cement work at the outside of said station would likewise be accomplished by city

employees with the aid of Works Progress Administration of the Federal Government, and that likewise certain sewer work would also be accomplished by labor furnished by the Works Progress Administration; and

WHEREAS, during the period of time when the work was proceeding the Board of Public Safety of the City of Indianapolis was informed by the union workmen proceeding to the construction of said Fire Station No. 1 that they would not continue to work as long as the cement, sewer and painting work adjacent to and in said fire station was being performed by workers other than those affiliated with the crafts unions which they claimed should really do said work; and

WHEREAS, an emergency arose and it became necessary, in order to accomplish the erection of fire station No. 1, for the city to let a contract for the cement work and for the painting of the fire station and for the construction of a certain part of the sewer work pertaining to said fire station No. 1; and

WHEREAS, this caused the expenditure of a considerable sum of money over and above that which was contemplated, due to the fact that the labor was to have been furnished by the city itself with the aid and assistance of workmen from the Works Progress Administration; and

WHEREAS, by reason of private contracts to accomplish the painting, cement and sewer work an added cost has arisen; and

WHEREAS, likewise all of such work is necessary in order to put said fire station No. 1 in working operation;

NOW, THEREFORE, BECAUSE OF SAID EXTREME AND ACUTE EMERGENCY,

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

Section 1. That for the purpose of paying for the work set out in the preamble of this ordinance, which by this reference is incorporated herein, the sum of Eight Hundred Dollars (\$800.00) now in the following fund:

BOARD OF PUBLIC SAFETY  
Fire Department  
Fund No. 45—Repair Parts

be and the same is hereby transferred therefrom and reappropriated and reallocated to the following fund:

BOARD OF PUBLIC SAFETY  
Fire Department

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 Public Safety.

By the City Controller:

GENERAL ORDINANCE No. 84, 1938

AN ORDINANCE authorizing the acting City Controller to borrow the sum of Sixty-two Thousand Dollars (\$62,000) and to issue bonds for said purpose to provide funds for the reconstruction and renovation of the West New York Street bridge over White River, and fixing an effective date.

WHEREAS, on the 10th day of October, 1938, the Board of Public Works and Sanitation of the City of Indianapolis adopted a resolution requesting the acting City Controller to make available the sum of Sixty-two Thousand Dollars (\$62,000) to provide a new floor system and sidewalks and to strengthen the substructure and increase the weight load and construct a new wing-wall and to do all other such things as are necessary to bring the weight bearing capacity up to highway standard, 20-ton load, on the New York Street bridge over White River, and,

WHEREAS, the Board of Public Works and Sanitation has decided to proceed to the reconstruction and renovation of said bridge, which the City Civil Engineer has estimated the approximate cost thereof to be the sum of One Hundred Eleven Thousand Dollars (\$111,000), and,

WHEREAS, the Public Works Administration of the Federal Government has awarded a grant of Forty-nine Thousand Nine Hundred Nine Dollars (\$49,909) to the city to aid in said construction, and,

WHEREAS, it is now necessary to make available the required amount of money which is the difference between the estimated cost of the work and the grant offer made by the Public Works



Administration, namely the sum of Sixty-two Thousand Dollars, (\$62,000) in round numbers, and,

WHEREAS, this amount of money is now wholly lacking and is not available, and it will be necessary for the City of Indianapolis to borrow the sum of Sixty-two Thousand Dollars (\$62,000) in order to procure a fund to be devoted for the purposes set out therein, and to provide for and to secure the payment hereof, and to evidence said indebtedness by the issuance and sale of its bonds payable from the general fund or as may otherwise now or hereafter be authorized or required by law; and,

WHEREAS, on the 3rd day of October, 1938, there were filed with the Common Council of the City of Indianapolis, Indiana, petitions bearing the signatures of more than fifty (50) persons purporting to be owners of taxable real estate in the City of Indianapolis, each counterpart of such petitions being duly verified by one of the signers of said petition to the effect that said verifier knew each of the signers signed in his presence and represented themselves to be owners of taxable real estate, and,

WHEREAS, more than fifty (50) of such persons have been duly certified as such owners of taxable real estate by the Auditor of Marion County, Indiana, and the petition for the issuance of said bonds and the Auditor's certification of such petition having been duly examined by this Common Council said petition is now deemed sufficient, and,

WHEREAS, it is by this Common Council deemed wise and proper for the best present and future interest of the City of Indianapolis, Indiana, and its inhabitants to renovate, reconstruct, and add to the West New York Street bridge over White River;

NOW, THEREFORE,

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

Section 1. That there shall be issued and sold for the purpose of obtaining funds to reconstruct and renovate the present bridge over White River at West New York Street to bring about the following improvements thereof, to-wit: The installation of a new floor system and sidewalks, strengthening of the substructure so as to increase the weight load from fifteen (15) to twenty (20) tons, the



building of a new wing-wall and all other such general improvements as are required to bring said bridge up to the modern weight bearing capacity and present day standard of city bridges, sixty-two (62) direct obligation bonds of the City of Indianapolis in the amount of One Thousand Dollars (\$1,000) each, numbered from one (1) to sixty-two (62) both inclusive, and designated as "City of Indianapolis Bridge Bonds of 1938—First Issue." All of said bonds shall be dated as of December 1, 1938. Said bonds shall mature as follows: Six (6) bonds on July 1, 1945, and six (6) bonds on each July 1st of each succeeding year up to and including July 1st, 1953, and eight (8) of said bonds on July 1st, 1954.

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 1st, 1939, and thereafter on the first days of January and July each year for the period of the bond, as evidenced by interest coupons attached to each bond, and upon surrender thereof.

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 qualified Acting Mayor of said city, countersigned by H. Nathan Swain, the qualified 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 qualified Acting Mayor and the said qualified 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  
BRIDGE 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.....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 Sixty-Two Thousand Dollars (\$62,000), numbered from 1 to 62, 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 authorizing the Acting City Controller to borrow the sum of Sixty-two Thousand Dollars (\$62,000) and to issue bonds for said purpose to provide funds for the reconstruction and renovation of the West New York Street bridge over White River, 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.

The funds derived from this bond are to be used in the renovation and reconstruction and additions to the New York Street bridge over White River.

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 the corporate name by its duly qualified Acting Mayor, countersigned by its duly qualified 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 duly qualified Acting Mayor and

said duly qualified Acting City Controller, as of December 1st, 1938.

CITY OF INDIANAPOLIS

By .....  
Its Duly Qualified and Acting Mayor

Countersigned:

.....  
Its Duly Qualified and Acting City Controller

Attest:

.....  
City Clerk

(Form of Interest Coupon)

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

On the.....day of ....., 19....., 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 Bridge Bonds of 1938, First Issue No.....

## CITY OF INDIANAPOLIS

By .....(Facsimile)  
 Its Duly Qualified and Acting Mayor

..... (Facsimile)  
 Its Duly Qualified and Acting City Controller

Section 4. The City Clerk shall immediately upon introduction of this ordinance 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 insure the debt evidenced thereby, and shall also cause to be announced therein information 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 Sixty-two Thousand Dollars (\$62,000) for the purpose as expressed in Section 1 hereof and of the determination of said council, by the introduction and passage of this ordinance to issue the bonds as petitioned for in an amount of Sixty-two Thousand Dollars (\$62,000). Said notice shall be published once each week for two (2) consecutive weeks in two (2) 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 of said bonds, the Acting City Controller shall cause to be published a notice of the sale of said bonds, once each week for two (2) consecutive weeks in two (2) local newspapers. The date fixed for the sale of said bonds shall be not earlier than five (5) 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 amounts 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 "Bids for Bridge Bonds of 1938—First Issue;" that each bid shall be accompanied by a certified check payable to the City of Indianapolis in the amount of Three Thousand One Hundred Dollars (\$3,100) 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 of one per cent, and not more than one interest rate shall be named by each bidder; that the duly qualified and 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. In the event of non-performance of any bidder or bidders the City Controller is authorized to award said bond to the next highest bidder.

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 qualified and Acting City Controller shall have the right to reject any and all bids. In the event the qualified and 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 the continuation of sale, the qualified Acting City Controller shall open all bids filed at the same hour each day as stated in the bond sale notice.

Section 7. The qualified and Acting City Controller is hereby authorized and directed to have said bonds and coupons prepared, and the qualified and Acting Mayor, qualified and 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 qualified and 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 the 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 qualified and Acting City Controller.

Section 8. The bonds taken and paid for to the satisfaction of the qualified and 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 used for the reconstruction, renovation, and added construction on the bridge over White River at West New York Street in the City of Indianapolis, Marion County, Indiana, and shall constitute and be a continuing bond proceeds fund until all the improvement of the bridge is brought about and completed.

Section 9. Immediately upon adoption of this ordinance, the City Clerk and the qualified and 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.

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

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

By the City Plan Commission:

GENERAL ORDINANCE No. 85, 1938

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

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

Section 1. That the Class U1 or Residence District, the A2 or 4800 sq. ft. Area District and the H1 or 50 ft. Height District be and the same are hereby amended, supplemented and extended so as to include the following described territory:

From the south property line of 44th Street to the north property line of Berkley Place and from the west property line of Sunset Avenue to the east property line of Haughey Avenue.

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 Law and Judiciary.

By Mr. Carr, at the request of the Christian Crusaders:

RESOLUTION No. 10, 1938

A RESOLUTION by the Common Council of the City of Indianapolis, requesting an investigation of the office of the chief of police and the police department of the City of Indianapolis, and also an investigation of gambling, vice and immoral conditions alleged to exist in the City of Indianapolis.

WHEREAS, it has been publicly charged by reputable citizens of the City of Indianapolis that a "wide-open" situation exists in this community in regards to gambling and various forms of vice, and

WHEREAS, it has been publicly charged by reputable citizens of Indianapolis that minors, in open defiance of the law, are

permitted to frequent beer and liquor taverns, as entertainers, employees and patrons, and that Michael F. Morrissey, as chief of police of the City of Indianapolis, has refused to allow police officers to enter taverns in the City of Indianapolis for the purpose of making investigations and arrests as to the alleged conduct of said minors visiting said taverns, unless said officers first have the specific authority of the said chief of police, and

WHEREAS, it has been publicly stated that gambling and other vices in Indianapolis are allowed to operate with knowledge of the chief of police and the police department of this city, and

WHEREAS, certain ministers of the gospel in the City of Indianapolis have found it necessary to appeal to the Governor of the State of Indiana for relief from such immoral and unchristian conditions in the City of Indianapolis and have publicly declared, in the inspection of the City of Indianapolis:

“We are concerned about gambling conditions in the city, and we have seen no change in them. Slot machines and gambling in other forms continue openly. Today liquor is sold to adults and minors—the places of sale are in the vicinity of the churches and across the street from schools,”

and

WHEREAS, in a public statement, carried in the Saturday, October 8, 1938, issue of the Indianapolis Times, Mr. Toner M. Overley, Better Business Bureau manager, stated:

“I will admit, without argument, that certain forms of gambling, lotteries and similar violations have occurred and are existing in our city.”

and Overley further stated:

"It is possible that there are some members of the police force who are not as straight as they should be."

and

WHEREAS, in the Tuesday morning, October 11, 1938, issue of the Indianapolis Star, it was stated, in reference to taverns in the City of Indianapolis:

"more rigid and more general enforcement of such regulations as closing hours, Sunday sales and bootlegging is what these men (legitimate tavern proprietors) want,"

and

WHEREAS, the above charges should be thoroughly investigated as to their truth, and that the said charges of the knowledge and neglect of duty on the part of the chief of police of Indianapolis and his police department against the interests of the citizens of Indianapolis should be thoroughly investigated and tested by this body.

NOW, THEREFORE, be it hereby resolved by the Common Council of the City of Indianapolis, Indiana:

1. That the Common Council of the City of Indianapolis investigate the office of the chief of police of the City of Indianapolis, and the conduct thereof.

That this Council investigate gambling and the various forms of vice.

That this Council investigate the charges that minors are unlawfully permitted to act as entertainers, employees and patrons of beer and liquor taverns, and that the chief

of police has refused to allow officers to enter taverns to make investigations and arrests unless said officers first have had the specific authority of the said chief of police.

That this council investigate the charges that gambling and other vices are allowed to operate in Indianapolis with the knowledge of the chief of police and the police department.

That this Council investigate the charges that some of the members of the police department are not as straight as they should be.

That this Council investigate the charges that unlawful closing hours of taverns and unlawful Sunday sales of liquor and beer are flourishing in the City of Indianapolis, all in open defiance of the law as now constituted and ordained.

2. That the president of the Common Council of the City of Indianapolis immediately appoint a committee of Council members to make said investigations as referred to in Article One of this resolution. That said committee conduct public hearings, subpoena witnesses, and do every act necessary and incidental to carrying out said investigation, as now within the lawful power of this Council.
3. That said committee, as provided for in Article Two of this resolution, make a full, complete and detailed report of its findings, in writing, to the president of this Council, which report shall be incorporated into the minutes of the Common Council of the City of Indianapolis and made a public record.
4. That the Common Council take any lawful action it finds necessary as a result of its findings in said investigation.



5. This resolution becomes effective from and after its passage and approval by the Mayor.

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

### ORDINANCES ON SECOND READING

Mr. Wallace called for Appropriation Ordinance No. 13, 1938, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Fritz, Appropriation Ordinance No. 13, 1938, was ordered engrossed, read a third time and placed upon its passage.


Appropriation Ordinance No. 13, 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. Oren, seconded by Mr. Wallace, the Common Council adjourned at 8:25 p. m.

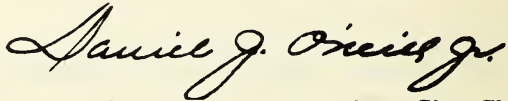
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 17th day of October, 1938, at 7:30 p. m.

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)