

REGULAR MEETING

Monday, July 3, 1950

Whereas certain Councilmen indicated they would not be present for the meeting of Monday, July 3, 1950; and whereas there would not be sufficient councilmen present to constitute a quorum, President Emhardt issued a call for a special meeting to be held Wednesday, July 5, 1950, at 6:30 P.M., CST, the purpose of said Special Meeting, as indicated on the notice to Councilmen, being to transact any and all business coming before the Council.

SPECIAL MEETING

Wednesday, July 5, 1950  
6:30 P.M., CST

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Wednesday, July 5, 1950, at 6:30 P.M., CST, with President Emhardt in the chair, pursuant to the following call:

TO THE MEMBERS OF THE COMMON COUNCIL,  
INDIANAPOLIS, INDIANA.

GENTLEMEN:

June 29, 1950

You are hereby notified that there will be a SPECIAL MEETING of the COMMON COUNCIL held in the Council Chamber on Wednesday, July 5, 1950, at 6:30 P.M., CST, the purpose of such SPECIAL MEETING being to receive communications from the Mayor and other city officials; receive committee reports on ordinances and other mat-

ters pending before the Council; receive ordinances and resolutions for introduction; to consider on second and/or third reading and/or for passage the following ordinances now pending before the Council:

Appropriation Ordinances Nos. 11, 12, 1950.

General Ordinances Nos. 26, 33, 37, 42, 43, 44, 45, 46, 47, 1950.

Resolution No. 4, 1949

to receive committee reports and to consider on second and/or third reading and/or for passage under suspension of the rules any ordinance which has been introduced and is properly before the Council.

Respectfully,

CHRISTIAN J. EMHARDT,

President, Common Council.

I, Richard G. Stewart, Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of such SPECIAL MEETING, pursuant to the rules.

In Witness Whereof, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

RICHARD G. STEWART,

[SEAL)]

City Clerk.

Which was read.

President Emhardt called the meeting to order.

The Clerk called the roll.

Present: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Ross, seconded by Mr. Wallace.

### COMMUNICATIONS FROM THE MAYOR

June 20, 1950

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE  
COMMON COUNCIL OF THE CITY OF INDIANAPOLIS

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mr. Richard G. Stewart, the following ordinances:

#### APPROPRIATION ORDINANCE NO. 9, 1950

An ordinance appropriating the total sum of Six Thousand (\$6,000.00) Dollars, from the unexpended and unappropriated balance of the Gasoline Tax Fund, now in the hands of the City Controller, to certain funds of the Department of Public Safety, and fixing a time when the same shall take effect.

#### APPROPRIATION ORDINANCE NO. 10, 1950, AS AMENDED

An ordinance to increase certain salaries for certain positions and for the payment thereof, and appropriating, transferring, re-appropriating and re-allocating, as of July 1, 1950, certain sums (Gas Tax Monies) to certain designated items and funds in the Department of Public Safety, Traffic Engineer, under the 1950 Budget (G.O. No. 54, 1949, as amended), and fixing a time when the same shall take effect.

#### GENERAL ORDINANCE NO. 34, 1950

An ordinance authorizing the Board of Public Safety through its duly authorized Purchasing Agent to purchase certain equip-

ment to be paid for out of funds heretofore appropriated and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 35, 1950

An ordinance establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 36, 1950

An ordinance prohibiting and regulating parking on a certain part of a certain street in the City of Indianapolis, providing a penalty for the violation thereof; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 38, 1950

An ordinance authorizing the City Controller of the City of Indianapolis to make a temporary loan in the sum of One Million One Hundred Thousand (\$1,100,000.00) Dollars for the use of the General Fund of the City of Indianapolis, in anticipation of current taxes of the City of Indianapolis actually levied and in the course of collection in the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing for legal notice and the time when said loan shall mature; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 39, 1950

An ordinance authorizing the City of Indianapolis, to make a temporary loan in the amount of One Hundred Twenty-Five Thousand (\$125,000.00) Dollars, for the use of the Board of Trustees of the Indianapolis Police Pension Fund of the City of Indianapolis, in anticipation of and payable out of the current taxes for the Indianapolis Police Pension Fund actually levied for said fund, and in the course of collection for the fiscal year in which said loan is made payable; and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 40, 1950

An ordinance authorizing the City of Indianapolis, to make a temporary loan in the sum of One Hundred Thousand (\$100,000.00) Dollars for the use of the Board of Trustees of the Firemen's Pension Fund of said City, in anticipation of and payable out of the current taxes for the Firemen's Pension Fund actually levied for said fund and in the course of collection for the fiscal year in which said loan is made payable; and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 41, 1950

An ordinance approving, ratifying and confirming the Contract entered into on the 1st day of June, 1950, by and between the Indianapolis Power & Light Company, a corporation organized and existing under the laws of the State of Indiana, and the City of Indianapolis, Indiana, acting by and through its Board of Park Commissioners, with the approval of its Mayor, for lighting all boulevards, parkways, parks, bridges, buildings and all other public properties and for the furnishing and supplying of all electric current for light and power for all public buildings, public equipment and other public places, all under the jurisdiction and control of the Board of Park Commissioners; and fixing a time when the same shall take effect.

## SPECIAL ORDINANCE NO. 4, 1950

An ordinance annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

## RESOLUTION NO. 9, 1950

A resolution authorizing and directing the acceptance by the City of Indianapolis, Indiana, through its authorized official, of a certain Agreement for Public Works Plan Preparation, pursuant to Public Law 352, 81st Congress, approved October 13, 1949, AND FIXING a time when the same shall take effect.

## RESOLUTION NO. 10, 1950

A resolution authorizing and directing the acceptance by the City of Indianapolis, Indiana, through its authorized official, of

a certain Agreement for Public Works Plan Preparation, pursuant to Public Law 352, 81st Congress, approved October 13, 1949, and fixing a time when the same shall take effect.

RESOLUTION NO. 11, 1950

A resolution authorizing and directing the acceptance by the City of Indianapolis, Indiana, through its authorized official, of a certain Agreement for Public Works Plan Preparation, pursuant to Public Law 352, 81st Congress, Approved October 13, 1949, and fixing a time when the same shall take effect.

RESOLUTION NO. 12, 1950

A resolution pertaining to the donation of property by the City of Indianapolis as a grant-in-aid to Project A of the Indianapolis Redevelopment Commission, and fixing a time when the same shall take effect.

Respectfully yours,

AL FEENEY, Mayor

COMMUNICATIONS FROM CITY OFFICIALS

July 1, 1950

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

Gentlemen:

In Re: Appropriation Ordinances Nos. 11, 12, 1950

I beg leave to report that pursuant to the laws of the State of Indiana, I caused "Notice to Taxpayers" to be inserted in the following newspapers, to-wit:

A. O. Nos. 11, 12, 1950—Friday, June 23 and 30, 1950—  
The Indianapolis Commercial and The Marion County  
Messenger

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City of Indianapolis, Ind.

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that taxpayers would have the right to be heard on the above ordinances at the meeting of the Common Council to be held at 6:30 P.M. CST, July 5, 1950, and by posting copies of said notice in the City Hall, Court House and Police Station in the City of Indianapolis, which notices remained posted for ten days or more prior to date of hearing.

Sincerely yours,

RICHARD G. STEWART

City Clerk

July 1, 1950

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

Gentlemen:

In Re: General Ordinance No. 36, 1950  
Special Ordinance No. 4, 1950

I hereby report that pursuant to the laws of the State of Indiana, I caused publication to be inserted in the following newspapers, to-wit:

G. O. No. 36, 1950, and S. O. No. 4, 1950—Friday, June  
23 and 30, 1950—The Indianapolis Commercial and The  
Marion County Messenger

and that said ordinances are in full force and effect as of the last date of publication and compliance with laws pertaining thereto.

Sincerely Yours,

RICHARD G. STEWART

City Clerk

June 20, 1950

Mr. Noble P. Hollister,  
Executive Secretary,  
City Plan Commission,  
Indianapolis, Indiana.

Dear Mr. Hollister:

Pursuant to Chapter 216 of the Acts of the General Assembly 1949, there was filed with the Council on June 19, 1950, a petition for the annexation of certain contiguous territory to the City of Indianapolis.

Attached is a copy of said petition covering the territory described, and copies of plats and surveys for the use of your commission and other city departments.

Pursuant to agreement between city departments and the Council, it is requested that your department coordinate the discussion and submission of recommendations on this proposed annexation as a guide to Council action.

Sincerely yours,

RICHARD G. STEWART

City Clerk and Clerk of  
Common Council

June 12, 1950

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

Gentlemen:

I submit herewith General Ordinance No. 48, 1950, expressly repealing General Ordinance No. 142, 1947, which had adopted the proposed Municipal Code of 1947, but which never became effective, due to abandoning that Code, because of its defects.



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The new Code of 1951 is in preparation, and we hope to have it ready for adoption and printing before the end of this year, to become effective about January 1, 1951. So it is best to clear the record of the 1947 proposal.

Yours very truly,

DEPARTMENT OF LAW

EDWARD H. KNIGHT,

Corporation Counsel

July 3, 1950

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

Gentlemen:

We submit herewith General Ordinance No. 49, 1950.

This Ordinance makes Elm Street preferential from the ECL of Pine Street to the WCL of Shelby Street.

We respectfully request its passage.

Yours very truly,

BOARD OF PUBLIC SAFETY

By L. J. Keach, President

July 3, 1950

Honorable President and  
Members of the Common Council  
Indianapolis, Indiana

Gentlemen:

We submit herewith General Ordinance No. 50, 1950.

This Ordinance prohibits parking on the east side of South East

Street from the SCL of East Washington Street to the NCL of the Railroad Elevation between the hours of 4 p. m. and 6 p. m.

We respectfully request its passage.

Yours very truly,

BOARD OF PUBLIC SAFETY

By L. J. Keach, President

July 5, 1950

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

Gentlemen:

Submitted herewith are 21 copies of General Ordinance No. 51, 1950, making Bellefontaine Street preferential at its intersection with East 11th Street.

I recommend passage of this ordinance.

Sincerely yours,

JOSEPH C. WALLACE,

Councilman

July 3, 1950

CITY PLAN COMMISSION

INTER-DEPARTMENT COMMUNICATION

To the President and Members  
of the Common Council,

From Executive Secretary, City Plan Commission.

Subject: S. O. No. 5, 1950, an Amendment to S. O. 4, 1950.

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Attached are copies of an ordinance amending Special Ordinance No. 4, 1950, in order to correct an error in boundary description.

Respectfully submitted,

NOBLE P. HOLLISTER,

Executive Secretary.

July 5, 1950

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

Gentlemen:

Submitted herewith is Special Ordinance No. 6, 1950, covering the territory desired to be annexed to the City of Indianapolis by virtue of petition filed in this office on June 19, 1950, pursuant to Section 1, Chapter 216 of the Acts of the Indiana General Assembly of the year 1949.

Sincerely yours,

RICHARD G. STEWART

City Clerk

At this time those present were given an opportunity to be heard on Appropriation Ordinances Nos. 11, 12, General Ordinances Nos. 42, 43, 44, 45, 46, 47, 1950.

Mr. Ross asked for recess. The motion was seconded by Mr. Ehlers, and the Council recessed at 6:50 P.M., CST.

The Council reconvened at 7:30 P.M., CST, with the same members present as before.

## COMMITTEE REPORTS

Indianapolis, Ind., July 5, 1950

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. 11, 1950, entitled

AN ORDINANCE appropriating, transferring, reappropriating and reallocating \$150.00 (Tax Levy) from Fund 24 in the City Plan Commission to Fund 36 in the same department

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

JOSEPH A. WICKER, Chairman  
JOSEPH C. WALLACE  
GUY O. ROSS  
J. PORTER SEIDENSTICKER  
GEORGE S. LUPEAR

Indianapolis, Ind., July 5, 1950

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. 12, 1950, entitled

AN ORDINANCE appropriating the sum of \$10,000.00 from the unexpended and unappropriated balance of the

Gasoline Tax Fund to Fund 72 of the Board of Public Works, Street Commissioners Department

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

JOSEPH A. WICKER, Chairman  
JOSEPH C. WALLACE  
GUY O. ROSS  
J. PORTER SEIDENSTICKER  
GEORGE S. LUPEAR

Indianapolis, Ind., July 5, 1950

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. 42, 1950, entitled

AN ORDINANCE authorizing the Board of Public Safety  
to purchase 20 Police cars for the Police Department

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

JOSEPH A. WICKER, Chairman  
JOSEPH C. WALLACE  
GUY O. ROSS  
J. PORTER SEIDENSTICKER  
GEORGE S. LUPEAR

Indianapolis, Ind., July 5, 1950

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

Gentlemen:

We, your Committee on Public Works, to whom was referred General Ordinance No. 44, 1950, entitled

AN ORDINANCE authorizing the Board of Public Works  
to purchase 1 motorized pick-up street sweeper for Street  
Commissioners Department

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

JOSEPH C. WALLACE, Chairman  
GUY O. ROSS  
GEORGE S. LUPEAR  
JOS. E. BRIGHT  
DONALD B. JAMESON

Indianapolis, Ind., July 5, 1950

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred Gen-  
eral Ordinance No. 43, 1950, entitled

AN ORDINANCE authorizing the Board of Public Safety  
to purchase 16 conductor lead covered cable, 30 wire and  
20 wire for the Gamewell Division

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

GUY O. ROSS, Chairman  
JOSEPH A. WICKER  
JOSEPH C. WALLACE  
CHAS. P. EHLERS  
JOS. E. BRIGHT

Indianapolis, Ind., July 5, 1950

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred Gen-  
eral Ordinance No. 45, 1950, entitled

AN ORDINANCE establishing a loading zone in the City  
(442-444 Massachusetts Ave., F. W. Banister and Ban-  
ister Distributing Co.)

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

GUY O. ROSS, Chairman  
JOSEPH A. WICKER  
JOSEPH C. WALLACE  
CHARLES P. EHLERS  
JOS. E. BRIGHT

Indianapolis, Ind., July 5, 1950

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred Gen-  
eral Ordinance No. 47, 1950, entitled

AN ORDINANCE to amend Section 44 of General Ordi-  
nance No. 96, 1928, as amended, establishing 31st Street  
preferential from Northwestern Ave. to Clifton Street

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

GUY O. ROSS, Chairman  
JOSEPH A. WICKER  
JOSEPH C. WALLACE  
CHAS. P. EHLERS  
JOSEPH E. BRIGHT

Indianapolis, Ind., July 5, 1950

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

Gentlemen:

We, your Committee on Public Health, to whom was referred Gen-  
eral Ordinance No. 26, 1950, entitled

AN ORDINANCE prohibiting the sale of contraceptive devices in the nature of prophylactic rubber goods by means of vending machines; regulating the sale through professional channels

beg leave to report that we have had said ordinance under consideration, and recommended that the same be stricken from the files.

J. PORTER SEIDENSTICKER, Chairman  
GEORGE S. LUPEAR

Indianapolis, Ind., July 5, 1950

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

Gentlemen:

We, your Committee on Public Health, to whom was referred General Ordinance No. 26, 1950, entitled

AN ORDINANCE prohibiting the sale of contraceptive devices in the nature of prophylactic rubber goods by means of vending machines; regulating the sale through professional channels

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed, as amended.

JOSEPH A. WICKER, Chairman  
CHARLES P. EHLERS  
DONALD B. JAMESON

Indianapolis, Ind., July 5, 1950

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

Gentlemen:

We, your Committee on City Welfare, to whom was referred General Ordinance No. 46, 1950, entitled



AN ORDINANCE establishing a loading zone at 123 S. Capitol Ave. (Kenra, Inc.) and 433 N. Illinois Street (Used Car and Finance Co.)

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

DONALD B. JAMESON, Chairman  
CHARLES P. EHLERS  
GEORGE S. LUPEAR  
J. PORTER SEIDENSTICKER  
GUY O. ROSS

Indianapolis, Ind., July 5, 1950

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

Gentlemen:

We, your Committee on Elections, to whom was referred General Ordinance No. 37, 1950, entitled

AN ORDINANCE prohibiting parking at any time on the north side of St. Clair Street from Highland Avenue extending east approximately 70 feet.

beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

JOSEPH E. BRIGHT, Chairman  
CHARLES P. EHLERS  
JOSEPH C. WALLACE  
J. PORTER SEIDENSTICKER  
JOS. A. WICKER

President Emhardt announced that there being a majority and a minority report submitted on General Ordinance No. 26, 1950, the question of accepting the majority report was now before the Council.

Mr. Jameson moved that the majority report be adopted, which was seconded by Mr. Ehlers.

The question of adopting the majority report was carried by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 2, viz: Mr. Lupear, Mr. Seidensticker.

President Emhardt announced that the majority report was adopted.

## INTRODUCTION OF GENERAL ORDINANCES

By the Corporation Counsel:

### GENERAL ORDINANCE NO. 48, 1950

AN ORDINANCE expressly repealing General Ordinance No. 142, 1947.

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

Section 1. That General Ordinance No. 142, 1947, relating to and authorizing a proposed "Municipal Code of Indianapolis, 1947," is hereby expressly repealed.

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

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 49, 1950

AN ORDINANCE to amend Section 44 of General Ordinance No. 96-1928, as amended, to establish certain parts of certain streets as preferential streets in the City of Indianapolis.

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

Section 1. That Section 44 of General Ordinance No. 96-1928, as amended, be and the same is hereby further amended by adding thereto the following sub-section:

Elm Street from the east curb line of Pine Street to the west curb line of Shelby Street.

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

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 50, 1950

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

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

Section 1. It shall be unlawful for the operator of any vehicle to park the same or suffer, permit or allow the same to be parked at any time between the hours of 4:00 P. M. and 6:00 P. M. upon a certain part of a certain street in the City of Indianapolis, described as follows, to-wit:

East side of South East Street from the south curb line of East Washington Street to the north curb line of the Railroad Elevation.

Section 2. Any person violating any provision of this ordinance shall upon conviction be fined in any sum not exceeding three hundred dollars (\$300.00) to which may be added imprisonment not exceeding one hundred eighty (180) days.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication according to law.

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

By Councilman Wallace:

GENERAL ORDINANCE No. 51, 1950

AN ORDINANCE to amend Section 44 of General Ordinance No. 96, 1928, as amended, to establish a certain part of a certain street as preferential in the City of Indianapolis.

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

Section 1. That Section 44 of General Ordinance No. 96, 1928, as amended, be and the same is hereby further amended by adding thereto the following sub-section:

Bellefontaine Street at its intersection with East 11th Street.

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

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

## INTRODUCTION OF SPECIAL ORDINANCES

By the City Plan Commission:

### SPECIAL ORDINANCE NO. 5, 1950

AN ORDINANCE amending Special Ordinance No. 4, 1950, annexing contiguous territory to 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 1 of Special Ordinance No. 4, 1950, be and the same is hereby amended to read as follows:

Section 1. That the City of Indianapolis, Indiana, be and the same is hereby extended so as to include the following described territory, which is hereby annexed to and made a part of the territory constituting the City of Indianapolis, Indiana, and described as follows, to-wit:

A part of the Southeast Quarter and part of the Southwest Quarter of Section 34, Township 16 North, Range 4 East, Marion County, Indiana, more particularly described as follows:

Beginning at a point on the present Corporation line of the City of Indianapolis, said point being 180 feet East of the center line of Ritter Avenue and 1334 feet North of the Center line of 10th Street; running thence North and parallel to the Center line of Ritter Avenue to the South Property Line of East 16th Street; thence West on and along the South Property line of East 16th Street and the said line extended across Ritter Avenue 1180.60 feet to a point; running thence South and parallel to the West line of the East Half of the said Southwest Quarter Section to a point 1309.00 feet North of the Center line of 10th Street; thence East and parallel to the Center line of 10th Street to the Center line of Ritter Avenue; thence North on and along the Center line of Ritter Avenue a distance of 25 feet to a point; thence East 180 feet to the point of beginning.

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

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

By the City Clerk:

SPECIAL ORDINANCE NO. 6, 1950

AN ORDINANCE annexing certain contiguous territory to 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 the City of Indianapolis, Indiana, be and the same is hereby extended so as to include the following described territory, which is hereby annexed to and made a part of the territory constituting the City of Indianapolis, Indiana, and described as follows, to-wit:

Beginning at a point in the present corporation line of the City of Indianapolis, said point being in the east property line of Ritter Avenue and one thousand seven hundred fifty-two and three-tenths (1752.3) feet north of the south line of the north half of Section 34, Township 16 North, Range 4 East, Marion County, Indiana; thence west on and along the present corporation line of the City of Indianapolis to the east line of the west half of the northwest quarter of said Section 34; thence north on and along said east line of the west half of the northwest quarter of said Section 34 and said east line extended to the north right-of-way line of East Twenty-first Street; thence east on and along said north right-of-way line and said right-of-way line extended across all intersecting streets or alleys to a point forty-five (45) feet west of the east line of the west half of Section 27, Township 16 North, Range 4 East, Marion County, Indiana; thence south and parallel to said east line of the west half of said Section 27 and said east line extended to a point forty-five

(45) feet south of the north line of the aforesaid Section 34; thence east to the east property line of Ritter Avenue; thence south on and along said east property line of Ritter Avenue to the place of beginning.

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

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

#### ORDINANCES ON SECOND READING

Mr. Wicker called for Appropriation Ordinance No. 11, 1950, for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Ehlers, Appropriation Ordinance No. 11, 1950, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 11, 1950 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for Appropriation Ordinance No. 12, 1950, for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, Appropriation Ordinance No. 12, 1950, was or-

dered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 12, 1950, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for General Ordinance No. 42, 1950, for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, General Ordinance No. 42, 1950, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 42, 1950, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wallace called for General Ordinance No. 44, 1950, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Ehlers, General Ordinance No. 44, 1950, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 44, 1950, was read a third time by the Clerk and passed by the following roll call vote:



Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Ross called for General Ordinance No. 43, 1950, for second reading. It was read a second time.

On motion of Mr. Ross, seconded by Mr. Ehlers, General Ordinance No. 43, 1950, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 43, 1950, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Ross called for General Ordinance No. 45, 1950, for second reading. It was read a second time.

On motion of Mr. Ross, seconded by Mr. Ehlers, General Ordinance No. 45, 1950, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 45, 1950, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 1, viz: Mr. Bright.

Mr. Ross called for General Ordinance No. 47, 1950, for second reading. It was read a second time.

On motion of Mr. Ross, seconded by Mr. Ehlers, General Ordinance No. 47, 1950, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 47, 1950, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Jameson called for General Ordinance No. 26, 1950, for second reading. It was read a second time.

Mr. Jameson presented the following motion to amend General Ordinance No. 26, 1950:

MR. PRESIDENT: I move that General Ordinance No. 26, 1950, be amended in the following particulars, to-wit:

I.

That the said Section 3 of said Ordinance be further amended in the following particular: By striking out the period at the end of the last sentence and substituting therefor a comma and inserting thereafter the following words: "Except that this section shall not apply where such sales are made pursuant to a bona fide prescription, or are supplied under the supervision of a licensed physician.

II.

That section 4 of said Ordinance be amended in the following particulars, to-wit: By striking out the period immediately following the last word of said section, substituting therefor a comma, and inserting the following immediately following said comma: "Except

that this section shall not apply to advertising in bona fide recognized pharmaceutical and medical journals or periodicals.

DONALD JAMESON,

Councilman.

The motion was seconded by Mr. Wicker and passed by the following roll call vote:

Ayes 8, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 1, viz: Mr. Lupear.

Mr. Seidensticker presented the following motion to amend General Ordinance No. 26, 1950:

Indianapolis, Ind., July 5, 1950.

Mr. President:

I move that General Ordinance No. 26, 1950, be amended to read as follows:

GENERAL ORDINANCE NO. 26, 1950, AS AMENDED

AN ORDINANCE prohibiting the sale of contraceptive devices in the nature of prophylactic rubber goods by means of vending machines; prohibiting the advertising or display of such goods; regulating the sale of said goods through professional channels and providing a penalty for violation.

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

Section 1. That it shall be unlawful for any person, firm, corporation, co-partnership or association to sell, offer for sale or give away through the medium of vending machines, contraceptive devices in the nature of prophylactic rubber goods or any other articles for the prevention of venereal disease, **except in places where alcoholic bev-**

erages are sold for consumption on the premises. This exception not to include railroad stations, air and bus terminals.

Section 2. It shall be unlawful for any person, firm, corporation, co-partnership or association, other than a duly registered pharmacist, licensed physician or under the supervision of a registered pharmacist or licensed physician, and to be sold in their respective places of business, to sell, offer for sale or give away in any manner, any sex inciting device or contrivance, contraceptive devices, prophylactic rubber goods or any other article for the prevention of venereal disease in the City of Indianapolis, except that the foregoing provision shall not apply to wholesale druggists or manufacturers who sell to retail drug stores or physicians only, **or vending machines as provided in Section 1.**

Section 3. That it shall be unlawful for any person, firm, corporation, co-partnership or association to sell any of said described articles to or permit the sale by any person under the age of 21 years.

Section 4. It shall be unlawful for any person, firm, corporation, co-partnership, or association to display or expose for sale any of the above described articles or any containers or packages containing or advertising the same. It shall be unlawful to advertise the sale of said articles on any placards, billboards, handbills, newspapers, periodicals, signs or any other printed matter, **except as provided in Section 1 hereof.**

Section 5. Any person, firm, corporation, co-partnership or association violating any of the provisions of this Ordinance shall be fined not to exceed Three Hundred Dollars (\$300.00).

Section 6. This Ordinance is hereby declared to be necessary for the preservation of the public peace, morals, health and safety.

Section 7. This Ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and publication as by law required.

J. PORTER SEIDENSTICKER

Councilman.

The motion was seconded by Mr. Bright and failed to pass by the following roll call vote:

Ayes 2, viz: Mr. Bright, Mr. Seidensticker.

Noes 7, viz: Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Wallace, Mr. Wicker, President Emhardt.

On motion of Mr. Jameson, seconded by Mr. Ehlers, General Ordinance No. 26, 1950, as Amended by Mr. Jameson, was ordered engrossed, read a third time and placed upon its passage.

Mr. Lupear made a motion that Mr. Jameson's motion be laid upon the table, to which there was no second.

General Ordinance No. 26, 1950, As Amended was read a third time by the Clerk and passed by the following roll call vote:

Ayes 6, viz: Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 3, viz: Mr. Bright, Mr. Lupear, Mr. Seidensticker.

Mr. Jameson called for General Ordinance No. 46, 1950, for second reading. It was read a second time.

On motion of Mr. Jameson, seconded by Mr. Ehlers, General Ordinance No. 46, 1950, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 46, 1950, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Bright called for General Ordinance No. 37, 1950, for second reading. It was read a second time.

Mr. Bright moved that General Ordinance No. 37, 1950, be stricken from the files. Which was seconded by Mr. Ehlers and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

#### UNFINISHED BUSINESS

Mr. Jameson made a motion, seconded by Mr. Bright, that Resolution No. 4, 1949, be ordered engrossed, read a third time and placed upon its passage.

Resolution No. 4, 1949, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 2, viz: Mr. Lupear, Mr. Seidensticker.

On motion of Mr. Ehlers, seconded by Mr. Ross, the Common Council adjourned at 8:15 P.M., CST.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the

July 5, 1950]

City of Indianapolis, Ind.

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Common Council of the City of Indianapolis, held on the 5th day of July, 1950, at 6:30 P.M., CST.

In Witness Whereof, we have hereunto subscribed our signature and caused the seal of the City of Indianapolis to be affixed.



ATTEST:

*President.*



(SEAL)

*City Clerk.*

