

REGULAR MEETING

Monday, October 4, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, October 4, 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, President, and six members, viz.: Claude E. Negley, Robert E. Springsteen, Walter R. Dorsett, Millard W. Ferguson, Otis E. Bartholomew and Austin H. Todd.

Absent: Edward B. Raub and O. Ray Albertson.

The reading of the Journal was dispensed with on motion of Mr. Bartholomew, seconded by Dr. Todd.

COMMUNICATIONS FROM THE MAYOR

September 22, 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. 65, 1926.

An Ordinance transferring the sum of One Thousand (\$1000.00) Dollars from Department of Public Safety, Fire Department Fund No. 44, General Materials, and Two Thousand (\$2000.00) Dollars from Department of Public Safety, Fire Department Fund No. 72, Equipment, and reappropriating the same to Department of Public Safety, Fire Department Fund No. 33, Garage and Motor, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 66, 1926, an ordinance transferring the sum of One Thousand (\$1,000.00) Dollars from the Department of Public Safety, Police Department, Fund No. 26, other contractual, and reappropriating the same to Department of Public Safety, Police Department Fund No. 38, General Supplies, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 67, 1926, an ordinance transferring the sum of Eighty-two (\$82.25) Dollars and Twenty-Five Cents, from the Department of Public Safety, Gamewell Division,

Fund No. 24, Printing and Advertising, Three Hundred and Fifty (\$350.00) Dollars from Department of Public Safety, Gamewell Division Fund No. 44, General Materials, Three Hundred and Fifty (\$350.00) Dollars from Department of Public Safety, Gamewell Division, Fund No. 45, Repairs, and reappropriating the same to Department of Public Safety, Gamewell Division, Fund No. 33, Garage and Motor, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 68, 1926, an Ordinance transferring the sum of Two Hundred and Fifty (\$250.00) Dollars in the Department of Public Safety, Building Department, from Fund No. 24, Printing and Advertising, and reappropriating the same to the Department of Public Safety, Building Department, Fund No. 36, Office Supplies, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 69, 1926, an ordinance transferring and reappropriating the sum of Two Hundred Sixty-Six Dollars and Seventy Cents (\$266.70) in the Board of Public Safety, Fire Prevention, Properties Fund No. 7, to the Board of Public Safety, Fire Prevention, Office and Supplies Fund No. 36, declaring an emergency and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 70, 1926, an Ordinance transferring the sum of Five Hundred (\$500.00) Dollars from Fund No. 72 (Equipment) in the City Civil Engineer Department to Fund No. 36 (Office Supplies) in the City Civil Engineer Department all under the Board of Public Works of the City of Indianapolis, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 71, 1926, an Ordinance transferring the sum of Thirty-Five Hundred (\$3,500.00) Dollars from the Board of Public Works, Municipal Garage Fund No. 33, Garage and Motor, and reappropriating the same to the Board of Public Works, Municipal Garage Fund No. 22, Heat, Light, Power and Water, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 72, 1926, an Ordinance transferring the sum of One Thousand (\$1,000.00) Dollars from the Board of Public Works, Municipal Garage Fund No. 25, Repairs, and reappropriating the same to Board of Public Works, Municipal Garage Fund No. 45, Repair Parts, and fixing a time when the same shall take effect.

APPROPRIATING ORDINANCE No. 4, 1926, an Ordinance appropriating the sum of Twenty Thousand One Hundred and Seventy-Five Dollars (\$20,175.00) to Gasoline Tax Fund No. 12, Temporary Salary and Wages, and the sum of Sixty Thousand Three Hundred and Fifty Dollars (\$60,350.00) to Gasoline Tax Fund No. 43, Street and Alley Material, both of which Fund Numbers being hereby created in the Department of the City Civil Engineer in the Department of Public Works of Indianapolis, out of the gasoline tax money for the purposes of repairing certain streets hereinafter specified, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE No. 5, 1926, an Ordinance appropriating the sum of Eleven Thousand Three Hundred and Forty-Five (\$11,345.00) Dollars to Gasoline Tax Fund No. 12,

Temporary Salary and Wages, the sum of Ten Thousand and Forty-Two (\$10,042.16) Dollars and Sixteen Cents to Gasoline Tax Fund, No. 452, Materials, Parts of Structures, and the sum of Thirty-Five Hundred (\$3,500.00) Dollars to Gasoline Tax Fund No. 251, Services Contractual, all in the Department of the Street Commissioner in the Department of Public Works of the City of Indianapolis, out of the Gasoline Tax money, for the purposes of repairing certain bridges hereinafter specified, creating such Fund Numbers, and fixing a time when the same shall take effect.

Very truly yours,

J. L. DUVALL,
Mayor.

September 28, 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. 56, 1926.

An Ordinance authorizing the borrowing of Eleven Thousand (\$11,000.00) Dollars and the sale of eleven (11) bonds of One Thousand (\$1,000.00) 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.

AND SPECIAL ORDINANCE No. 4, 1926, an Ordinance authorizing the sale, alienation and conveyance of real estate by the Board of Park Commissioners of the Department of Public Parks, of the City of Indianapolis, and fixing a time when the same shall take effect.

Very truly yours,

J. L. DUVALL,
Mayor.

REPORTS FROM CITY OFFICERS

October 2, 1926.

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

Gentlemen—I herewith hand you a General Ordinance, transferring the sum of Two Thousand (\$2,000.00) Dollars from Interest

on Bonded Debt, Fund No. 61, Controller's Office, and reappropriating the same to Fund No. 36, Supplies, in the Barrett Law Department.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,
City Controller.

October 2, 1926.

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

Gentlemen—I herewith hand you a General Ordinance transferring the sum of Fifty (\$50.00) Dollars from the Department of Public Purchase, Fund No. 24, Printing and Advertising, and reappropriating the same to Department of Public Purchase, Fund No. 36, Office.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,
City Controller.

October 4, 1926.

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

Gentlemen—I herewith hand you a General Ordinance transferring the sum of Thirteen Hundred (\$1,300.00) Dollars from the Board of Public Works, Municipal Garage Fund, No. 25, and reappropriating the same to Board of Public Works, Municipal Garage Fund No. 33.

Also, a General Ordinance transferring the sum of One Hundred (\$100.00) Dollars from the Board of Public Works, Municipal Garage Fund No. 25, and reappropriating the same to Board of Public Works, Municipal Garage Fund No. 21.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,
City Controller.

October 4, 1926.

To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.

Gentlemen—The Board of Public Works, under date of Sep-

tember 15th, 1926, approved a switch contract granting the M. A. Nowlin Feed Company the right to lay and maintain a switch east and west across Harding Street and parallel with Miller Street. Minute Record FF, Page 590.

Yours truly,
WAYNE EMMELMANN,
Clerk, Board of Public Works.

REPORTS FROM STANDING COMMITTEES

October 4, 1926.

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

Gentlemen—We, your Committee on General Ordinance No. 76, to whom was referred General Ordinance No. 76, 1926, entitled Renaming East 16th Street, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WALTER R. DORSETT, Chairman.
OTIS E. BARTHOLOMEW,
A. H. TODD.

October 4, 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. 63, 1926, entitled, Rezoning, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

OTIS E. BARTHOLOMEW, Chairman.
A. H. TODD,
C. E. NEGLEY.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the City Controller:

GENERAL ORDINANCE No. 77, 1926

AN ORDINANCE transferring the sum of Two Thousand (\$2,000) Dollars from Interest on Bonded Debt, Fund No. 61, Controller's Office, and reappropriating the same to Fund No. 36, Supplies in the Barrett Law Department, declaring an emergency, and fixing a time when the same shall take effect.

Be it Ordained by the Common Council of the City of Indianapolis, Indiana:

Section 1. That the sum of Two Thousand (\$2,000.00) Dollars

be and the same is hereby transferred and reappropriated from Controller's Fund, No. 61, Interest on Bonded Debt, to Fund No. 36, Supplies, in the Barrett Law Department.

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 a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Dorsett, Negley, Bartholomew and Todd.

By the City Controller:

GENERAL ORDINANCE No. 78, 1926.

AN ORDINANCE, transferring the sum of Fifty (\$50.00) Dollars from the Department of Public Purchase, Fund No. 24, Printing and Advertising, and reappropriating the same to Department of Public Purchase, Fund No. 36, Office, declaring an emergency, and fixing a time when the same shall take effect.

Be it Ordained by the Common Council of the City of Indianapolis, Indiana:

Section 1. That the sum of Fifty (\$50.00) Dollars be and the same is now hereby transferred and reappropriated from Department of Public Purchase, Fund No. 24, Printing and Advertising, to Department of Public Purchase, Fund No. 36, Office.

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. 79, 1926.

AN ORDINANCE, transferring the sum of Thirteen Hundred (\$1,300.00) Dollars from the Board of Public Works, Municipal Garage Fund No. 25, and reappropriating the same to Board of Public Works, Municipal Garage Fund No. 33, declaring an emergency, and fixing a time when the same shall take effect.

Also, transferring the sum of One Hundred (100.00) Dollars from Board of Public Works, Municipal Garage Fund No. 25, and reappropriating the same to Board of Public Works, Municipal Garage Fund No. 21, declaring an emergency, and fixing a time when the same shall take effect.

Be it Ordained by the Common Council of the City of Indianapolis, Indiana:

Section 1. That the sum of Thirteen Hundred (\$1,300.00)

Dollars be and the same is now hereby transferred and reappropriated from Board of Public Works, Municipal Garage Fund No. 25 to Board of Public Works, Municipal Garage Fund No. 33. Also, that the sum of One Hundred (\$100.00) Dollars be and the same is now hereby transferred and reappropriated from Board of Public Works, Municipal Garage Fund No. 25 to Board of Public Works, Municipal Garage Fund No. 21.

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 a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Dorsett, Todd, Negley and Springsteen.

By Mr. Bartholomew:

GENERAL ORDINANCE No. 80, 1926.

AN ORDINANCE to amend Section 377 of General Ordinance No. 121, 1925, providing for a penalty for its violation and designating 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 377 of General Ordinance No. 121, 1925, be amended to read as follows:

CURFEW

"Section 377. Regulation. Penalty. It is hereby made unlawful for any girl or any boy under the age of seventeen years, to be or remain in or upon any of the streets, alleys or public places in the City at night after the hour of nine o'clock p. m., unless such person is accompanied by a parent, guardian or other person having legal custody of such minor person, or is in the performance of an errand or duty directed by such parent, guardian or other person having the legal custody of such minor person, or whose employment makes it necessary to be upon said streets, alleys or public places during the night time after said specified hour. Any person violating any of the provisions of this section on conviction, shall be fined in any sum not exceeding Fifty (\$50.00) Dollars.

Section 2. This Ordinance shall be in full force and effect from and after its passage and due publication as required by law.

Which was read a first time.

By the Board of Works:

SWITCH CONTRACT.

GENERAL ORDINANCE No. 81, 1926.

AN ORDINANCE, approving a certain contract granting the M. A. Nowlin Feed Company the right to lay and maintain a side-track or switch from a connection with the yard track of the Pennsylvania Railroad, across Harding Street and parallel

with Miller Street, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, towit; on the — day of —, 1926, the M. A. Nowlin Feed Company filed its petition before the Board of Public Works of the City of Indianapolis, as follows.

To the Honorable Roy C. Shaneberger,
Honorable L. H. Trotter,
Honorable Oren S. Hack,

Members of the Board of Public Works, of Indianapolis, Indiana

Gentlemen—We, the owners of the property bounded on the East by Kentucky Avenue, on the Northwest by Harding Street and on the Northeast by Miller Street, in the City of Indianapolis, Indiana, hereby respectfully petition your Honorable Board for authority to construct a switch East and West across Harding Street and parallel with Miller Street, in said City, for the following reasons, towit:

1. Your petitioners further petition for permission to construct said switch at their expense and they agree to construct it in such manner and form and under such terms and conditions as may be imposed on them by the City of Indianapolis, by its Engineer.

2. Your petitioners further show to your Board that Harding Street is a very little used Street and that there is little or no vehicular traffic over the same, and that the running of said switch will not impose any additional burden or servitude upon the people of Indianapolis or the adjacent property owners.

3. That in support of the contentions of your petitioners herein the petitioners file herewith and make a part hereof and for certainty marked as "Exhibit A," a blue print of the right-of-way of said railroad, of the streets contiguous to the proposed street and containing a general outlay of the community and proposed switch.

4. Your petitioners further show that if said switch can be constructed they have in mind certain negotiations for an industrial establishment at that point, but on account of the situation as outlined in "Exhibit A" they can not complete said negotiations and under present conditions can not secure any outlet for the proposed purchasers or purposes in the use of said switch, unless said switch is built across Harding Street as set out.

5. Your petitioners further say that they will do and abide all reasonable rules and restrictions concerning the establishment and maintenance and operation of said switch.

M. A. NOWLIN FEED COMPANY.

By CHARLES L. RIDDLE,
Agent for Petitioners.

Approved:

ROY C. SHANEBERGER,

L. H. TROTTER,

O. S. HACK,

Board of Public Works.

and

WHEREAS, said contract 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 contract 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.

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

By Mr. Dorsett:

RESOLUTION No. 12, 1926.

WHEREAS, it has come to the notice of the members of the Common Council that the Chairman of an investigating committee from the Indiana Republican Editorial Association has made a public charge through the public press that he has information and evidence purporting to show and prove that the city officials of Indianapolis are controlled by unsavory influences which are inimical to the best interests of the City of Indianapolis, and

WHEREAS, the said Chairman of the aforesaid investigating committee has not delt in plain facts and figures but makes his charges in a general and not in a specific way, therefore

Be It Resolved By the Common Council of the City of Indianapolis, Indiana:

That, the President of the Council be authorized to appoint a special committee whose duty it shall be to immediately call Mr. Thomas H. Adams, Editor of the Vincennes Commercial, to a conference to receive from him such evidence and authenticated information which he may have to support the charges that he has made in a public manner.

AND BE IT FURTHER RESOLVED, that all of such information, data and evidence thereby secured be thoroughly investigated by such committee and return report made to the Common Council.

WALTER R. DORSETT, Councilman.

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

ORDINANCES ON SECOND READING.

On motion of Mr. Bartholomew, seconded by Mr.

Negley, the rules were suspended unanimously for the passage of General Ordinance No. 80.

Mr. Bartholomew called for General Ordinance No. 80 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 80 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 80 was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Negley, Springsteen, Dorsett, Bartholomew, Todd and President Moore.

Noes, 1, viz.: Mr. Ferguson.

Mr. Bartholomew called for General Ordinance No. 63 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Dorsett, the Council recessed for five minutes.

The Council reconvened at 8:45 o'clock with the same members present as before.

Mr. Bartholomew presented the following motion to amend General Ordinance No. 63:

The above motion was seconded by Dr. Todd.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 63, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 63, as amended, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Negley, Dorsett, Ferguson, Bartholomew, Todd and President Moore.

Noes, 1, viz.: Mr. Springsteen.

Dr. Todd called for General Ordinance No. 76 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Dorsett, General Ordinance No. 76 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 76 was read a third time and passed unanimously by the Council.

On motion of Mr. Dorsett, seconded by Mr. Springsteen, Resolution No. 12 was adopted unanimously by the Council.

Mr. Dorsett, Chairman of the Special Committee which has under consideration Resolution No. 12, announced that there would be a committee meeting Wednesday, October 6, at 1 o'clock in the Council Chamber.

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Common Council of the City of Indianapolis at 8:55 o'clock p. m., adjourned.

Raynton J. Moore

President.

Attest:

William A. Boyce, Jr.

City Clerk.

