

REGULAR MEETING

MONDAY, OCTOBER 7, 1929, AT 7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, October 7, 1929, following a Public Hearing at 7:30 P. M. by the Committee on Public Parks on General Ordinance 74, 1929. President Edward B. Raub took the chair.

The Clerk called the roll.

Present: Hon. Edward B. Raub, President, and seven members, viz: Earl Buchanan, Herman P. Lieber, Albert F. Meurer, Meredith Nicholson, Paul E. Rathert, Robert E. Springsteen, John F. White.

Absent: Edward W. Harris.

On motion of Mr. Meurer, seconded by Mr. Nicholson, the reading of the Journal for the previous meeting was dispensed with.

COMMUNICATIONS FROM THE MAYOR

September 23, 1929.

Mr. President and Members of the Common Council of the City of Indianapolis:

Gentlemen:

I have this day approved with my signature and delivered to William A. Boyce, Jr., City Clerk, the following ordinances:

GENERAL ORDINANCE NO. 69, 1929

AN ORDINANCE, authorizing the permanent improvement of Tremont avenue by grading and paving the same pursuant to Improvement Resolution No. 14350 of the Board of Public Works of the City of Indianapolis and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 70, 1929

AN ORDINANCE, authorizing the permanent improvement of the alley east of Adams street from 25th street to the alley north of 23th street in the City of Indianapolis, Indiana, by grading and paving the

same, pursuant to Improvement Resolution No. 14314 of the Board of Public Works, of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 71, 1929

AN ORDINANCE, authorizing the permanent improvement of the second alley south of Prospect street from the alley east of Reid place to Randolph street by grading and paving the same pursuant to Improvement Resolution No. 14309 of the Board of Public Works of the City of Indianapolis and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 72, 1929

AN ORDINANCE, authorizing the permanent improvement of the first alley east of Reid place from the first alley south of Prospect street to the second alley south of Prospect street in the City of Indianapolis, Indiana, by grading and paving the same pursuant to Improvement Resolution No. 14310 of the Board of Public Works of the City of Indianapolis and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 73, 1929

AN ORDINANCE, amending General Ordinance No. 121, 1925, being an ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and with stated exceptions repealing all former ordinances as amended by General Ordinance No. 25, 1929, and amending sub-section b of section B-712 of General Ordinance No. 121-1925, and fixing a time when the same shall take effect.

Very truly yours,

L. ERT SLACK,
Mayor.

October 7, 1929.

*Mr. President and Members of the Common Council of the
City of Indianapolis:*

Gentlemen:

An ordinance is being introduced accepting certain gifts to the City of Indianapolis, establishing a fund known as the "Police Department Radio Signal Bureau Fund," authorizing expenditures therefrom, establishing the "Police Radio Signal Bureau" and providing for rules and regulations in connection therewith and I have the privilege of requesting that this ordinance be considered by your honorable body and adopted as a general ordinance of this city.

Certain public spirited citizens of Indianapolis have organized a Citizen's Police Radio Commission and through this commission, various donations and gifts are being made and doubtless further gifts and donations will be made for the purpose of establishing, installing, operating and maintaining a radio signal and communication system in the Indianapolis Police Department. Whatever gifts or donations are made will be and are now being tendered as gifts to the City of In-

dianapolis for such purpose. It is therefore desirable that such gifts be accepted by the City Council and made available for the purpose intended.

The Board of Public Safety is engaged in working out in the Police Department a special bureau to establish, construct, maintain and operate a radio signal and communicating service and will handle the gifts and donations as they are received by the city in the same manner as public funds of the city are handled and expended. The Bureau and its management and control will be under the jurisdiction of the Board of Public Safety and therefore a public instrument of the city.

The establishment and operation of a Radio Bureau in our Police Department has been under consideration for some time and the very generous action of the Citizen's Commission and the various donors to this fund is a matter which we fully appreciate. Many other cities are establishing such a Department of Public Safety and successfully operating the same. It is not therefore exactly an experiment. In fact, the use of the radio in the apprehension of criminal conduct and the prevention of crime, as well as conviction of criminals, seems to be an established fact and a positive instrument efficient for that purpose. At least, on account of the public interest manifested in Indianapolis in this effort, I feel certain your honorable body will see the necessity of providing for such a bureau in our own police department. I have the honor therefore to request, after due consideration, the proposed ordinance, and at the time the ordinance is up for final consideration, whatever the gifts and donations may amount to may be inserted into the ordinance before final passage.

Respectfully,

L. ERT SLACK,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

October 3d, 1929.

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

Gentlemen:

The City Plan Commission at its meeting on October 1st, 1929, instructed me to request that your honorable body take no definite action on General Ordinance No. 74, 1929, relative to a change of zoning in the Butler-Fairview district until the commission has had an opportunity to further consider this recommendation.

Very truly yours,

H. B. STEEG,
Secretary-Engineer, City Plan Commission.

October 7th, 1929.

*To the President and Members of the Common Council,
Indianapolis:*

Gentlemen:

I am submitting herewith, for your consideration, fourteen copies of an ordinance changing the name of Bellefontaine street, from Fall Creek to 30th street, to Guilford avenue in compliance with attached petition.

Yours truly,

A. H. MOORE,
City Civil Engineer.

Indianapolis.

To the Board of Public Works, City of Indianapolis:

Gentlemen:

We, the undersigned owners of property on Bellefontaine street, north of Thirtieth street, Indianapolis, do hereby respectfully and urgently request that you authorize a change of the street name from Bellefontaine street to Guilford avenue. This to correspond with Guilford avenue, north of Fall creek.

We believe the change requested will benefit our property and this residential district.

Walter C. Clark, 3122 Bellefontaine.
Fred E. Gifford, M. D., 3105-3107 Bellefontaine.
M. S. Johnston, 3112 Bellefontaine St.
F. O. Wildason, 3102 Bellefontaine St.
Charles A. Rouse, 3104 Bellefontaine St.
T. E. Mitchell, 3101 Bellefontaine St.
Geo. T. Linting, 3039 Bellefontaine St.
Bertha B. Clarke, 3120 Bellefontaine St.
Horatio W. Vedder, 3040 Bellefontaine St.
Louis J. Hurst, 3028 Bellefontaine St.
Fred E. Mitchell, 3034 Bellefontaine St.
Charles N. Shelburn, 3015 Bellefontaine St.
Harry E. Voshell, 3111 Bellefontaine St.
Carl H. Verbarg, 3121 Bellefontaine St.
Ella Daily, 3127 Bellefontaine St.
George F. Fuller, 3131 Bellefontaine St.
John D. Ross, 3143 Bellefontaine St.
Charles F. MacIntire, 3130 Bellefontaine St.
Paul W. Randall, 3204 Bellefontaine St.
Grace E. Galiher, 3208 Bellefontaine St.
Walter Haffield, 3216 Bellefontaine St.

- C. J. Karle, 3115 Bellefontaine St.
- Robert Piscator, 3230 Bellefontaine St.
- Rose J. Buttz, 3227 Bellefontaine St.
- Chas. F. Myers, 3242 Bellefontaine St.
- H. S. Scheidler, 3250 Bellefontaine St.
- John R. Miller, 3253 Bellefontaine St.
- Alice E. Randall, 3209 Bellefontaine St.
- Harry Graff, 1001 E. Fall Creek Blvd.
- O. J. Petti, 3245 Bellefontaine St.
- Ralph R. Scheidler, 3221-23 Bellefontaine St.
- Roland C. Fultz, 3215 Bellefontaine St.
- Lawrence B. Clark, 3217 Bellefontaine St.
- Bernard McConahay, 3022 Bellefontaine St.
- Frank R. Lay, 3026 Bellefontaine St.
- Marguerite Winkleumier, 3247 Bellefontaine St.
- H. G. Loon, 3018 Bellefontaine St.
- W. T. Walker, 3126 Bellft.
- Oscar Mantieth, 3134 Bellefontaine St.

October 7, 1929.

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

Gentlemen:

Attached please find copies of General Ordinance No. 77, 1929, transferring certain sums of money from certain funds and reappropriating the same to other department funds of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

STERLING R. HOLT,
City Controller.

October 7th, 1929.

Mr. Sterling R. Holt, City Controller, City Hall:

Dear Sir:

Upon recommendation of Mr. Grossart, the street commissioner, the board requests that you cause to be prepared an ordinance providing for the transfer of the following funds, to-wit:
From Sewer Department No. 12-1

Emergency laborers -----	\$1,050.00
Basin trucks -----	600.00
Eductor helpers -----	260.00
Eductor men -----	45.00
Laborers -----	458.00
Dumpmen -----	16.00

From Weed Cutting No. 12-5

Foreman -----	\$ 217.50
Trucks -----	183.00
Laborers -----	5.97

From Carpenter Department No. 12-4

Foreman -----	\$ 35.00
Truck -----	25.00
Laborers -----	85.00
Painters -----	60.00
Carpenters -----	70.00

From Street Cleaning No. 12-7

Light trucks -----	\$ 738.00
Maintenance men -----	24.00
Blacksmith -----	66.53
Dumpmen -----	376.00

From Equipment Fund No. 72 ----- \$5,285.00

And that said sum of \$9,600.00 be placed in the following funds, to-wit:

Building materials No. 41 -----	\$ 300.00
General supplies No. 38 -----	300.00
Sewer department No. 12-1	
Emergency trucks -----	200.00

Street cleaning No. 12-7

Laborers -----	7,535.00
Helpers -----	931.00
Flushers -----	334.00

The board, further, requests that you submit the same to the Common Council at their next meeting, with the recommendation of the Board of Works that the same be passed.

Yours very truly,

ERNEST F. FRICK,
Secretary, Board of Public Works.

Mr. Sterling R. Holt, City Controller, City Hall:

Dear Mr. Holt:

The board requests that you cause to be prepared an ordinance for the transfer of the following funds, to-wit:

\$900.00 out of Item No. 72—Municipal Garage, and
\$600.00 out of Item No. 45—Municipal Garage

and that said sum of \$1,500.00 be transferred into Item No. 33, Municipal Garage, and submit the same to the Common Council at their next meeting, with the recommendation of the Board of Public Works that the same be passed.

Yours very truly,

ERNEST F. FRICK,
Secy. Board of Public Works.

September 26, 1929.

Mr. Sterling R. Holt, City Controller, City Hall:

Dear Mr. Holt:

The Board of Public Works requests that you cause to be prepared an ordinance providing for the transfer of the sum of six hundred (\$600.00) dollars, from budget item No. 72, Municipal Garage of the Board of Public Works, into the following budget items in the Weights and Measures Department of the Board of Public Safety, to-wit:

- \$520.00 into item No. 72 and,
- 80.00 into item No. 36

and submit the same to the Commoun Council at their next meeting, with the recommendation of the Board of Public Works that the same be passed.

Yours very truly,

ERNEST F. FRICK,
Secy. Board of Public Works.

October 3, 1929.

Mr. Sterling R. Holt, City Controller, City of Indianapolis, Ind.:

Dear Sir:

The City Plan Commission at its meeting on October 1st, instructed me to request that you submit an ordinance to the Common Council making the following changes in the funds of the Commission:

That the position of Engineer at \$3,000.00, the position of Secretary at \$2,700.00 be abolished and that the position of Secretary-Engineer at \$3,000.00 and position of draftsman at \$2,400.00 be created in Fund 11.

That the sum of \$500.00 in Fund 11 (Engineer at \$3,000.00) and the sum of \$450.0 in Fund 11 (Secretary \$2,700.00) being the balance in said funds as of November 1st, 1929, be transferred to Secretary-Engineer at \$3,000.00 and draftsman at \$2,400.00.

That the sum of \$50 in Fund 11 (Engineer at \$3,000.00) be transferred to Fund 24 (Printing and Advertising).

Respectfully yours,

H. B. STEEG,
Secretary-Engineer, City Plan Commission.

October 7, 1929.

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

Gentlemen:

Attached please find copies of General Ordinance No. 78, 1929,

authorizing the sale of eight hundred seventy-five (875) new bonds of one thousand (\$1,000.00) dollars, each, for the purpose of procuring money with which to pay certain fees to the hospital consultant, architects and engineers for professional services in connection with the construction program at the Indianapolis city hospital, and to make improvements on premises belonging to said city at and adjacent to the present city hospital grounds, more fully described in the attached ordinance.

I respectfully recommend the passage of this ordinance.

Yours very truly,

STERLING R. HOLT,
City Controller.

October 5, 1929.

*Hon. Sterling R. Holt, City Controller, City of Indianapolis,
Indiana:*

Dear Sir:

Acting under instructions from the Indianapolis City Board of Health, I am directed to request that you submit to the City Council a bill for an ordinance authorizing a bond issue of \$875,000 for the purpose of procuring money to pay certain fees, such as a hospital consultant, architects, engineers and for carrying out the construction program at the Indianapolis City Hospital.

Respectfully yours,

H. G. MORGAN.

October 7, 1929.

Wm. A. Boyce, Jr., City Clerk, City of Indianapolis:

Dear Sir:

We are submitting herewith an ordinance, amending Section 2 of General Ordinance No. 73, 1929, defining oil stations, limiting the capacity and conditions under which same shall be established, which we respectfully request you to transmit to the Common Council recommending its passage.

Very truly yours,

BOARD OF PUBLIC SAFETY,
By Fred M. Connell, President.

Oct. 7, 1929)

City of Indianapolis, Ind.

727

September 30th, 1929.

Mr. Wm. A. Boyce, Jr., City Clerk, City of Indianapolis:

Dear Sir:

I am enclosing herewith fifteen (15) copies of a switch contract of F. Hilgemeier and Brother, a Corporation, for permission to lay a sidetrack or switch across Regent street, alley north of Raymond street and Raymond street, crossing Raymond street 292 feet west of the west point line of Brooker street, which the Board desires to be presented to the Common Council at their next meeting, with the recommendation of the Board that the same be passed.

Yours very truly,

ERNEST F. FRICK,
Secretary, Board of Public Works.

Indianapolis, September 25th, 1929.

To the Board of Public Works:

Gentlemen:

I am sending herewith, for your consideration, approved switch contract filed in this office by F. Hilgemeier & Bro., Inc.

Yours truly,

A. H. MOORE,
City Civil Engineer.

September 30th, 1929.

Mr. Wm. A. Boyce, Jr., City Clerk, City of Indianapolis:

Dear Sir:

I am enclosing fourteen (14) copies of a switch contract of the C. C. C. & St. L. Ry. Company for the extension of an existing side track serving J. D. Adams Company in a westerly direction across Belmont avenue, which the Board desires to be presented to the Common Council at their next meeting, with the recommendation of the Board that the same be passed.

Yours very truly,
ERNEST F. FRICK,
Secretary, Board of Public Works.

Indianapolis, August 9, 1929.

To the Board of Public Works:

Gentlemen:

With reference to the attached petition of the Big Four Railroad

for permission to cross Belmont avenue with the tracks serving the J. D. Adams Company, I would recommend that that same be granted.

This recommendation is made after thorough investigations on the grounds, interviews with the Big Four Railroad Company and officials of the J. D. Adams Company, and I believe this is the best solution in the matter and the petition should be granted.

Yours very truly,

A. H. MOORE,
City Civil Engineer.

September 30th, 1929.

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

Gentlemen:

In reply to communication of Mr. Boyce, City Clerk, I would recommend that the attached petition be granted and, to avoid confusion, would recommend that this street be called Forest Lane from its south terminus to White river, in accordance with the attached ordinance.

A. H. MOORE,
City Civil Engineer.

We the undersigned, residents and property owners of Winthrop avenue between 59th and 63d do hereby respectfully petition the Common Council of the City of Indianapolis to change the name of our street to Forest Lane, because it is more properly the continuation of that street from 59th street north than it is Winthrop avenue and Cornell avenue.

Charles R. Yoke.
Fred T. Reid.
Hale Wilson.
J. G. Combs.
Wm. H. Earle.
Obe Smith.
Frank Conly.
Frank Rick.
Anna Dean.
Mary Rodman.
E. R. Smith.
Harry Mikels.
C. F. Smith.
Claude Ragsdale.
Harry C. Willow.
Harry M. Whiting.
Lewis L. Beard.

Oct. 7, 1929)

City of Indianapolis, Ind.

729

September 30th, 1929.

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

Gentlemen:

I am submitting herewith fourteen copies of Special Ordinance No. 16, at the request of the owners of all property affected by this annexation and with the recommendation that the Council, if possible, pass this ordinance under suspension of rules.

The reason for this request is that the owners desire to make a number of improvements in the nature of streets, sidewalks and sewers and are very anxious to get the work done this fall. If this request could be granted it would assist them very materially in their development.

Yours very truly,

A. H. MOORE,
City Civil Engineer.

October 7, 1929.

Wm. A. Boyce, Jr., City Clerk, City of Indianapolis:

Dear Sir:

Enclosed you will find ordinance, relative to the establishment of a flash light system on the Big Four Railroad street crossing, which we are sending you with the recommendation that same be passed.

Very truly yours,

BOARD OF PUBLIC SAFETY,
By Fred W. Connell, President.

OTHER COMMUNICATIONS

October 3d, 1929.

To the Honorable City Council, Indianapolis, Indiana:

Attention Mr. Robert Springsteen.

Gentlemen:

The attached clipping augments our experience that—"Life is one damn thing after another" to property owners in our "No mean City."

The writer and sister, Rosamond F. Penn, own six wooded lots opposite and across the street, east side of Boulevard place, from the

proposed zoning for business, which we oppose for various and good reasons.

We hereby register our protest against zoning for business the west side of Boulevard place between 49th street and 47th street. We own six beautiful, wooded lots on east side of said area, which we regard as high class residence property. The same would be damaged and we would suffer no little loss in value of these six lots, if you decreed that business run rampant just across the street from same.

We have lived in this area on Boulevard place for seven years. Aside from our residence, the one adjoining is owned by us, and we are the only residents in this street, hence we feel that our protest should have due consideration.

If the residents between West point to Cornelius avenue desire business zoned there, why not stop at Cornelius on the east border? We deeply urge that business be not placed on Boulevard place from 49th street to 47th street.

We trust that you are inclined to give our prayer due and favorable consideration. Thanking you,

Most cordially,

J. F. SPAUNHURST,
ROSAMOND F. PENN.

REPORTS OF STANDING COMMITTEES

Indianapolis, Ind., October 7, 1929.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 14, 1929, entitled \$5,000 for street stop signs, beg leave to report that we have had said ordinance under consideration and recommend that the same be passed as amended.

ROBT. E. SPRINGSTEEN,
Chairman.

JOHN F. WHITE,
ALBERT F. MEURER,
HERMAN P. LIEBER.

Indianapolis, Ind., October 7, 1929.

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

Gentlemen:

We, your Committee on Finance, to whom was referred General Ordinance No. 68, 1929, entitled, Transfer Miscellaneous Funds, Board

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

ROBT. E. SPRINGSTEEN,
Chairman.
JOHN F. WHITE,
ALBERT F. MEURER,
HERMAN P. LIEBER.

Indianapolis, Ind., October 7, 1929.

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

Gentlemen:

We, your Committee on Safety, to whom was referred General Ordinance No. 75, 1929, entitled Transfers in Police Department, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROB'T. E. SPRINGSTEEN,
Chairman.
PAUL E. RATHERT,
EARL BUCHANAN,
JOHN F. WHITE.

Indianapolis, Ind., October 7, 1929.

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

Gentlemen:

We, your Committee on Airport, to whom was referred General Ordinance No. 76, 1929, entitled Authorizing Purchase of Land for Airport, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

JOHN F. WHITE,
Chairman,
ALBERT F. MEURER,
MEREDITH NICHOLSON,
HERMAN P. LIEBER.

INTRODUCTION OF GENERAL ORDINANCES

By City Comptroller:

GENERAL ORDINANCE 77, 1929

AN ORDINANCE, transferring certain sums of money from cer-

tain funds and reappropriating the same to other department funds of the City of Indianapolis, Indiana, and fixing a time when same shall take effect.

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

Section 1. That the sum of nine hundred dollar (\$900.00) now in Municipal Garage Fund 72 Equipment, and the sum of six hundred dollars (\$600.00) now in Municipal Garage Fund No. 45 Repair Parts, be transferred therefrom and the entire sum, namely fifteen hundred dollars (\$1500.00) be and is hereby reappropriated to Municipal Garage Fund No. 33 Garage and Motor Supplies.

Section 2. That the sum of six hundred dollars (\$600.00) now in Municipal Garage Fund No. 72 Equipment, be and is hereby transferred therefrom and reappropriated as follows:

Five hundred twenty dollars to Weights and Measures Department Fund No. 72 "Equipment."

Eighty dollars (\$80.00) to Weights and Measures Department Fund No. 36 "Office Supplies."

Section 3. That the sum of five hundred dollars in City Plan Fund No. 11 "Engineer" and the sum of Four Hundred Fifty Dollars (\$450.00) City Plan Fund No. 11 "Secretary" be transferred therefrom and reappropriated as follows:

Five Hundred Dollars (\$500.00) to City Plan Fund No. 11 "Secretary-Engineer."

Four Hundred Dollars (\$400.00) to City Plan Fund No. 11 "Draftsman."

Fifty Dollars (\$50.00) to City Plan Fund No. 24 "Printing and Advertising."

Section 4. That the following funds under Street Commissioner Department be and are hereby transferred therefrom and reappropriated as follows:

Transferring all of the following funds under Street Commissioner, Sewer Department, Fund No. 12-1:

Emergency laborers	\$1,050.00
Basin trucks	600.00
Eductor helpers	260.00
Eductor men	45.00
Laborers	458.00
Dumpmen	16.00

From Street Commissioner, Weed Cutting Department Fund No. 12-5:

Foreman	\$217.50
Trucks	183.00
Laborers	5.97

From Street Commissioner, Carpenter Department, Fund No. 12-4:

Foreman	\$35.00
Truck	25.00
Laborers	85.00
Painters	60.00
Carpenters	70.00

From Street Commissioner, Street Cleaning Department, Fund No. 12-7:

Light trucks	\$738.00
Maintenance men	24.00
Blacksmith	66 53
Dumpmen	376.00

From Street Commissioner Fund No. 73, "Equipment" Five Thousand Two Hundred Eighty-five Dollars (\$5,285.00), all the above sums, in the total of Nine Thousand Six Hundred Dollars (\$9,600.00) to be re-appropriated as follows:

To Street Commissioner, Street Cleaning Department Fund No. 12-7:

Laborers	\$7,535.00
Helpers	931.00
Flushers	334.00

To Street Commissioner, Sewer Department, Fund No. 12-1:

Emergency trucks	\$200.00
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To Street Commissioner Fund No. 38, General Supplies, three hundred dollars (\$300.00).

To Street Commissioner Fund No. 41, Building Materials, three hundred dollars (\$300.00).

Section 5. This ordinance shall take effect from and after its passage, approval by the mayor and publication according to law.

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

By City Comptroller:

GENERAL ORDINANCE 78, 1929

AN ORDINANCE, authorizing the sale of eight hundred seventy-five (875) new bonds of one thousand (\$1,000.00) dollars each, of the City of Indianapolis, Indiana, payable from the sinking funds of said city or from the general funds, or as may be required by law, for the purpose of procuring money with which to pay certain fees to the hospital consultant, architects and engineers for professional services in connection with the construction program at the Indianapolis City Hospital, and to make the following improvements on premises belonging to said city at and adjacent to the present city hospital grounds: to erect a five (5) story service, laboratory and out patient building, in-

cluding the installation therein of necessary plumbing, heating, lighting, ventilating, power and elevator equipment; to install fire alarm, signal and clock systems; to construct, erect, and equip a laundry building and necessary connecting tunnel; to procure and provide for the installation of necessary refrigeration equipment; to make necessary alterations and additions within the buildings now on said premises in the electric light, power, water, steam and return and water supply systems; also providing for legal notice, providing for the time and manner of advertising sales of bonds and of receipt of bids therefor, together with the mode and terms of sale; appropriating the proceeds of said sale or sales of bonds to the Department of Health and Charities of said city, and fixing a time when the same shall take effect.

WHEREAS, this Board on the 24th day of September, 1928, passed a resolution to the effect that an emergency exists at the city hospital on account of the State Fire Marshal having theretofore condemned the old hospital building, and on account of inadequate and insufficient accommodations at the city hospital for the proper care and treatment of the indigent sick of the city of Indianapolis to such an extent that it was deemed necessary to construct certain buildings and additions and make certain improvements at said city hospital, and

WHEREAS, this Board by its said resolution declared that it would be for the best interests of the City of Indianapolis and its inhabitants that a hospital consultant be employed to advise with this Board and its architects and engineers in said contemplated construction program, and

WHEREAS, the Common Council of the City of Indianapolis, pursuant to said resolution of this Board and in compliance with the request of this Board, did, on the first day of October, 1928, pass General Ordinance No. 68, for the purpose of procuring to this Board certain funds with which to employ and pay a hospital consultant, architects and engineers for the furtherance of said contemplated construction program, and

WHEREAS, this Board, pursuant to said General Ordinance No. 68 did, on the 3d day of December, 1928, enter into a contract with one Christopher G. Parnell of Rochester, New York, as hospital consultant to make a survey of the needs of requirements of said city hospital and consult and advise with this Board with reference to the buildings necessary to be erected and other improvements necessary to be made at said city hospital to meet the requirements of said city and the inhabitants thereof, and

WHEREAS, the said hospital consultant, after making a thorough study and survey of the present facilities and the requirements to meet the immediate needs of the indigent sick of said city at said city hospital, reported that among the improvements which should be made without delay should be included the following: the erection and equipment of a modern power plant with connecting tunnels and distributing system; the erection of a service, laboratory and out patient building of at least five (5) stories in height, including therein plumbing, heating, lighting, ventilating, power and elevator equipment; the installation of complete fire alarm, signal and clock systems; the erection and equipment of a modern laundry building with necessary connecting tunnel; the installation of new refrigeration equipment; the making of necessary

alterations and additions within the useful buildings now on said premises in the electric light, power, water and steam and return systems, and water supply system, so as to connect them with the new distributing system; also the construction of two units of a Principal Hospital Ward building of seven (7) stories in height, so designed that it may ultimately comprise three units, all eleven (11) stories in height; and

WHEREAS, this Board by proper resolution concurred in and approved of the report and recommendations of its said hospital consultant in the above particulars, and

WHEREAS, this Board, pursuant to said General Ordinance No. 68 of the year 1928 and its said resolution, thereupon entered into contracts as follows: with Robert Frost Daggett, of Indianapolis, Indiana, as architect, to draw plans and specifications for the proposed power plant building and tunnel system and also for the proposed service, laboratory and out patient building; with Charles R. Ammerman, of said city, as engineer, to draw plans and specifications for the installation of the proper and necessary equipment in said power plant and connecting tunnels, and for a complete distributing system; and with Vonnegut, Bohn & Mueller, of said city, as architects to draw plans and specifications for said proposed service, laboratory and out patient building; and

WHEREAS, this Board, because of the lack of funds therefor, has not yet employed architects or engineers to draw plans and specifications for other improvements so recommended by said hospital consultant and approved by the Board; and

WHEREAS, contracts have already been let for the construction, erection and equipment of said proposed power plant and connecting tunnels and complete distributing system according to plans and specifications therefor submitted by the aforesaid architect and engineer employed therefor; and

WHEREAS, preliminary plans and estimates of cost have been submitted to this Board and approved by it, for the proposed service, laboratory and out patient building and also for the two units of said proposed principal hospital ward building; and

WHEREAS, estimates of the probable cost of all the other aforementioned improvements so recommended by said hospital consultant, have likewise been furnished by the aforesaid hospital consultant, architects and engineer; and

WHEREAS, this Board feels that it is for the best interest of the City of Indianapolis that contracts be let without delay for all the aforementioned improvements, except said principal hospital ward building; and

WHEREAS, there were not sufficient funds received from the sale of bonds authorized by General Ordinance No. 68 of the year 1928 with which to pay the aforesaid hospital consultant, architects and engineers for their services in furnishing preliminary studies, sketches, drawings and final plans and specifications for all of the aforementioned improvements so recommended by said hospital consultant and approved by this Board; and

WHEREAS, it will be necessary for this Board to enter into other and further contracts with architects and engineers to supervise the construction and installation of all the aforementioned improvements which it is proposed to be made at this time; and

WHEREAS, the Board, after being duly advised, is of the opinion that the cost of making the aforesaid additional improvements (except said principal hospital ward building), and supervising the same, together with the additional cost, not heretofore provided for, of plans, drawings and specifications covering the aforesaid improvements will be eight hundred seventy-five thousand (\$875,000) dollars; and

WHEREAS, there is not now, and will not be, sufficient money in the funds of the Board of Health of the City of Indianapolis with which to meet the aforesaid expenditures of money for the purposes aforesaid, and it being necessary for said city to borrow the sum of eight hundred seventy-five thousand (\$875,000.00) dollars therefor and to issue and sell bonds in that amount;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Health of the City of Indianapolis, Indiana, that an ordinance be prepared and presented to the Common Council of said City of Indianapolis and to the city controller, for passage, authorizing the issuance and sale by the said City of Indianapolis of a bond issue of eight hundred seventy-five thousand (\$875,000.00) dollars, for the use of the Board of Health, to make the following improvements on said city hospital grounds: to erect a five (5) story service, laboratory and out patient building, including plumbing, heating, lighting, ventilating, power and elevator equipment, conforming generally to the plans and drawings heretofore submitted to said board by the architect heretofore employed therefor; also to erect and equip a laundry building adequate for the needs of said city hospital, together with connecting tunnel therefor; to install new refrigeration equipment; to install fire alarm, signal, and clock systems in the various buildings; to make necessary alterations and additions to the electric power, water and steam systems in buildings now on said premises so as properly to connect them with the new distributing system to be installed at said hospital; also to engage, employ and pay architects and engineers for the proper supervision of said constructions, installations and alterations as aforesaid, and to finish paying the hospital consultant, architects and engineers for drawings, plans and specifications for the said proposed improvements (including two units of said principal hospital ward building) and

WHEREAS, it is, by the Common Council of the City of Indianapolis, Indiana, deemed necessary and proper for the best interests of the City of Indianapolis and its inhabitants to improve the conditions with reference to the proper and adequate health protection at said city hospital, and

WHEREAS, for said purposes, it is deemed necessary and advisable at the present time to make the following improvements on premises now owned by the City of Indianapolis at and adjacent to the present city hospital grounds; to build a five (5) story service, laboratory and out patient building, including therein necessary and suitable plumbing, heating, lighting, ventilating, power and elevator equipment; to build and equip a modern laundry and connecting tunnel, adequate for the present and future needs of said city hospital; to install new refrigeration

equipment; to install fire alarm, signal and clock systems in the various buildings; to make necessary alterations and additions to the electric light, power, water, and steam systems in buildings now on said premises, so as properly to connect them with the new distributing system to be installed; also to engage, employ and pay architects and engineers for the proper supervision of said constructions, installations and alterations; and to finish paying the hospital consultant, architects and engineers for drawings plans and specifications for the aforesaid proposed improvements (including two units of said principal hospital ward building), and

WHEREAS, there are not now and will not be sufficient funds in the treasury of said city with which to accomplish the purposes aforesaid, and it will be necessary for the City of Indianapolis to borrow for said purposes the sum of eight hundred seventy-five thousand (\$875,000.00) dollars, and to provide for and secure the repayment thereof, and to evidence said indebtedness, to issue and sell its bonds in said amount, payable from the general funds or from the sinking fund of said city, or as may be required by law; 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 and empowered to prepare, issue and sell eight hundred seventy-five (875) new bonds of the City of Indianapolis, Marion County, Indiana, in the sum of one thousand (1,000.00) dollars each, for the purposes of procuring money with which to improve and better the conditions with reference to the proper and adequate health protection for the City of Indianapolis and its inhabitants, and for the specific purpose of making the following improvements on the grounds now owned by said city at and adjacent to the present city hospital; to build a five (5) story service, laboratory and cut patient building, including therein necessary and proper plumbing, heating, lighting, ventilating, power and elevator equipment; to build and equip a modern laundry and connecting tunnel adequate for the present and future needs of said Indianapolis city hospital; to install new refrigeration equipment; to install fire alarm, signal and clock systems throughout the various buildings where needed; to make necessary alterations and additions to the electric power, water and steam and return systems and water supply system in buildings now on said premises so as properly to connect them with the new distributing system to be installed at said city hospital; also to engage, employ and pay architects and engineers for the proper supervision of the said constructions, installations and alterations as aforesaid, and to finish paying the hospital consultant, architects and engineers for plans and specifications for the aforesaid proposed improvements so recommended by said hospital consultant and approved by the Board of Health (including two units of said principal hospital ward building). Said bonds shall bear date of December 1st, 1929, and shall be numbered from one (1) to eight hundred seventy-five (875), both inclusive, and shall be designated "CITY HOSPITAL BONDS 1929—ISSUE NO. 2," shall bear interest at the rate of four and one-half per cent ($4\frac{1}{2}\%$) per annum payable semi-annually on the first day of January and the first day of July of each year, for the period of said bonds, and said installments

of interest shall be evidenced by interest coupons attached to said bonds; said bonds shall mature and be payable at the rate of forty-three thousand (\$43,000.00) dollars on the first day of January of each year for nineteen (19) consecutive years, beginning with the year 1932, and ending with the year 1950, and the remaining fifty-eight thousand (\$58,000.00) dollars of said bonds to mature on the first day of January, 1951; the first coupon attached to each of said bonds shall be for the interest on said bond from date of issue until the first day of July, 1931. Said bonds and interest coupons shall be negotiable and payable at the city treasurer's office in the City of Indianapolis, Indiana. Said bonds shall be signed by the Mayor and City Controller of said 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 lithographic facsimile of the signature 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 to the payment of the bonds and interest stipulated therein, respectively.

It shall be the duty of the city controller of said city 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 number one (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 number and dates to be properly filled in before the issuance thereof.

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

UNITED STATES OF AMERICA

CITY OF INDIANAPOLIS

TOTAL ISSUE, \$875,000.00

MARION COUNTY, STATE OF INDIANA

CITY HOSPITAL BONDS

1929

ISSUE NUMBER 2

For value received, the City of Indianapolis, in the county of Marion, in the state of Indiana, hereby promises to pay to the bearer, without any relief from valuation or appraisement laws, on the----- day of-----, 19-----, at the office of the city treasurer of said City of Indianapolis, in the City of Indianapolis, one thousand (\$1,000.00) dollars, in lawful money of the United States of America, together with interest thereon at the rate of four and one-half (4½%) per cent per annum from date until paid. The first interest payable on the first day of July, 1931, and the interest thereafter payable semi-annually on the first day of January and July, respectively, upon 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 a series of eight hundred seventy-five (875) bonds of one thousand (\$1,000.00) dollars each, numbered from one (1) to eight hundred seventy-five (875) both inclusive, of date December 1, 1929, issued by said City of Indianapolis, pursuant to an ordinance passed by the Common Council of the said City of Indianapolis, Indiana, on the _____ day of _____, 1929, and an Act of the General Assembly of the state of Indiana, entitled: "An Act Concerning Municipal Corporation," approved March 6, 1905, and 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 every requirements of the law affecting the issuance thereof has 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 that 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, Indiana, has caused this bond to be signed by the Mayor and the City Controller of said city and attested by the City Clerk and the corporate seal of said city to be hereunto affixed, as of the 1st day of December, 1929.

Mayor.

(SEAL)

City Controller.

Attest:

City Clerk.

Section 2. The city controller shall, as soon as practicable after the passage of this ordinance, and after the publication of the notice of the herein determination to issue such bonds as provided in section eight (8) hereof, advertise for bids or proposals for said bonds by at least one (1) insertion each week for two (2) weeks in two (2) daily newspapers of general circulation, printed and published in the City of Indianapolis, Indiana, and may otherwise advertise for such bids or proposals as he may deem advisable. 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 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 which 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 or cashier's check upon some responsible bank or trust company of the City of Indianapolis, Indiana, payable to the order of the city treasurer of said city for a sum of money which will 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 proposal therefor at the office of the city controller in said city until twelve (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 of twelve (12) o'clock noon and two (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 or any number thereof, to the highest and best bidder therefor but said city controller shall have the right to reject any and all bids or proposals or any part or parts thereof and shall have the right to accept a part of any bid and to award upon any bid the whole or less number of bonds covered by such bids, 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 bidder. These provisions shall apply to the case of reoffering and readvertising of said bonds as hereinafter provided for.

Section 4. In case the city controller shall reject all bids submitted or if he shall award only a part of said bonds, he shall readvertise the bonds remaining unsold in the matter 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 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 as awarded. If, for any reason, said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of the contract for the purchase of said bonds on 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 damage 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 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 or cashier's 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 and the purchaser 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. The successful bidder shall take the bonds awarded to him and pay for the same at such place and time and his refusal or neglect or omission so to do shall be 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 Health and Charities to be used by it for the purposes mentioned in section one (1) of this ordinance.

Section 8. The mayor, city controller and the corporation counsel are hereby authorized and directed to publish notice of the herein de-
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 Public Health.

By Board of Public Safety:

GENERAL ORDINANCE 79, 1929

AN ORDINANCE amending General Ordinance No. 73, 1929, Section 2 thereof, being an ordinance concerning the government of the City of Indianapolis, and fixing a time when the same shall take effect.

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

Section 1. That section 2 of General Ordinance No. 73, 1929, be termination to issue bonds as required by law.
amended to read as follows:

"Section 2. That General Ordinance No. 121, 1925, being an or-

dinance concerning the government of the City of Indianapolis, providing penalties for its violations and, with stated exceptions, repealing all former ordinances as amended by General Ordinance No. 25, 1929, be amended as follows:

"Section b-714. A bulk oil storage station is herein defined as a place where crude petroleum, gasoline, naphtha, benzine, benzol, kerosene, rock oil and earth oil or any other liquid except such as will stand a test of 150 degrees Fahrenheit, closed cup tester, are stored in quantities, for wholesale purposes only, where the aggregate capacity of all storage tanks is more than eight thousand eight hundred (8,800) gallons.

"A filling station is defined herein as a place where gasoline, kerosene or any other fuel for operating motor vehicles, is offered for sale to the public and deliveries are made through measuring pumps or meters into the tanks of motor vehicles.

"Section b-715. No filling station as defined herein shall be established, erected or installed within a radius of one hundred (100) feet of any bulk storage station as defined herein, nor shall any bulk oil storage station be constructed, erected or installed within one hundred (100) feet of any filling station as defined herein, nor shall any filling station as defined herein be constructed, erected or installed within one hundred (100) feet of any place or location where a railway company or any person, firm or corporation has established or proposes to establish an unloading place for unloading the contents of any tank car containing crude petroleum, gasoline, naphtha, benzine, camphine, carbon oil, spirit gas, burning fluids, alcohol, spirits of turpentine, kerosene, rock oil or earth oil; provided, however, that nothing contained herein shall prevent the connection of bulk storage tanks and filling station tanks installed within the radii defined above, and provided further that the lines making such connection between the filling station tanks and bulk storage tanks are valved with globe valves, safety valves and bypass, and that such lines are provided with a safety valve and globe valve, and provided further that such valves and bypass connections are in conformance with the rules and regulations of the state fire marshal and the building commission of the City of Indianapolis."

Section 2. This ordinance shall take effect from and after its passage, approval by the mayor and publication according to law.

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

By Board of Works:

GENERAL ORDINANCE 80, 1929

SWITCH CONTRACT

AN ORDINANCE aproving a certain contract granting F. Hilgemeier & Brother, Inc., the right to lay and maintain a sidetrack or switch across Regent street, alley north of Raymond street and Raymond

street, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: on the 23d day of September, 1929, F. Hilgemeier and Brother, a corporation, filed its petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION.

To Board of Public Works, City of Indianapolis:

Gentlemen:

We respectfully petition your honorable body for permission to lay a sidetrack or switch across Regent street, alley north of Raymond street and Raymond street, crossing Raymond street 292' west of the west point line of Brooker street. The proposed crossing of Raymond street will be at right angles and at the grade of the present pavement. Said sidetrack or switch is proposed for the purpose of serving our new and modern packing plant.

NOW, THEREFORE, This agreement made and entered into this 23d day of September, 1929, by and between F. Hilgemeier and Brother, a corporation, of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a right-of-way for a sidetrack or switch from the main line of the Illinois Central Railroad across Regent street, alley north of Raymond street and Raymond street, in the City of Indianapolis, which is more specifically described as follows: Starting point of the switch to the north point line of Regent street is 175', crossing the north point line of Regent street 125' west of the west point line of Brooker street. Crossing the south point line of Regent street 161' west of the west point line of Brooker street. Crossing the alley north of Raymond street on the north point line 248' west of the west point line of Brooker street. Crossing the alley north of Raymond street on the south point line 251' west of the west point line of Brooker street. Crossing the north point line of Raymond street 292' west of the west point line of Brooker street. Crossing said Raymond street at right angles, hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, he will lay, construct and maintain said track upon the terms and conditions hereinafter set forth, to-wit:

(1) They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicle or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said track and switch shall be laid upon such grade as shall be established by said board, and shall be put down under its supervision and to its satisfaction and approval. Said track shall be raised or lowered to conform to any grade which may, from time to time, be

hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said board, for the elevation or depression of said tracks, pursuant to any plans for elevation of railway tracks now or hereafter adopted.

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

(4) Said party of the first part agrees, upon the written order of said board, made for any good cause affecting the interest of the city or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said board shall in no wise become a trespasser.

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

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

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

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain an additional sidetrack or switch across Regent street, alley north of Raymond street and Raymond street in the City of Indianapolis, all

as shown by the drawing attached hereto, filed herewith and for greater certainty marked "exhibit A."

IN WITNESS WHEREOF, We have hereunto set our hands this 3d day of September, 1929.

F. HILGEMEIER & BRO., INC.,
By Geo. Hilgemeier, President,
Party of the First Part.

CITY OF INDIANAPOLIS,
By Theo Dammeyer, President,
Emsley W. Johnson,
John C. McCloskey,

BOARD OF PUBLIC WORKS,
Party of the Second Part.

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,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, 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 Board of Works:

GENERAL ORDINANCE 81, 1929

SWITCH CONTRACT

AN ORDINANCE approving a certain contract granting the Cleveland, Cincinnati, Chicago and St. Louis Railway Co. the right to lay and maintain a sidetrack or switch across South Belmont avenue according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: on the 7th day of June, 1929, the Cleveland, Cincinnati, Chicago and St. Louis Railway Co. filed their petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION

To Board of Public Works, City of Indianapolis:

Gentlemen:

We, C. C. C. & St. L. Ry. Co., are proposing to make some changes in the tracks serving the J. D. Adams Manufacturing Company at Bel-

mont avenue in order to provide adequate switching facilities for the plant extensions to be carried out by the Adams Co., and also to take care of the track elevation program at this vicinity to be completed in the near future. These track changes call for the extension of an existing side track serving Adams Co., in a westerly direction across Belmont avenue at the grade of the street, the new crossing to be about 242 feet south of the center line of our eastward main track across Belmont avenue. We, therefore, respectfully apply for permission to lay and construct the track across Belmont avenue.

NOW, THEREFORE, This agreement made and entered into this 7th day of June, 1929, by and between the Cleveland, Cincinnati, Chicago & St. Louis Railway, a corporation, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a right-of-way for a sidetrack or switch across South Belmont avenue, in the City of Indianapolis, which is more specifically described as follows:

Commencing at the northwest corner of section 10, T 15 NRSE, measure south along the west line of said section 10, 985 feet to a point; thence deflecting 85 degrees 37 minutes to the right, measure westwardly 30 feet to point "A" as the place where proposed track crosses the west line of Belmont avenue; thence retracing the last described course, measure eastwardly across Belmont avenue 50 feet to point "B," the place where said track crosses the east line of said street, hereby covenants and fully binds itself, its successor, legal representatives and assign, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said track upon the terms and conditions hereinafter set forth, to-wit:

(1) They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said track and switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said track shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said tracks, pursuant to any plans for elevation of railway tracks now or hereafter adopted.

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

(4) Said party of the first part agrees, upon the written order of said Board, made for any good cause affecting the interest of the

City or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said Board shall in no wise become a trespasser.

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

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

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

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

IN WITNESS WHEREOF, We have hereunto set our hands this seventh (7th) day of June, 1929.

THE CLEVELAND, CINCINNATI, CHICAGO,
AND ST. LOUIS RAILWAY COMPANY,
By C. Millard, General Manager.

Party of the First Part.

CITY OF INDIANAPOLIS,

By Theo Dammeyer, President,

Emsley W. Johnson,

John C. McCloskey,

BOARD OF PUBLIC WORKS,

Party of the Second Part.

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,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, 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 Safety.

By Board of Safety:

GENERAL ORDINANCE 82, 1929

AN ORDINANCE amending Paragraph 2 of section 645 of General Ordinance No. 121, 1925, being an ordinance concerning the government of the City of Indianapolis, 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 Paragraph 2 of Section 645 of General Ordinance No. 121, 1925, being an ordinance concerning the government of the City of Indianapolis, be amended to read as follows: "Paragraph 2. Said company shall establish and maintain flashlight signals at the intersection of the above-mentioned tracks with each of the following streets, to-wit: Ohio, New York, Vermont streets, and said company shall establish and maintain automatic signal bells at the intersection of the above mentioned tracks with each of the following streets, to-wit: Chesapeake, Court, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Sixteenth place, Twenty-fourth and Burdsal parkway in the City of Indianapolis. The installation and location of such flashlight signals and automatic signal bells at the above designated intersections shall be installed subject to the approval of both the Board of Public

Works and the Board of Public Safety of the City of Indianapolis and shall be operated twenty-four hours per day every day in the year.

Section 2. This ordinance shall take effect from and after its passage, approval by the mayor and publication according to law.

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

By the Mayor :

GENERAL ORDINANCE 83, 1929

AN ORDINANCE accepting certain gifts to the City of Indianapolis, establishing a fund known as "Police Department Radio Signal Bureau Fund" and authorizing expenditures therefrom, establishing the "Police Radio Signal Bureau" of the City of Indianapolis and adopting regulations concerning the same, and fixing a time when the same shall take effect.

WHEREAS, the Citizens' Police Radio Commission, a voluntarily organized commission of the City of Indianapolis, has received subscriptions from various individuals, firms and organizations for the purpose of establishing, purchasing, constructive, installing, operating and maintaining a radio signal bureau and communications system for the Indianapolis Police Department, and has received gifts and donations of various scientific instruments in connection therewith; and

WHEREAS, the said Citizens' Police Radio Commission is desirous of turning the money received and gifts received for said purposes over to the City of Indianapolis; and

WHEREAS, the mayor of the City of Indianapolis, the Hon. L. Ert Slack, is in sympathy with the purposes of the organization of the Citizens' Police Radio Commission and is desirous that the plans and program of the Citizens' Police Radio Commission be approved by the Common Council of the City of Indianapolis; NOW, THEREFORE,

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

Section 1. That there be and there is hereby authorized to be operated a "Police Radio Signal Bureau" of the City of Indianapolis, Indiana, and that said bureau be and is hereby made a part of the police department of said city, subject to the control and regulation, in all matters pertaining to the organization and management, to the Board of Public Safety of the City of Indianapolis; that said Board of Public Safety is hereby authorized to purchase, establish, construct, install, operate and maintain, as a separate bureau of the Board of Public Safety of said city, a radio signal and communications system for the Indianapolis Police Department and to equip the said police

department with a radio system. Said Board of Public Safety is further authorized herein to appoint a director of the "Police Radio Signal Bureau" and a supervisor of the "Police Radio Signal System."

Section 2. That there be and there is hereby established a fund in the controller's office of the City of Indianapolis, to be known as the "Police Department Radio Signal Bureau Fund"; that the money accepted herein be and is hereby appropriated to and deposited in said fund for the purposes indicated herein and none other, and said fund shall be administered and expended as are other public funds, and that a record of all receipts and disbursements of said fund shall be kept as a public record in the offices of the Board of Public Safety and the city controller, and said record shall be open at all times to the inspection of every subscriber and the general public.

Section 3. That the sum of ----- dollars (-----), heretofore received by the Citizens' Police Radio Commission and by it tendered to the City of Indianapolis, is hereby accepted by the Common Council of the City of Indianapolis for and in behalf of the said city for the purpose of establishing, purchasing, constructing, installing, operating and maintaining a radio signal bureau and communications system for the Indianapolis Police Department, and said sum of ----- dollars (\$-----) is hereby appropriated to the "Police Department Radio Signal Bureau Fund" established herein for the purposes set out in the acceptance thereof and to be expended and accounted for as are other public funds in the City of Indianapolis.

Section 4. That donations of the following personal property be and are hereby accepted on behalf of the City of Indianapolis, without qualifications and for the purposes hereinbefore set out:

(a) 50 loud speaker tone arms and units, donated by the Radio Cabinet Company of Indianapolis, through Harry E. Daugherty, president.

(b) 15 radio "A" storage batteries of 130 ampere hours each, donated by the Presto-Lite Storage Battery Corporation of Indianapolis.

(c) The use, without expense or charge to the city for wear and tear or rental, of a power speech amplifier for the microphone circuit at police headquarters, said use being donated by Lieutenant Kenneth R. Cox, technical advisor of the Citizens' Police Radio Commission of Indianapolis; and also the use of the WFBM transmitter; also the use of Bacon's radio construction shop, said WFBM transmitter and Bacon's radio construction shop to be used by said City of Indianapolis at no charge for wear and tear or rental therefor.

Section 5. The Board of Public Safety of the City of Indianapolis is hereby authorized to make rules and regulations in connection with the operation and maintenance of said radio signal bureau similar in nature and kind to the rules and regulations heretofore adopted by said Board of Public Safety in the operation and maintenance of the police department.

Section 6. 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 Public Safety.

INTRODUCTION OF SPECIAL ORDINANCES

By City Engineer :

SPECIAL ORDINANCE 14, 1929

AN ORDINANCE changing the name of Bellefontaine street, 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 Bellefontaine street, from 30th street to Fall creek, be and the same is hereby changed to Guilford avenue.

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 Welfare.

By City Engineer :

SPECIAL ORDINANCE 15, 1929

AN ORDINANCE changing the name of Winthrop avenue, Cornell avenue and Jefferson street, 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 Winthrop avenue, from 59th to 61st streets; Cornell avenue, from 61 street to Riviera drive; and Jefferson street, from Riviera drive to White river, be and the same are hereby changed to Forest lane.

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 Welfare.

By City Engineer :

SPECIAL ORDINANCE 16, 1929

AN ORDINANCE annexing certain territory to the City of Indianapolis, and defining 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 boundary lines of the City of Indianapolis be and the same are hereby extended so as to include the following contiguous territory, being all of Shearer's Pleasant Run addition now without the corporate limits of the City of Indianapolis, being a part of the west half of the northwest quarter of section 2, township 15 north, range 4 east, all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, Marion county, state of Indiana:

Section 2. Beginning at the present corporation line of the City of Indianapolis in the center line of East Tenth street, said beginning point being 170.04 feet east of the east line of Arlington avenue; thence south along the corporation line of the City of Indianapolis to the south line of St. Clair street; thence east along the south line of St. Clair street following the corporation line of the City of Indianapolis to the east line of Anderson avenue; thence north along the east line of Anderson avenue to the center line of East Tenth street; thence west along the center line of East Tenth street to the place of beginning.

Section 3. 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 Welfare.

ORDINANCES ON SECOND READING

Mr. Lieber called for General Ordinance 68, 1929, for second reading. It was read a second time.

On motion of Mr. Lieber, seconded by Mr. Springsteen, General Ordinance 68, 1929, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 68, 1929, was read a third time by the Clerk, and passed by the following roll-call vote:

Ayes, 8, viz: Mr. Buchanan, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White, and Pres. Raub.

Mr. Lieber called for Appropriation Ordinance 14, 1929, for second reading. It was read a second time.

Mr. Lieber presented the following written motion to amend Appropriation Ordinance 14, 1929:

Indianapolis, Ind., October 7, 1929.

Mr. President:

I move that Appropriation Ordinance No. 14, 1929, be amended by inserting after the word "mechanically" in the title and after the word "mechanically" in section 1, the following: "and of the type approved and recommended by the American Engineering Council."

HERMAN P. LIEBER.

Councilman.

The motion to amend was seconded by Mr. White, and passed by the following roll-call vote:

Ayes, 8, viz: Mr. Buchanan, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White, and Pres. Raub.

On motion of Mr. Lieber, seconded by Mr. Rathert, Appropriation Ordinance 14, 1929, as amended, was ordered engrossed, read a third time, and place upon its passage.

Appropriation Ordinance 14, 1929, was read a third time by the Clerk, as amended, and passed by the following roll-call vote:

Ayes, 8, viz: Mr. Buchanan, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White, and Pres. Raub.

Mr. White called for General Ordinance 76, 1929, for second reading. It was read a second time.

On motion of Mr. White, seconded by Mr. Rathert, General Ordinance 76, 1929, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 76, 1929, was read a third time by the Clerk, and passed by the following roll-call vote:

Ayes, 8, viz: Mr. Buchanan, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White, and Pres. Raub.

Mr. Springsteen called for General Ordinance 75, 1929, for second reading. It was read a second time.

On motion of Mr. Springsteen, seconded by Mr. Rathert, General Ordinance 75, 1929, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 75, 1929, was read a third time by the Clerk, and passed by the following roll-call vote:

Ayes, 8, viz: Mr. Buchanan, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White, and Pres. Raub.

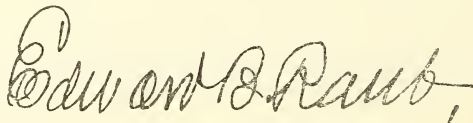
Mr. White made a motion that a Special committee be appointed to consider Special Ordinance 10, 1929. The motion was seconded by Mr. Rathert, and adopted by unanimous vote. The following Special committee was appointed: Mr. Lieber, chairman; Mr. Springsteen, Mr. White.

Mr. Lieber asked that further consideration of General Ordinance 74, 1929, be deferred until the next regular meeting of the Council.

On motion of Mr. Lieber, seconded by Mr. Meurer, the Council adjourned at 8:30 P. M.

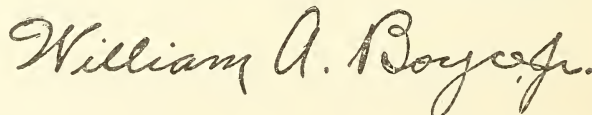
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council held Monday, October 7, 1929, at 7:30 P. M.

In witness whereof we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.



Attest:

President.



(SEAL)

City Clerk.