

REGULAR MEETING

Thursday, November 4, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Thursday, November 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, Edward B. Raub, O. Ray Albertson, Walter R. Dorsett, Millard W. Ferguson and Otis E. Bartholomew.

Absent: Robert E. Springsteen and Austin H. Todd.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Mr. Dorsett.

COMMUNICATIONS FROM THE MAYOR.

October 26, 1926.

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

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 73, 1926. "An Ordinance, granting to Jesse C. Moore the right to lay and maintain a sidetrack or switch from the east side of Mill Street at a point sixteen (16) north of the north line of West Seventeenth Street, westward across said Mill Street, as per blue print attached hereto, in the city of Indianapolis, Indiana."

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 sidetrack 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."

Very truly yours,

JOHN L. DUVALL,
Mayor.

October 27, 1926.

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

Gentlemen—I have today approved with my signature and de-

livered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 47, 1926. "An Ordinance, amending Section 476 of General Ordinance No. 121, an ordinance entitled "An Ordinance creating the Government of the city of Indianapolis, providing penalties for its violation and with stated exceptions, repealing all former ordinances," being known as "Municipal Code of Indianapolis, 1925."

Very truly yours,

JOHN L. DUVALL,
Mayor.

REPORTS FROM CITY OFFICERS

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

Gentlemen—Attached herewith please find a General Ordinance transferring the sum of Two Hundred (\$200.00) Dollars from City Controller's Fund No. 61, "Interest on Bonded Debt," and reappropriating the same to the Legal Department Fund No. 72, "Equipment."

I respectfully recommend the passage of this ordinance.

Yours,

WM. C. BUSER,
City Controller.

November 1, 1926.

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

Gentlemen—Attached herewith please find a General Ordinance transferring the sum of Four Thousand (\$4,000.00) Dollars from Fund No. 33, Garage and Motor, in the Police Department and reappropriating the same to Fund No. 72, Equipment, in the Police Department of Public Safety.

I respectfully recommend the passage of this ordinance.

Yours,

WM. C. BUSER,
City Controller.

November 1, 1926.

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

Gentlemen—Attached herewith please find a General Ordinance transferring the sum of Two Hundred Ninety-eight (\$298.00) Dollars from the Department of Public Safety Building Department Fund No. 24, "Printing other than Office," and reappropriating Twenty-two (\$22.00) Dollars to Fund No. 21, Building Department

and Two Hundred Seventy-six (\$276.00) Dollars to Fund No. 72, Building Department.

I respectfully recommend the passage of this ordinance.

Yours,

WM. C. BUSER,
City Controller.

November 1, 1926.

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

Gentlemen—Attached herewith please find a General Ordinance transferring the sum of Sixteen Thousand (\$16,000.00) Dollars from the Department of Finance, Fund No. 61, "Interest on Bonded Debt," and reappropriating the same as follows: Six Thousand Three Hundred (\$6,300.00) Dollars to Fund No. 22, Police Department, under the Board of Public Safety; Three Thousand Three Hundred Fifty (\$3,350.00) Dollars to Fund No. 22, Fire Department, under the Board of Public Safety; Three Thousand (\$3,000.00) Dollars to Fund No. 33, Fire Department, under the Board of Public Safety; and Three Thousand Three Hundred Fifty (\$3,350.00) Dollars to Fund No. 21, Administrative Unit of the Board of Public Safety.

I respectfully recommend the passage of this ordinance.

Yours,

WM. C. BUSER,
City Controller.

November 1, 1926.

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

Gentlemen—Attached herewith please find a General Ordinance transferring and reappropriating certain funds under the Department of Public Safety as specified in the ordinance.

I respectfully recommend the passage of this ordinance.

Yours,

WM. C. BUSER,
City Controller.

November 1, 1926.

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

Gentlemen—Attached herewith please find a General Ordinance authorizing the City Controller and the Mayor of Indianapolis, to issue bonds for the purposes of funding and refunding indebtedness of such City and its previous loans evidenced and represented by

"Indianapolis World War Memorial Bonds 1921" due on Jan. 1, 1927, in the amount of One Million Six Hundred Thousand Dollars (\$1,600,000.00) heretofore issued, rendered, negotiated and sold by said City and which are now unpaid, reducing the rate of interest thereon, extending the time of payment and cancelling and for the purpose of paying all of such "Indianapolis World War Memorial Bonds 1921," by the issuance of new refunding bonds therefor in the above amount.

As the law specifies that bonds cannot be sold under twenty-nine days after the advertisement of the determination to issue bonds it is imperative that your honorable body take action on this bond ordinance without any undue delay. The time that these bonds must be refunded is Jan. 1, 1927.

Respectfully submitted,

WM. C. BUSER,
City Controller.

November 4, 1926.

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

Gentlemen—Attached please find a copy of a request from the Board of Public Safety that an ordinance be prepared calling for a bond issue in the sum of One Hundred Five Thousand (\$105,000.00) Dollars for the purchase of certain fire and police apparatus and equipment, under the Board of Public Safety, and that same be submitted to your honorable body for passage.

Also, attached please find copies of the ordinance calling for the bond issue in the above amount. I respectfully recommend the passage of this ordinance.

Yours,

WM. C. BUSER,
City Controller.

November 3, 1926.

Mr. William C. Buser, City Controller, City of Indianapolis.

Dear Sir:—

At a meeting of the Board of Public Safety held today, the following resolution was unanimously adopted by the Board:

"WHEREAS there is not now and will not be sufficient funds in the Treasury of the City of Indianapolis, Indiana, for the purchase of certain Police and Fire apparatus and equipment, and

WHEREAS, the Indianapolis Police and Fire Departments are sorely in need of such equipment and that if the same is not immediately purchased, the life and property of the City of Indianapolis and its citizens will be jeopardized and whereas an emergency for the purchase now exists, now therefore

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

That the City Controller is now hereby requested to prepare and present to the Common Council of the City of Indianapolis a bond issue in the sum of One Hundred Five Thousand (\$105,000.00) Dollars for the purchase of certain fire and police apparatus and equipment for the use of the Indianapolis Police and Fire Departments under the Board of Public Safety in the City of Indianapolis, Indiana."

The Honorable Board requests that you prepare a bond issue in the form of an ordinance in the sum of One Hundred Five Thousand (\$105,000.00) Dollars for the purchase of same and transmit same to the Common Council.

Yours very truly,

BOARD OF PUBLIC SAFETY,

CLAUDE C. McCOY,
Executive Secretary.

REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., November 4, 1926.

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

Gentlemen—We, your Committee on Law and Judiciary to whom was referred General Ordinance No. 86, 1926, entitled Amend Zoning Ordinance 46th and Central, beg leave to report that we have had said ordinance under consideration, and recommend that the same Not be Passed.

OTIS E. BARTHOLOMEW
E. B. RAUB
C. E. NEGLEY.

INTRODUCTION OF GENERAL ORDINANCES

By the City Comptroller:

GENERAL ORDINANCE NO. 88, 1926.

AN ORDINANCE, transferring the sum of Two Hundred (\$200.00) Dollars in the Office of the City Controller from Controller's Fund No. 61, "Interest on Bonded Debt," and reappropriating the same to the Legal Department Fund No. 72, Equipment, 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 Hundred (\$200.00) Dollars be and the same is now hereby transferred and reappropriated from the Controller's Fund No. 61, "Interest on Bonded Debts" to the Legal Department Fund No. 72, "Equipment."

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, Bartholomew, Negley and Albertson.

By the City Comptroller:

GENERAL ORDINANCE NO. 89, 1926

AN ORDINANCE, Transferring the sum of Four Thousand (\$4000.00) Dollars from Fund No. 33, Garage and Motor, in the Police Department, transferring same to and reappropriating it to Fund No. 72, Equipment, Police Department of the Department of Public Safety, and declaring a time when same shall take effect.

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

Section 1. That there be and is hereby transferred the sum of Four Thousand (\$4000.00) Dollars from Fund No. 33, Garage and Motor, Police Department, and that the same be and is hereby transferred to and reappropriated to Fund No. 72, Equipment, Police Department, of the Department of Public Safety.

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. Dorsett, Chairman; Messrs. Ferguson, Raub, Albertson and Negley.

By the City Comptroller:

GENERAL ORDINANCE NO. 90, 1926

AN ORDINANCE, Transferring the sum of Two Hundred Ninety-eight Dollars (\$298.00) from the Department of Public Safety Building Department Fund No. 24, Printing other than Office, and reappropriating as follows:

Twenty-two Dollars (\$22.00) to Fund No. 21, Building Department and Two Hundred Seventy-six Dollars to Fund No. 72, Building Department in the Department of Public Safety 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 Hundred Ninety-eight Dollars be and the same is hereby now transferred and reappropriated from the Department of Public Safety Building Department Fund No. 24, Printing other than Office, Twenty-two Dollars to Fund No. 21, Building Department and Two Hundred Seventy-six Dollars to Fund No. 72, Building Department in the Department of Public Safety.

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 Comptroller:

GENERAL ORDINANCE NO. 91, 1926

AN ORDINANCE, Transferring certain funds under the Department of Finance and reappropriating same to the Department of Public Safety and declaring a time when same shall take effect.

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

Section 1. That there be and is hereby transferred from the Department of Finance, Fund No. 61, Interest, the sum of Sixteen Thousand (\$16,000.00) Dollars and that the same be and is hereby reappropriated as follows: The sum of Six Thousand Three Hundred (\$6,300.00) Dollars to Fund No. 22, Police Department, under the Department of Public Safety;

The sum of Three Thousand Three Hundred Fifty (\$3,350.00) Dollars to Fund No. 22, Fire Department, under the Department of Public Safety;

The sum of Three Thousand (\$3,000.00) Dollars to Fund No. 33, Fire Department, under the Department of Public Safety.

The sum of Three Thousand Three Hundred Fifty (\$3,350.00) Dollars to Fund No. 21, Administrative Unit, of the Department of Public Safety.

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, Albertson and Bartholomew.

By the City Comptroller:

GENERAL ORDINANCE NO. 92, 1926

AN ORDINANCE, Transferring and reappropriating certain funds under the Department of Public Safety and declaring a time when same shall take effect.

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

Section 1. That there be and is hereby transferred from Fund No. 24, Fire Department, under the Department of Public Safety, the sum of Three Hundred Fifteen (\$315.00) Dollars, and from

Fund No. 26, Fire Department, under the Department of Public Safety, the sum of Two Hundred Eighty-six Dollars and Forty-Five Cents (\$286.45) and from Fund No. 72, Fire Department, under the Department of Public Safety, the sum of One Hundred Ninety-Eight Dollars and Fifty-Five Cents (\$198.55) and that the same be and is hereby reappropriated to Fund No. 25, Fire Department under the Department of Public Safety.

Section 2. That there be and is hereby transferred from Fund No. 44, Fire Department, under the Department of Public Safety, the sum of Three Hundred Dollars (\$300.00) and that the same be and is hereby reappropriated to Fund No. 38, Fire Department, under the Department of Public Safety.

Section 3. That there be and is hereby transferred from Fund No. 44, Fire Department, under the Department of Public Safety, the sum of One Thousand (\$1000.00) Dollars and that the same be and is hereby reappropriated to Fund No. 33, Fire Department, under the department of Public Safety.

Section 4. That there be and is hereby transferred from Fund No. 26, East Market, under the Department of Public Safety, the sum of Thirty (\$30.00) Dollars, and from Fund 41, East Market, under the Department of Public Safety, the sum of Seventy-Five (\$75.00) Dollars, and from Fund No. 72, East Market, under the department of Public Safety, the sum of Fifteen (\$15.00) Dollars and that same be and is hereby reappropriated to Fund No. 38, East Market, under the Department of Public Safety.

Section 5. That there be and is hereby transferred from Fund No. 45, Dog Pound, under the Department of Public Safety, the sum of Six Dollars and Fourteen Cents (\$6.14) and that same be and is hereby reappropriated to Fund No. 41, Dog Pound, under the Department of Public Safety.

Section 6. 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 Comptroller:

GENERAL ORDINANCE NO. 93, 1926

AN ORDINANCE, Authorizing the City Controller and Mayor in the name of and for the City of Indianapolis, Indiana to issue bonds for the purposes of funding and refunding indebtedness of such city and its previous loans evidenced and represented by INDIANAPOLIS WORLD WAR MEMORIAL BONDS 1921, due on January 1, 1927, in the amount of One Million Six Hundred Thousand Dollars (\$1,600,000.00) heretofore issued and sold by said city under and pursuant to its General Ordinance No. 71, 1921, heretofore issued, rendered, negotiated and sold by such city and which are now unpaid, reducing the rate of interest thereon, extending the time of payment and cancelling and for the purpose of paying all of such INDIANAPOLIS WORLD WAR MEMORIAL BONDS 1921, by the issu-

ance of new refunding bonds therefor in such sum of One Million Six Hundred Thousand Dollars (\$1,600,000.00) payable from the general revenues and funds of said city or from the Sinking Fund of said city, or as may be required and authorized by law, to carry out, ratify and continue the patriotic purposes of An Act of the General Assembly of the State of Indiana, Chapter 199, of the Acts of the General Assembly of Indiana of 1921, page 515, Burns 1926, Section 13591, et seq., and for which original issue Declaratory Resolution No. 4, 1921 was adopted by the Common Council of said city on May 19, 1921, and approved by the Mayor on the 21st day of May, 1921, and all other things done as required by law, and whereas John L. Duvall, Mayor of the City of Indianapolis, and William C. Buser, City Controller of the City of Indianapolis, have recommended to the Common Council such refunding as in this ordinance declared, and that it authorize the issue and sale therefor of sixteen hundred (1600) INDIANAPOLIS WORLD WAR MEMORIAL BONDS 1927, of One Thousand Dollars (\$1,000.00) each and order and appropriate the proceeds of such bond sale in the hands of said controller, the city treasurer or of the proper officer or officers of such city for the purpose and sole use of payment and cancelling said bonds of 1921; providing that said bonds shall be issued in the denomination of One Thousand Dollars (\$1,000.00) for each bond in twenty-five (25) series aggregating Sixty-four Thousand Dollars (\$64,000.00) in each series, the first series to be payable on January 1, 1929, and one series to be payable on each and every first day of the year thereafter, until and including January 1, 1953; said bonds to draw interest at the rate of four and one quarter ($4\frac{1}{4}\%$) per cent. per annum payable semi-annually on the first day of January and the first day of July of each year hereafter until maturity as evidenced by interest coupons attached thereto; said bonds to be dated January 1, 1927, and to be sold pursuant to law on December 20, 1926; authorizing the City Controller and Mayor in advertising for the sale of such bonds to ask for competitive bids on said bonds as to each series thereof, and fixing a time when this ordinance shall take effect.

WHEREAS, there is an outstanding and valid indebtedness of the City of Indianapolis, evidenced by bonds of said City bearing date of November 15, 1921, known as the "Indianapolis World War Memorial Bonds 1921," and maturing on January 1, 1927, in the sum of One Million Six Hundred Thousand Dollars (\$1,600,000.00); and

WHEREAS, there are not sufficient funds and will not be sufficient funds in the treasury of said City with which to pay off and discharge said bonds when the same will become due and mature, and there is not sufficient tax levy in process of collection with which to pay and discharge said bonds at the time the same will be due and mature; and

WHEREAS, it is essential in order to preserve the credit of said City that said bonds be taken up, paid off and discharged at the time the same will be due and mature, and it is necessary to provide funds for the payment and discharge of said bonds of said city and to issue and make sale of refunding bonds of said city in the sum of One Million Six Hundred Thousand Dollars (\$1,600,000.00) to provide funds to pay, discharge and take up said bonds; therefore

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

Section 1. That the City of Indianapolis borrow the sum of One Million Six Hundred Thousand Dollars for the purpose of taking up, paying off and discharging the principal of certain bonds of said City of Indianapolis bearing date of November 15, 1921, in the principal sum of One Million Six Hundred Thousand Dollars (\$1,600,000.00), which said bonds will mature and become due and payable on January 1, 1927. And for the purpose of obtaining the money with which to pay, discharge and take up said bonds, the Mayor and City Controller of the City of Indianapolis are hereby empowered, authorized and directed to issue and sell the bonds of said city of Indianapolis in the sum of One Million Six Hundred Thousand Dollars, and said bonds shall be designated and known as "Indianapolis World War Memorial Refunding Bonds 1927."

Section 2. That said refunding bonds shall be issued in the denomination of One Thousand Dollars (\$1,000.00) for each bond in twenty-five (25) series, each series to be in the sum of and to aggregate Sixty-four Thousand Dollars (\$64,000.00); that the first series thereof shall be due and payable on January 1, 1929, and one series thereof shall be due and payable on each and every first day of the year thereafter until and including January 1, 1953; that said bonds shall draw interest thereon at the rate of four and one-quarter per cent. per annum (4 $\frac{1}{4}$ %) payable semi-annually on the first day of January and the first day of July of each year hereafter until maturity, which interest shall be evidenced by appropriate interest coupons attached to such bonds; that each of said bonds shall be dated January 1, 1927, and shall be sold pursuant to law on December 20, 1926, that the City Controller and Mayor are hereby authorized in advertising for the sale of such bonds to ask for competitive bids on said bonds as to each series thereof; that said refunding bonds shall be numbered from (1) to sixteen hundred (1600) both inclusive.

Said bonds shall be negotiable as inland bills of exchange and said installments of interest shall be evidenced by interest coupons attached to said bonds and the first coupon attached to each of said bonds shall be for the interest on said bonds from the date of issue until the first day of July, 1927. Said bonds shall be exempt from taxation for any and all purposes. Said bonds and interest coupons shall be negotiable and payable at the office of the City Treasurer of the City of Indianapolis. Said bonds shall be signed by the Mayor and the City Controller of said city 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 lithographic fac simile of the signatures of the Mayor and City Controller of said city, printed or engraved thereon, which shall for all purposes be taken and deemed 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 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 numbers, beginning with bond issue number one (1), entering the date of issue, the amount of bond, the rate of interest, the date of maturity, the time and plan for payment of interest and the

place of payment of principal and interest. Said bonds shall be prepared according to the following forms and all blanks therein shall be properly filled in before the issue thereof:—

No. ----- \$1,000.00

UNITED STATES OF AMERICA
CITY OF INDIANAPOLIS
MARION COUNTY, STATE OF INDIANA

INDIANAPOLIS

WORLD WAR MEMORIAL REFUNDING BOND, 1927.

For value received, the City of Indianapolis in Marion County, State of Indiana, hereby promises to pay to the bearer, on January 1, 19 --, at the office of the City Treasurer, of the City of Indianapolis, One Thousand (\$1,000.00) Dollars in lawful money of the United States together with interest thereon at the rate of four and one-quarter (4¼%) per cent per annum, from date until paid, the first interest payable on the first day of July, 1927, and interest thereafter payable semi-annually on the first day of January and July, respectively, on the presentation and surrender of the proper interest coupons hereto attached and which are made a part of this bond.

This bond is one of an issue of sixteen hundred (1600) bonds of One Thousand (\$1,000.00) Dollars each, numbered from one (1) to sixteen hundred (1600), both inclusive, of date of January 1, 1927, issued by the City of Indianapolis pursuant to an ordinance passed by the Common Council of said city 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 Acts amendatory thereof and supplemental thereto, including an Act of the General Assembly of the State of Indiana, entitled:

"AN ACT entitled An Act authorizing any city in the State of Indiana, to acquire grounds, real estate and interest therein by purchase, donation or condemnation, and to erect and maintain thereon suitable structures to commemorate the valor and sacrifices of the soldiers, sailors and marines of the United States, of all patriotic organizations and all others who rendered loyal service and made sacrifices at home and overseas in the great World War, and to provide therein a place or places of meetings and headquarters for organizations of such soldiers, sailors and marines, of all patriotic organizations and others, and for other public purposes, and authorizing any city to join with the county in which it is located in the acquisition of such grounds, real estate and interests therein, and the erection and maintenance of such memorial structures, and to provide for the creation of a board of trustees, its powers and duties, and authorizing any such city to acquire, or to join with the county in which it is located in the acquisition of real estate and interests therein, by purchase, donation or condemnation, to be dedicated and set apart for World War Memorial and other public purposes and added to and used in connection with any real estate which may have been, or

may be hereafter designated for use, or dedicated and set apart by the State of Indiana for World War Memorial and other public purposes; authorizing such city or such city and such county jointly by proper contract, deed or grant to convey to the State of Indiana the real estate so acquired for World War Memorial and other public purposes, as provided therein, and to provide for the levy of taxes and the issuance of bonds, and the appropriation of money for said purposes; exempting the same from taxation, and declaring an emergency; (approved March 10, 1921), for the purpose of providing funds for the payment discharge and satisfaction of the valid, outstanding bonded indebtedness of said city, evidenced by sixteen hundred (1600) bonds in the sum of One Thousand (\$1,000.00) Dollars each, bearing date of November 15, 1921, and maturing January 1, 1927, designated "Indianapolis World War Memorial Bonds, 1921."

It is hereby certified that all things and Acts required by laws of the State of Indiana and by ordinance of the Common Council of the City of Indianapolis precedent to the issuance of this bond have happened and have been done and performed in and about the authorization, appropriation, issuance and complete execution of this bond and it is further certified that this bond and said total issue of bonds are within every limit of debt prescribed by the constitution and laws of the State of Indiana, and said bonded indebtedness to be discharged and satisfied by the proceeds of the sale of said bonds, was at the time of the incurring thereof, within every limit of debt prescribed by the constitution and laws of the State of Indiana, and that the faith and credit of the City of Indianapolis, Indiana, is hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

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 hereunto affixed this _____ day of _____, 192_____.

Mayor.

City Controller.

Attest:

City Clerk.

Section 3. The City Controller shall, as soon as practicable 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 and do all things as required by law in relation to such advertisements. Said advertisements shall describe said bonds 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 shall bear that the bidder may bid for all or any part of said bonds, the date of opening bids or proposals therefor, the right of the City Controller to reject any or all bids, the amount of the deposit each bidder will be required to make, and when and where the bonds shall be delivered and paid for, and that the date of the sale thereof shall be December 20, 1926.

Section 4. Each and every bid and proposal shall be presented to the City Controller sealed and shall be accompanied by a duly certified or cashier's check upon some responsible bank or trust company in 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 centum 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 twelve o'clock noon, on the day fixed by the Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between said hour and two o'clock P. M. of said day he shall open said bids or proposals. The City Controller shall award said bonds, or if he shall see fit, a part of any number thereof to the highest and best bidder therefor, but said Controller shall have the full right to reject any and all 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 sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. Such sale of bonds shall be on December 20, 1926. These provisions shall apply in the case of reoffering and readvertising of said bonds as hereinafter provided, except in such case such sale may be subsequent to December 20, 1926, at date fixed by the Controller.

Section 5. In case the City Controller shall reject all bids submitted, or if he shall award only a part of said bonds he shall re-advertise 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 for 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 6. In case any bid or proposal shall not be accepted, and there shall be no award of bonds thereon by the Controller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the 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 nonpayment of said check 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 of 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 7. 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 re-advertisement for proposals, or within such time thereafter as may be fixed by the Controller, or at such time or times as may be agreed upon by the Controller and the purchaser or purchasers, and the Controller may extend the time for such delivery not more than ten 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 and provided in this ordinance.

Section 8. The full amount of the proceeds from the sale of said bonds authorized to be issued and sold by this ordinance is hereby appropriated and ordered to the sole and only purpose of the immediate use of such proceeds for the payment in full of said INDIANAPOLIS WORLD WAR MEMORIAL BONDS 1921, and for the full cancellation of the same. It shall be the duty of the City Controller and the City Treasurer or the other proper officer or officers of said city to immediately apply said proceeds to the payment, retirement and full cancellation of each and all of said INDIANAPOLIS WORLD WAR MEMORIAL BONDS 1921, and to apply any amount realized in the sale of such refunding bonds in excess of the requirements of such payment to the Indianapolis World War Memorial Bond Fund under the control of the Board of Sinking Fund Commissioners or to such purposes as may be 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 the City Comptroller:

GENERAL ORDINANCE NO. 94, 1926.

AN ORDINANCE, authorizing the borrowing of One Hundred Five Thousand Dollars (\$105,000.) and the sale of one hundred and five (105) bonds of One Thousand Dollars (\$1,000) 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 for the purchase of certain equipment to be used in the Indianapolis Police and Indianapolis Fire Departments 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, 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 expenditure for the aforesaid public welfare and purposes, and there being no appropriation heretofore made by the Common Council therefor, and it being necessary for the said city to borrow said One Hundred Five Thousand Dollars (\$105,000) in order to procure a fund to be devoted to the purposes of procuring certain fire and police apparatus, and to issue and sell these bonds in said amount, payable from the general revenues and funds of said city, or from the Sinking fund of said city, or as may be otherwise authorized or required by law, and as authorized by an act of the General Assembly of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto, and

WHEREAS, life and property of the said city and its citizens are being jeopardized by the lack of such equipment in the Indianapolis Police and Fire Departments and that an emergency now exists therefor;

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 purchase of certain Fire and Police apparatus in the City of Indianapolis; to prepare, issue and sell One Hundred and Five (105) new bonds of the City of Indianapolis, Marion County, Indiana, of One Thousand (\$1,000.00) Dollars each which bonds shall bear the date of January 1, 1927, and shall be numbered from one to one hundred and five (1-105) both inclusive, and shall be designated "Fire and Police Equipment Bonds of 1927" and shall bear interest at the rate of four and one-half (4½%) 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. Said bonds shall be issued in eleven (11) series, each series to be composed of ten (10) bonds of One Thousand Dollars (\$1,000.00) each with the exception of the last series which shall be composed of five (5) bonds of One Thousand Dollars (\$1,000.00) each. The first series of said bonds shall be due and payable on January 1, 1928, and one of said series shall be due and payable on the first day of each year thereafter until and

including January 1, 1938.

The said interest on said bonds shall be evidenced by appropriate coupons and thereunto attached for the payment of said semi-annual interest and the first coupon attached to each bond shall be for the interest on said bonds from the date of issue until the first day of January, 1928. 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 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 lithographic fac simile of the signatures of the Mayor and the City Controller of said city engraven thereon which shall for all purposes be taken and termed 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 the books kept for that purpose, all said bonds so issued and negotiated in serial numbers beginning with bond Number One (1), giving also the date of the issuance, the amount, date of maturity, rate of interest, and the time and place where said interest shall be payable, and said bond shall be substantially in the following forms, all blanks for numbers and dates to be properly filled in before the issuance thereof;

No.-----

\$1,000.00

UNITED STATES OF AMERICA
CITY OF INDIANAPOLIS

MARION COUNTY

STATE OF INDIANA

FIRE AND POLICE EQUIPMENT BOND OF 1927.

For value received the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer on the first day of January 19—, at the City Treasurer's Office of the City of Indianapolis, Indiana, One Thousand Dollars (\$1,000) in lawful money of the United States of America together with interest thereon at the rate of four and one half per cent (4 ½ %) per annum from date until paid.

The first interest payable on the first day of January, 1928, and the interest thereafter payable semi-annually on the first day of January and July respectively, upon the presentation and surrender of the proposed interest coupons, hereunto attached, and which are made a part of this bond.

This bond is one of an issue of One Hundred Five Bonds (105) of One Thousand Dollars (\$1,000.00) each numbered from one to one hundred and five (1-105) both inclusive, of date of January 1, 1927. Said bonds mature in eleven (11) series of ten (10) bonds for each series with the exception of the last series which shall consist of five (5) bonds, in the order and at the rate of one series each year for eleven (11) years, beginning January 1, 1928, and continuing at the rate of ten (10) bonds upon the first day of each year thereafter, with the exception of the last issue which shall be

for five (5) bonds, until and including January 1, 1938. These bonds are issued by the City of Indianapolis, Indiana, 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 requirements of the law effecting the issuance thereof have been duly complied with, and that this bond is within every debt and other limit prescribed by the constitution and the laws of the State of Indiana, and the faith and credit of the City of Indianapolis, Indiana are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, has caused this bond to be signed by the Mayor and City Controller, attested by the City Clerk, and the corporate seal

of said City affixed thereunto, on this _____ day of _____, 1927.

Mayor

City Controller.

Attest:

City Clerk

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 consecutive weeks in two daily newspapers of general circulation printed and published in the English language in the City of Indianapolis, Indiana, or as otherwise authorized or required by law. Such advertisement shall describe such bonds with such minuteness and particularity as the City Controller may see fit and shall set out the amount of the bonds to be sold and the rate of interest they may bear, that the bidder may bid for all or any part of said bonds; the date of opening bids or proposals therefor, the right of the City Controller to reject any or all bids, the amount of deposit each bidder shall 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 of the City of Indianapolis, Indiana, and shall be accompanied by a duly certified or cashier's check upon some accredited bank or trust company 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 eleven o'clock

A. M., on the day fixed by the City Controller and designated in the advertisement for the receiving bids or proposals, at which time and place and between the said hour, and twelve o'clock noon of said day he shall open said bids or proposals. The City Controller shall award said bids or as he shall see fit a part or any number thereof, to the highest and best bidder therefor, but the said City Controller shall have the right to reject any and all such bids or proposals or any 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 bid. He may also in his judgment 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 re-advertise 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 of 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 by the City Controller he shall thereupon return to such unsuccessful bidder the certified or cashier's 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, or cashier's 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 nonpayment 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 payment of 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 bidders 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 thereof and his bid and award thereon, said proceeds of said certified or cashier's 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 in 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 re-advertisement 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 date or day specified or agreed upon as above provided, and the successful bidder or bidders shall take the bond or bonds awarded to him or them and pay for the same at such place and times as above provided, and his or her refusal, neglect or omission to do so shall be a breach of 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 a binding obligation 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 purchase of Police and Fire apparatus for the City of Indianapolis, Indiana.

Section 8. The Mayor, the City Controller and the Corporation Counsel are hereby authorized and directed to publish notices herein of the City's 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 a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Albertson, Dorsett, Negley and Bartholomew.

ORDINANCES ON SECOND READING.

Mr. Bartholomew called for General Ordinance No. 86 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 86 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 86 was read a third time and failed to pass by unanimous vote of the Council.

On motion of Mr. Raub, seconded by Mr. Bartholomew, the Common Council resolved into a Committee of the Whole for the consideration of Traffic Ordinance No. 48, 1926.

President Moore appointed Mr. Raub as Chairman of the Committee of the Whole at 8:30 p. m.

At 9:45 p. m. the Council reconvened with a committee report from Mr. Raub that the Committee wished more time on General Ordinance No. 48, and would meet Tuesday, November 9, 1926, at 5:30 p. m., at the Spink-Arms Hotel, on invitation of the Hoosier Motor Club.

On motion of Mr. Bartholomew, seconded by Mr. Negley, the Common Council of the City of Indianapolis adjourned at 10 o'clock p. m.

Raynton J. Moore

President.

Attest:

William A. Boyce, Jr.

City Clerk.