

REGULAR MEETING

Monday, July 19, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, July 19, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore and seven members, viz.: Walter R. Dorsett, Otis E. Bartholomew, Claude E. Negley, Robert E. Springsteen, O. Ray Albertson, Millard W. Ferguson and Edward B. Raub.

Absent: Austin H. Todd.

The reading of the journal was dispensed with on motion of Mr. Albertson, seconded by Mr. Negley.

COMMUNICATIONS FROM THE MAYOR

July 8, 1926.

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 Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 42, 1926. "An Ordinance transferring the sum of One Thousand (\$1000.00) Dollars from Municipal Garage, Services contractual, Account No. 25, Repairs, and reappropriating the same to Municipal Garage, Materials, Account No. 45, Repair Parts, in the Department of Public Works."

And General Ordinance No. 43, 1926. "An Ordinance, to transfer the sum of Three Hundred (\$300.00) Dollars from Fund No. 61, interest on Bonded Debt, Controller's Office, to be used for the general Memorial Association for the old soldiers of the Republic and for defraying expenses of Memorial Day."

J. L. DUVALL,

Mayor.

July 8, 1926.

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 Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 45, 1926. An Ordinance to amend General Ordinance No. 114, 1922,

and amendments (exclusive of maps) entitled: "An Ordinance dividing the City of Indianapolis into districts for the purposes of regulating and restricting the location of trades, callings, industries, commercial advertisings and location of buildings designed for specific uses, of classifying, regulating and determining the area, of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a Board of Zoning Appeal; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

And General Ordinance No. 46, 1926. An Ordinance to amend Sections B-105, B-204, and B-208, entitled "Indianapolis Building Code" of General Ordinance No. 121, 1925, being an ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation, with stated exceptions, repealing all former ordinances, which sections pertain to "concrete blocks," their quality, crushing strength, requirements for marking, approved by Building Commissioner, and fees.

J. L. DUVALL,
Mayor.

REPORTS FROM CITY OFFICERS

July 19, 1926.

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

Gentlemen—I am handing you herewith copies of an ordinance authorizing the City Controller of the City of Indianapolis to make a temporary loan or loans of Seven Hundred Thousand (\$700,000.00) Dollars in anticipation of current revenues of said City actually levied and in course of collection for the fiscal year in which such loans or loans are made, and payable out of the current revenues of said City for the year of 1926.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. C. BUSER,
City Controller.

July 19, 1926.

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

Gentlemen—I am handing you herewith a general ordinance transferring the sum of Five Hundred (\$500.00) Dollars from Account, 25, known as the Board of Works Buildings Account—Repairs, to Account No. 72, known as the Board of Public Works Account—Properties.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. C. BUSER,
City Controller.

July 7, 1926.

Mr. Wm. C. Buser, City Controller, City Hall,

Dear Sir:—

It is the desire of the Board of Public Works, that you present an ordinance to the Common Council for passage, transferring from Public Buildings Account, No. 25, Repairs—and repappropriating the same to Public Buildings Account, No. 72—Equipment.

Yours truly,

WAYNE G. EMMELMAN,
Clerk of Board of Public Works.

July 19, 1926.

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

Gentlemen— I am handing you herewith copies of an ordinance calling for the authorization of borrowing Eleven Thousand (\$11,000.00) Dollars in the form of bonds for the purpose of procuring money to be used in the construction of the bridge No. 814 known as the Bean Creek Bridge at Shelby Street in the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. C. BUSER,
City Controller.

July 19, 1926.

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

Gentlemen—The City Plan Commission respectfully recommends that your Honorable Body act favorably on the accompanying ordinance, which deals with the change of property at 42nd and College Ave., from residential to business use.

Yours very truly,

CITY PLAN COMMISSION,
MACKLIN MACK,
Engineer.

REPORTS OF STANDING COMMITTEES

Indianapolis, Ind., July 19, 1926.

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

Gentlemen—We, your Committee on City Welfare to whom was referred General Ordinance No. 44, 1926, entitled Prohibition of Sign Boards, beg leave to report that we have had said ordinance under

consideration, and recommend that the same be stricken from the files.

OTIS E. BARTHOLOMEW
EDWARD B. RAUB
CLAUDE E. NEGLEY
ROBT. E. SPRINGSTEEN.

Indianapolis, Ind., July 19, 1926.

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

Gentlemen—We, your Committee on City Welfare to whom was referred General Ordinance No. 49, 1926, entitled to prohibit the use of any property within the City limits being used for private or public dumps, beg to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW
EDWARD B. RAUB
ROBT. E. SPRINGSTEEN
CLAUDE E. NEGLEY.

INTRODUCTION OF GENERAL ORDINANCES

By the City Controller:

GENERAL ORDINANCE NO. 54, 1926.

AN ORDINANCE, authorizing the City Controller of the City of Indianapolis to make a temporary loan or loans of Seven Hundred Thousand (\$700,000.00) Dollars in anticipation of current revenues of such city actually levied and in course of collection for the fiscal year in which such loan or loans are made, and payable out of the current revenues of said city for the year 1926. Authorizing the rate of interest to be charged therefor, providing for legal notice, appropriating the sum of Seven Hundred and Twelve Thousand (\$712,000.00) Dollars for the payment of the same, and fixing a time when the same shall take effect.

WHEREAS the said city will be and continue to be until the 15th day of October, 1926, without sufficient funds to pay the salary payroll and other current expenses for municipal purposes, and the said current expenses and said payrolls for said period amount to at least Seven Hundred Thousand (\$700,000.00) Dollars, and

WHEREAS, the second semi-annual installment of taxes levied by the City of Indianapolis for its purposes for the year 1926, and collectible on or before the 1st day of November, 1926, will amount to more than Seven Hundred and Twelve Thousand (\$712,000.00) Dollars.

Now Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:

Section 1. That the City Controller be and is hereby author-

ized and empowered to negotiate a temporary loan or loans in anticipation of the current revenues of said city actually levied and in course of collection for the fiscal year 1926, not exceeding the total sum of Seven Hundred Thousand (\$700,000.00) Dollars for a period not exceeding the periods set out in this ordinance, at a rate of interest not exceeding 6% per annum. The City Controller is further authorized and empowered to negotiate such loan or loans in such amounts and at such times as the City Controller may deem necessary, subject to the other provisions of this ordinance. After the publication of the notice of the determination herein made to issue bonds, warrants, or other evidence of indebtedness for such temporary loan or loans, and as provided in the ordinance, said loan or loans shall be let to the lowest bidder, at competitive bidding on the annual rate of interest under conditions prescribed in notice of the same, which shall be published for at least one day in at least one daily paper of said city. The Mayor, and City Controller are hereby authorized and directed to execute the proper obligations of the City of Indianapolis for the amount so borrowed and to the payment of such obligations, the faith of the city is hereby irrevocably pledged.

Section 2. The Mayor, City Controller and Corporation Counsel, are hereby authorized and directed to publish notices of the determination herein made to issue the bonds or other evidence of indebtedness for such temporary loan or loans, as required by law.

Section 3. That there be and is hereby appropriated out of the current revenues for the fiscal year 1926, to the Department of Finance, the sum of Seven Hundred and Twelve Thousand (\$712,000.00) Dollars and the same, is hereby pledged for the purposes of the payment of said loan or loans at such time as the same shall become due.

Section 4. Three Hundred and Fifty Thousand (\$350,000.00) Dollars of said sum appropriated shall be borrowed by said City on August 15, 1926, and shall run for a period not exceeding three months thereafter; Two Hundred and Fifty Thousand (\$250,000.00) Dollars of said sum appropriated shall be borrowed by said city on September 15, 1926, and shall run for a period not exceeding two months thereafter; that the sum of One Hundred Thousand (\$100,000.00) Dollars of said amount appropriated shall be borrowed by said city on October 15, 1926, and the obligations thereon shall run for a period not exceeding two months thereafter.

Section 5. THIS ORDINANCE shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman, Messrs. Negley, Dorsett, Bartholomew and Todd.

By the City Controller:

GENERAL ORDINANCE NO. 55, 1926.

AN ORDINANCE, transferring the sum of Five Hundred Dollars (\$500.00) from Account 25, known as the Board of Public

Works Buildings Account—Repairs, to Account 72, known as the Board of Public Works Buildings Account—Properties.

Be It Ordained by the Common Council of the City of Indianapolis, Ind.:

Section 1. That the sum of Five Hundred Dollars (\$500.00) be and the same is hereby now transferred and reappropriated from Account 25, known as the Board of Public Works Buildings Account—Repairs, to Account 72, known as the Board of Public Works Buildings Account—Properties, in the Department of Public Works of the City of Indianapolis.

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

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

By the City Controller:

GENERAL ORDINANCE NO. 56, 1926.

AN ORDINANCE, authorizing the borrowing of Eleven Thousand (\$11,000.00) Dollars and the sale of eleven (11) bonds of One Thousand (\$1000.00) Dollars each of the City of Indianapolis, Indiana, payable from the General Revenues and Funds of said City or from the Sinking Fund of said City or as may be required by law, for the purpose of procuring money to be used in constructing a Bridge No. 814 known as the Bean Creek Bridge at Shelby Street in the City of Indianapolis, Indiana, and providing for the time and manner of advertising the sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale, and fixing a time when this ordinance shall take effect.

WHEREAS, heretofore to wit, on the 30th day of January, 1926, the County Council of Marion County, Indiana, adopted its Resolution for the construction of a Bridge No. 814, known as the Bean Creek Bridge at Shelby Street and presented to the Board of Public Works of the City of Indianapolis, Indiana, an estimate of the cost of said Bridge, amounting to Twenty-Two (\$22,000.00) Thousand Dollars, and

WHEREAS the Board of Public Works on the 9th day of July, 1926, passed a Resolution for the construction of a new Bridge No. 814, known as Bean Creek Bridge at Shelby Street, which Bridge the City Civil Engineer of the City of Indianapolis estimated would cost the sum of Twenty-Two Thousand (\$22,000.00) Dollars, and

WHEREAS the said Board of Public Works passed a Resolution that the new bridge at said location was a public necessity and a public utility, and authorized and instructed the City Attorney to prepare an issue of bonds in the sum of Eleven Thousand (\$11,000.00) Dollars to cover one-half of the cost of the erection of said Bridge, the other half to be paid by Marion County, and

WHEREAS it is deemed necessary and proper for the best interests

of the City of Indianapolis, Indiana, and the inhabitants thereof to proceed with the work provided for in said Resolution and Ordinance and

WHEREAS there is not now and will not be sufficient funds in the Treasury of the City of Indianapolis, Indiana, with which to meet the aforesaid expenditures for said public welfare, and it being necessary for the said City to borrow Eleven Thousand (\$11,000.00) Dollars in order to procure a fund to be devoted to the purposes set out in said Resolution and proposed Ordinance and to issue and sell its bonds in said amount payable from the General Revenues and Funds of said City or from the Sinking Fund of said City as may be required by law,

Now Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:

Section 1. That the City Controller be and he is hereby authorized for the purpose of procuring money to be used for the purpose of erecting said Bridge at Shelby Street, as set out in said Resolution and Ordinance, to prepare, issue and sell eleven (11) new bonds of the City of Indianapolis, Marion County, Indiana, of One Thousand (\$1000.00) Dollars each, which bonds shall bear date of September 1st, 1926, and shall be numbered from one (1) to eleven (11) both inclusive, and shall be designated 'Municipal Bridge Bonds of 1926' issue No. 2 and shall bear interest at the rate of four and one-half ($4\frac{1}{2}\%$) per cent. per annum, payable semi-annually on the first day of January and the first day of July of each year of the period of said bonds. Two (2) of said bonds shall mature and be payable at the rate of Two Thousand (\$2000.00) Dollars each year for five years, beginning on the 1st day of January, 1929, and one (1) bond for One Thousand (\$1000.00) Dollars for one year beginning January 1st, 1934.

The first coupon attached to each bond shall be for the interest on said bond from the date of issue until the 1st day of July, 1927. Said bonds and interest coupons thereunto attached shall be negotiable and payable at the City Treasurer's Office of the City of Indianapolis, Indiana, at Indianapolis, Indiana; said bonds shall be signed by the Mayor and the City Controller of the City of Indianapolis and attested by the City Clerk, who shall affix the seal of said City to each of said bonds; and the interest coupons attached to said bonds shall be authenticated by a biographic fac-simile of the signatures of the Mayor and City Controller of said City engraved thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof; said bonds shall be prepared by the City Controller in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Indiana, to the payment of the principal and interest stipulated therein respectively. It shall be the duty of the City Controller at the time of the issue and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with Bond No. 1, giving also the date of their issuance, their amount, date of maturity, rate of interest, and the time and place where said interest shall be payable. Said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before the issuance thereof:

No. -----

\$1000.00

UNITED STATES OF AMERICA

CITY OF INDIANAPOLIS

Marion County

State of Indiana

MUNICIPAL BRIDGE BONDS OF 1926

Issue No. 2

For value received the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer without any relief from valuation or appraisal laws on the ----- day of -----, 19--, at the City Treasurer's office of the City of Indianapolis, Indiana, One Thousand (\$1000.00) Dollars in lawful money of the United States of America, together with interest thereon, at the rate of four and one-half per cent. (4½%) per annum from date until paid.

The first interest payable on the first day of July, 1927, and the interest thereafter payable semi-annually on the first day of January and July, respectively, on the presentation and surrender of the proper interest coupons hereunto attached and which are made a part of this bond.

This bond is one of an issue of Eleven (11) bonds of One Thousand (\$1000.00) Dollars each, numbered from one (1) to eleven (11), both inclusive, of the date of the 1st day of September, 1926. Said bonds mature in series of two (2) bonds each year for five (5) years, beginning the 1st day of January, 1929, and one bond on the 1st day of January, 1934. The first interest coupons payable on the 1st day of July, 1927. These bonds are issued by said City of Indianapolis pursuant to an ordinance passed by the Common Council at the City of Indianapolis on the ----- day of -----, 1926, and an Act of the General Assembly of the State of Indiana entitled:

“An Act Concerning Municipal Corporations,”
approved March 6, 1905,

and all acts amendatory thereof and supplemental thereto.

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

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, Indiana, has caused this bond to be

signed by the Mayor and City Controller, and attested by the City Clerk, and the corporate seal of said city to be affixed this as of the 1st day of September, 1926.

Mayor.

ATTEST:

City Clerk.

City Controller.

Section 2. The City Controller shall as soon as possible after the passage of this Ordinance advertise for bids or proposals for said bonds by at least one insertion each week for two weeks in two daily newspapers of general circulation printed and published in the City of Indianapolis and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisement shall describe said bond with such minuteness and particularity as the City Controller may see fit and shall set forth the amount of bonds to be sold and the rate of interest they may bear and the bidder may bid for all or any part of said bonds, the date of opening bids or proposals thereof, the right of the City Controller to reject any or all bids, the amount of deposit each bidder will be required to make and when and where the bonds shall be delivered and paid for.

Section 3. Each and every bid and proposal shall be presented to the City Controller sealed, and shall be accompanied by a duly certified check upon some responsible bank of the City of Indianapolis, Indiana, payable to the order of the City Treasurer for a sum of money which shall equal two and one-half (2½%) per cent. of the face or par value of the bonds bid for or proposed to be purchased. The City Controller shall continue to receive all bids or proposals therefor at the office of the City Controller until 12 o'clock noon, on the day fixed by the City Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between the said hour and 2 o'clock p. m. of said day, he shall open said bids or proposals. The City Controller shall award said bonds, or as he shall see fit, a part of any number thereof, to the highest and best bidder therefor, but said City Controller shall have the right to reject any and all such bids or proposals, or any part thereof, and shall have the right to accept a part of any bid and to award upon any bid the whole or a less number of bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any kind. He may also in his judgement and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply to the case of reoffering and readvertising of said bonds as hereinafter provided.

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

from time to time in like manner to readvertise said bonds for sale until said bonds are sold.

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

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

Section 7. The bonds taken and paid for to the satisfaction of the City Controller shall be binding obligations upon the City of Indianapolis, according to their tenor and effect, and the proceeds derived from the sale or sales of bonds as herein authorized shall be

and hereby are appropriated to the Department of Public Works for the construction of a Bridge No. 814, known as the Bean Creek Bridge at Shelby Street in said City and shall constitute and continue appropriations until the completion of said work.

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

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

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

By Mr. Dorsett:

GENERAL ORDINANCE NO. 57, 1926.

AN ORDINANCE to amend General Ordinance No. 114, 1922, entitled: "An ordinance dividing the city of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designated for specified uses; of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a board of zoning appeals; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

Be It Ordained by the Common Council of the City of Indianapolis, Ind.:

Section 1. That the U3 or business district, the H1 or 50-foot height district, and the A3 or 2400 square foot area district as established by General Ordinance No. 114, 1922, be and the same are hereby amended, supplemented and changed so as to include the following territory:

Beginning at a point on the west property line of College Ave., said point being 280 ft. north of the north property line of 42nd St. thence north 100 ft.; thence west to the east property line of the first alley west of College Ave.; thence south with the said alley a distance of 101.94 ft.; thence east to the point or place of beginning.

Section 2. This ordinance shall go into immediate effect upon its passage and publication according to law.

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

By Mr. Bartholomew:

start

GENERAL ORDINANCE NO. 58, 1926.

AN ORDINANCE concerning the installation, maintenance and operation by the Indianapolis Union Railway Company, at the inter-

section of its railroad tracks with certain streets and avenues in the City of Indianapolis, of safety gates, signal bells, silent policemen, and flagmen, repealing all ordinances in conflict therewith and declaring a time when this ordinance shall take effect.

Be It Ordained by the Common Council of the City of Indianapolis, Ind.:

stop
Section 1. The Indianapolis Union Railway Company shall install, maintain and operate safety gates at the intersection of the railroad tracks owned or operated by said company with each of the following streets or avenues, viz: Meridian Street, Shelby Street, Morris Street, Bluff Avenue, East Street, Dearborn Street and Martindale Avenue, which gates shall be operated twenty-four hours per day every day in the year.

slow
Section 2. Said Company shall maintain a flagman at the intersection of its said tracks with each of the following streets or avenues, viz: West Eighteenth Street, West Washington Street, Harding Street, Kentucky Avenue, Roosevelt Avenue, Bethel Avenue, West Michigan Street, Oliver Avenue, Madison Avenue, State Street and Churchman Avenue, which flagman shall be on duty twenty-four hours per day, each day in the year.

out
Section 3. Said Company shall maintain a flagman at the intersection of its said tracks with each of the following streets or avenues, viz: Market Street, Ray Street, Singleton Street and Barth Avenue, which flagmen shall be on duty from 6:00 o'clock a. m. until 9:00 o'clock p. m. every day in the year.

out
Section 4. Said Company shall maintain a flagman at the intersection of its said tracks with each of the following streets or avenues, viz: Draper Street, Keystone Avenue, Columbia Avenue and Yandes Street, which flagmen shall be on duty from 6:00 o'clock a. m. until 7:00 o'clock p. m. each day in the year.

cut
Section 5. Said Company shall install, maintain and operate signal bells at the intersection of its railroad tracks with each of the following streets or avenues, viz: West Twenty-third Street, Burdsal Parkway (East Drive), West Twenty-second Street, West Twenty-first Street, Indiana Avenue, Speedway Avenue, White River Parkway (West Drive), West Tenth Street, West St. Clair Street, West Vermont Street, West New York Street, Aster Street, Minnesota Street, East Sixteenth Street, East Twenty-first Street, Avondale Place, Gale Street, Olney Street, Adams Street, Rural Street, Eastern Avenue, Temple Avenue, Fountain Street, Winter Avenue, Jefferson Street, Greenbriar Lane and Sheldon Street, which bells shall be operated twenty-four hours per day each day in the year.

Section 6. With the approval of the Board of Public Safety of the City of Indianapolis, said Indianapolis Union Railway Company may install, maintain and operate, at the intersection of its said railroad tracks with any of the streets or avenues above named, light signals, commonly known as "silent policemen," operated manually or automatically as said Board of Public Safety shall require, in lieu of and as a substitute for the safety gates, flagmen or signal bells, as the case may be, required by the foregoing sections of this ordinance; and whenever said Company shall, with such approval of the Board of Public Safety, install, maintain and operate such light signals at any of the intersections of its said tracks with any of the

streets or avenues above described, such light signals shall be in all respects a compliance with the provisions of this Ordinance. In every case when such approval is given by the Board of Public Safety, it shall be upon the condition that such light signals shall be maintained and operated during the same hours of the day, each day of the year, as the said safety gates, flagmen or signal bells, as the case may be, in lieu of which said light signals are installed, maintained and operated, are required by the foregoing Sections of this ordinance to be installed, maintained and operated.

out Section 7. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 8. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

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

CALL FOR ORDINANCES ON SECOND READING

Mr. Bartholomew called for General Ordinance No. 49, 1926 for second reading. It was read a second time.

On motion of Mr. Raub, seconded by Mr. Negley, Section 6 of General Ordinance No. 49, 1926 was stricken from the Ordinance.

Mr. Raub presented the following written motion to amend General Ordinance No. 49, 1926:

Indianapolis, Ind.

Mr. President:

I move that General Ordinance No. 49, 1926, be amended as follows: by inserting the words "or deposit" after the word dump in line 2 section one of said ordinance and the words "or deposited" be inserted after the word "dumped" in line 2 of said section one.

EDWARD B. RAUB.

The above motion was seconded by Mr. Bartholomew and passed unanimously by the Council.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 49, as amended, was ordered engrossed, read a third time and placed on its passage.

General Ordinance No. 49 was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Springsteen, Raub, Negley, Dorsett, Ferguson, Bartholomew and President Moore.

Noes, 1, viz.: Mr. Albertson.

Mr. Bartholomew called for General Ordinance No. 44 for second reading. It was read a second time.

On motion of Mr. Raub, seconded by Mr. Bartholomew, General Ordinance No. 44 was ordered stricken from the files.

Mr. Raub asked for further time on General Ordinance No. 48. Which was granted.

On motion of Mr. Negley, seconded by Mr. Raub, Resolution No. 9, was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 9 was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Springsteen, Raub, Negley, Dorsett, Ferguson, Bartholomew and President Moore.

Noes, 1, viz.: Mr. Albertson.

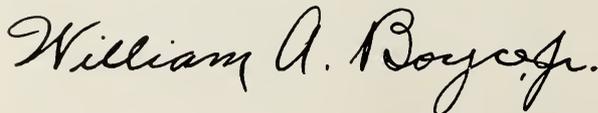
Before the result of the vote was announced by the Clerk, Mr. Albertson changed his vote from no to aye.

A general discussion was had at this time in regard to the disposal of the Gasoline Tax fund.

On motion of Mr. Dorsett, seconded by Mr. Albertson, the Common Council of the City of Indianapolis, Indiana, adjourned at 8:45 o'clock p. m.


President.

Attest:



City Clerk.

