

REGULAR MEETING

February 6, 1933.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, February 6, 1933, at 7:30 p. m., in regular session. President Ernest C. Ropkey in the chair.

The Clerk called the roll.

Present: Ernest C. Ropkey, President, and seven members, viz: Fred C. Gardner, C. A. Hildebrand, James A. Houck, Chas. C. Morgan, Maurice E. Tennant, Leo F. Welch, Clarence I. Wheatley.

Absent: George A. Henry.

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

COMMUNICATIONS FROM THE MAYOR

January 19, 1933.

*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 Henry O. Goett, City Clerk, the following ordinances:

GENERAL ORDINANCE NO. 15, 1933

AN ORDINANCE authorizing the payment of second grade substitutes of the Fire Department from the money heretofore specifically appropriated for first grade substitutes and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 1, 1933

AN ORDINANCE appropriating the sum of Four Hundred Sixty-nine Dollars and Ninety Cents (\$469.90) from the estimated unappropriated and unexpended balance of the general fund

for the year 1932, to the Board of Public Safety, Police Department Fund No. 26, Other Contractual, and fixing a time when the same shall take effect.

Respectfully,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

February 6, 1933.

*Hon. President and Members
of the Common Council,
City of Indianapolis.*

Gentlemen:

We are submitting herewith an ordinance making Southeastern Avenue a preferential street from Washington Street to the city limits and respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
WALTER O. LEWIS,
Executive Secretary.

February 6, 1933.

*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. 17, 1933, transferring the sum of Thirty-four (\$34.00) Dollars from Board of Health Fund No. 331—Gasoline, to Board of Health Fund No. 52—Licenses.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,
City Controller.

February 6, 1933.

*Honorable William L. Elder,
City Controller,
City Hall,
Indianapolis, Indiana.*

Dear Sir:

I am transmitting to you herewith, according to instructions of the Board of Health, Fifteen (15) copies of a General Ordinance transferring the sum of Thirty-four (\$34.00) Dollars from Board of Health Fund No. 331 (Gasoline) to Board of Health Fund No. 52 (Licenses).

The Board of Health respectfully requests that you present this ordinance to the Common Council at its next meeting, with your recommendation that the same be passed.

Very truly yours,

/s/ HERMAN G. MORGAN,
Secretary, Board of Health.

February 6, 1933.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 2, 1933, appropriating the sum of Ten Thousand One Hundred Ten Dollars and Nine Cents, (\$10,110.09) from the unexpended and unappropriated balance of the General Fund for the year 1932 to several executive departments of the City of Indianapolis, Indiana.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,
City Controller.

February 6, 1933.

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

Gentlemen:

Attached you will find a copy of a letter from the Mayor of the City of Indianapolis, wherein he has determined that a contingency has arisen requiring the expenditure of a part of the appropriation in the Mayor's Contingency Fund, being Fund No. 26 of the Department of Finance, Controller's Office, in the sum of \$887.50, to be used in paying certain fees for expert advice and services as appraisers, engineers and accountants in connection with water rate hearings held before the Public Service Commission and to be held before the United States District Court.

I recommend that said sum of \$887.50 be set aside and made available out of said fund for the purposes aforesaid to be paid by my warrants.

This will notify you of such determination on the part of the Mayor, and my approval thereof.

Very truly yours,

WM. L. ELDER,
City Controller.

February 6, 1933

*Mr. William L. Elder,
City Controller,
Indianapolis, Indiana.*

Dear Sir:

You are hereby notified that as Mayor of the City of Indianapolis, I have determined that a contingency has arisen requiring the expenditure of a part of the appropriation reserved for contingencies. This expenditure is necessary to pay Mr. W. M. Madden the sum of \$387.50 for services as an accountant and Mr. John Deery the sum of \$500.00 for services as architectural appraiser and engineer. These services consist of advising the City of Indianapolis and testifying before the Public Service Commission of Indiana at a recent hearing held on a petition for an increase in rates filed by the Indianapolis Water Company, and if needed, to also testify for the City of

Indianapolis in a certain case growing out of said rate hearing now pending in the United States District Court of Indiana.

I request that upon your approval of this proposed expenditure you notify the Common Council in writing, so that the Common Council may, if it sees fit, adopt a resolution setting forth the circumstances regarding this contingency and approving this proposed expenditure from such appropriation.

Very truly yours,

/s/ REGINALD H. SULLIVAN,
Mayor.

January 26, 1933.

*Mr. Henry Goett,
City Clerk.*

Dear Sir:

I am handing you herewith copies of proposed ordinance authorizing the sale of certain real estate immediately west of White River on Washington Street, now occupied by the Shell Petroleum Company, with the recommendation that the same be presented to the Common Council at the next meeting with the recommendation of the Board of Public Works that the same be passed.

Yours very truly,

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

January 10, 1933.

*Hon. President and Members
of the Common Council,
City of Indianapolis.*

Gentlemen:

We are forwarding to you for your action the enclosed application of A. J. Micheli for an 18 foot "Passenger Zone" and/or "Loading Zone" at 116 East Maryland Street, which, you will note, was

not recommended by the Police Department and which the Board of Safety has this date refused.

Very truly yours,

BOARD OF PUBLIC SAFETY,
WALTER O. LEWIS,
Executive Secretary.

January 9, 1933.

*To the Honorable Board of
Public Safety Commissioners,
City Hall,
Indianapolis.*

Gentlemen:

After an investigation of traffic conditions with reference to the attached "Request for permission to establish and maintain a Passenger Zone" in front of 116 East Maryland Street, I find there is very little traffic at this point after 6 p. m., and cannot recommend that they be allowed to have this space.

Respectfully submitted,

MICHAEL F. MORRISSEY,
Chief of Police.

February 6th, 1933.

*Mr. Henry O. Goett,
City Clerk,
City.*

Dear Mr. Goett:

I have been requested to introduce an ordinance seeking to lower the license fee for Junk Dealers.

I will appreciate it if you will present it at the meeting of the Council this evening.

LEO F. WELCH.

February 4, 1933.

Mr. Leo Welch
25 West Ohio St.
Indianapolis, Ind.

Dear Mr. Welch:

Owing to the economic depression many of the persons engaged in the business of retail Junk Dealers will be unable to pay the present license fee of \$100.00. They are only asking for relief in 1933. The full amount of the license fee as now fixed by law they will be unable to pay. This will drive many of them out of business and they will have to seek other employment.

Many of these persons have passed the Meridian of life and are unfitted to take up any new forms of employment that would be remunerative.

Under the conditions existing in Indianapolis with more than 57,000 unemployed seeking work, the relief asked for in this ordinance is only just and equitable.

Very truly yours,

JACOB SOLOTKEN
J. SAPERSTEIN & SONS
HARRY MILLER
TONY SOLOTKEN
SAGALOWSKY BOTTLE Co.,
Per WM. SAGALOWSKY, *Pres.*
EPSTINE BROTHERS
By HARVEY EPSTINE
BARNETT BOTTLE Co.,
By LOUIS BARNETT
PETE GRANOWSKY
ISADORE KROOT

At this time Mr. Henry entered the Council Chamber and was counted present.

Mr. Wheatley asked for a recess. The motion was made and seconded by Mr. Welch, and the Council recessed at 7:45 p. m.

The Council reconvened from its recess at 9:45 p. m., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., February 6, 1933.

*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 General Ordinance No. 5, 1933, entitled Regulating fares of Taxicabs, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from files.

MAURICE E. TENNANT, Chairman.
F. C. GARDNER.
LEO F. WELCH.
C. I. WHEATLEY.
CHAS. C. MORGAN.

Indianapolis, Ind., February 6, 1933.

*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. 6, 1933, entitled Amending sub-section (b) of Section B-208 of G. O. 121, 1925, as amended by Section 3 of G. O. 46, 1926--Concrete Blocks, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
C. A. HILDEBRAND.
LEO F. WELCH.
FRED C. GARDNER.
MAURICE E. TENNANT.

Indianapolis, Ind., February 6, 1933.

*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. 7, 1933, entitled Transfer of Funds—\$3,000.00—Public

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

J. A. HOUCK, Chairman.
C. A. HILDEBRAND.
LEO F. WELCH.
FRED C. GARDNER.
MAURICE E. TENNANT.

Indianapolis, Ind., February 6, 1933.

*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. 8, 1933, entitled Transfer of Funds—Street Commissioners—beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
C. A. HILDEBRAND.
LEO F. WELCH.
FRED C. GARDNER.
MAURICE E. TENNANT.

Indianapolis, Ind., February 6, 1933.

*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. 9, 1933, entitled Authorization to purchase \$2,500 incandescent lamps, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed

J. A. HOUCK, Chairman
C. A. HILDEBRAND.
LEO F. WELCH.
FRED C. GARDNER.
MAURICE E. TENNANT.

Indianapolis, Ind., February 6, 1933.

*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 General Ordinance No. 10, 1933, entitled Amending Sections 27, 48 and (8) (9) of Section 476—General Ordinance No. 121, 1925—Regulating Dances, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

MAURICE E. TENNANT, Chairman.
FRED C. GARDNER.
LEO F. WELCH.
C. I. WHEATLEY.
CHAS. C. MORGAN.

Indianapolis, Ind., February 6, 1933.

*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 General Ordinance No. 11, 1933, entitled Regulating and Licensing Itinerant Produce Dealers, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

MAURICE E. TENNANT, Chairman.
FRED C. GARDNER.
LEO F. WELCH.
C. I. WHEATLEY.
CHAS. C. MORGAN.

Indianapolis, Ind., February 6, 1933.

*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. 12, 1933, entitled Authorization to Purchase Gauze—

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

J. A. HOUCK, Chairman.
C. A. HILDEBRAND.
LEO F. WELCH.
FRED C. GARDNER.
MAURICE E. TENNANT.

Indianapolis, Ind., February 6, 1933.

*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. 13, 1933, entitled Authorization to Purchase Milk—City Hospital—beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
C. A. HILDEBRAND.
LEO F. WELCH.
MAURICE E. TENNANT.
FRED C. GARDNER.

Indianapolis, Ind., February 6, 1933.

*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. 14, 1933, entitled Authorization to Purchase Adhesive Tape—City Hospital—beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
C. A. HILDEBRAND.
MAURICE E. TENNANT.
LEO F. WELCH.
FRED C. GARDNER.

INTRODUCTION OF APPROPRIATION ORDINANCES

By City Controller:

APPROPRIATION ORDINANCE NO. 2, 1933

AN ORDINANCE appropriating the sum of Ten Thousand One Hundred Ten Dollars and Nine Cents (\$10,110.09) from the unexpended and unappropriated balance of the General Fund for the year 1932 to the several executive departments of the City of Indianapolis, Indiana, 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 there be and is hereby appropriated out of the unexpended and unappropriated balance of the General Fund for the year 1932 and transferred to the various funds in the different executive departments of said city as hereinafter set forth, viz.:

City Clerk—24—Printing and Advertising.....	\$ 2,164.61
City Controller—24—Printing and Advertising.....	78.59
City Controller—24—Office Supplies	351.00
Legal—13—Other Compensation	100.00
Municipal Garage—45—Repair Parts.....	144.25
Public Buildings—34—Institutional, Medical	147.24
Public Buildings—38—General Supplies	192.70
Public Buildings—45—Repair Parts	15.12
Street Commissioner—22—Light, Heat, Power.....	70.56
Street Commissioner—45—Repair Parts	89.83
Building Department—72—Equipment	19.88
Dog Pound—21—Communication and Transportation.....	11.00
Dog Pound—31—Food	37.00
Dog Pound—34—Institutional and Medical.....	58.15
Dog Pound—38—General Supplies	17.70
Gamewell—33—Garage and Motor Supplies.....	158.34
Gamewell—38—General Supplies	91.00
Gamewell—72—Equipment	199.00
East Market—21—Communication and Transportation....	4.00
East Market—41—Building Material	21.10
Fire Department—21—Communication and Transportation.	90.00
Fire Department—25—Repairs	3.50
Fire Department—33—Garage and Motor Supplies.....	2,313.51
Fire Department—36—Office Supplies	225.60
Fire Department—72—Equipment	920.88

Police Radio—38—General Materials	39.20
Police Radio—46—Repair Parts (Radio)	527.77
Police Department—25—Repairs	4.60
Police Department—26—Services Contractual	516.80
Police Department—33—Garage and Motor Supplies.....	1,060.29
Police Department—36—Office Supplies	122.40
Police Department—41—Building Materials	268.55
Police Department—44—General Materials	18.92
Police Department—72—Equipment	27.00
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TOTAL.....	\$10,110.09

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

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By Board of Safety:

GENERAL ORDINANCE NO. 16, 1933

AN ORDINANCE establishing Southeastern Avenue, from Washington Street to the city limits, as a preferential street, supplementing certain other preferential streets heretofore established by General Ordinance No. 78-1932, providing that the operator of a vehicle shall come to a full stop before entering upon said street, providing for the maintenance of appropriate signs at the intersections with cross streets, providing a penalty for 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. That the following street in the City of Indianapolis is hereby declared to constitute a "thru" or preferential street for the purpose of this ordinance, supplementing the streets and parts of streets heretofore constituted as "thru" or preferential streets heretofore established by General Ordinance No. 78-1932, to-wit:

Southeastern Avenue, from Washington Street to the city limits.

Section 2. The above named street is hereby declared to be a "thru" or preferential street for the purpose of regulating traffic upon or crossing the same, and every operator of a vehicle, street car or other conveyance traveling upon any street or roadway intersecting said "thru" street above designated, shall bring the same to a full, complete stop at the place where said street meets the prolongation of the nearest property line of said "thru" street, subject, however, to the direction of any official traffic control sign or signal or the directions of any police officer at such intersection.

The operator of any vehicle who has come to a full stop as above required, upon entering the "thru" street, as well as operators of vehicles on said "thru" street, shall be subject to the usual right-of-way rule prescribed by state law governing the meeting of vehicles at street or highway intersections.

The board of public safety is hereby authorized and required to place and maintain or cause to be placed and maintained on each and every street intersecting said "thru" street as designated above, and at or near the property line of said "thru" street, appropriate signs upon the street and/or may place and maintain any appropriate devices or marks in the roadway, such signs, devices or marks to bear the word "STOP," or the legend "STOP, THRU STREET," and to be located in such position and to be provided with letters of a size to be legible at least one hundred (100) feet along the street intersecting said "thru" street.

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 the first time and referred to the Committee on Public Safety.

By City Controller:

GENERAL ORDINANCE NO. 17, 1933

AN ORDINANCE transferring the sum of \$34.00 from Board of Health Fund No. 331 to Board of Health Fund No. 52; and fixing a time when the same shall take effect.

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

Section 1. That the sum of Thirty-four (\$34.00) Dollars be and the same is hereby transferred from Board of Health Fund No. 331 (Gasoline) to Board of Health Fund No. 52 (Licenses)

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

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

By Mr. Welch:

GENERAL ORDINANCE NO. 18, 1933

AN ORDINANCE amending Section 476 (15) of 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.

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

Section 1. That Section 476 (15) of General Ordinance No. 121, 1925, be amended by adding thereto a subsection (15-½) as follows:

Sub-section (15-½) Junk Dealer. That the license fee for retail Junk Dealers for the year of 1933 shall be \$50.00. That on and after January 1st, 1934, such license fee shall be \$100.00.

Section 2. This ordinance shall take effect from and after its passage and approval by the Mayor and published according to law.

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

By City Controller:

RESOLUTION NO. 1, 1933

WHEREAS, the City of Indianapolis, in presenting its case in the water rate hearings held before the Public Service Commission and to be held before the United States District Court, has needed to employ the assistance of expert advice and service as appraisers, engineers and accountants; and

WHEREAS, W. M. Madden has rendered such services as accountant, which services are of the reasonable value of Three Hundred Eighty-seven Dollars and Fifty Cents (\$387.50); and

WHEREAS, John Deery has rendered such services as architectural appraiser and engineer, which services are of the reasonable value of Five Hundred Dollars (\$500.00); and

WHEREAS, said W. M. Madden and John Deery have not been paid for said services, and there is thereby created an obligation of said city; and

WHEREAS, the Mayor of said city is determined that the facts aforesaid present a contingency requiring the expenditure of a part of the appropriation reserved for said Mayor's contingency fund, to-wit, the sum of Eight Hundred Eighty-seven Dollars and Fifty Cents (\$887.50) therefrom, and he has accordingly notified the City Controller of the circumstances making such expenditure necessary; and

WHEREAS, the City Controller has given his approval to the proposed expenditure and notified the City Council in writing, giving all pertinent facts regarding the contingency and the manner in which it is proposed to meet the contingency,

NOW, THEREFORE,

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

1. That the Common Council hereby approves and authorizes the expenditure, during the current fiscal year, ending December 31, 1933, of the aggregate amount of Eight Hundred Eighty-seven Dollars and Fifty Cents (\$887.50) or any part thereof out of the Mayor's Contingency Fund for the purposes specified in the preamble hereof.

2. This resolution becomes effective from and after its passage and approval by the Mayor.

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

By Board of Works:

SPECIAL ORDINANCE NO. 1, 1933

AN ORDINANCE authorizing the sale, alienation and conveyance of real estate and interests therein by the City of Indianapolis and by the Board of Public Works thereof, and fixing a time when the same shall take effect, and repealing all ordinances in conflict herewith.

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

Section 1. The City of Indianapolis, by its Mayor and by its

Board of Public Works, is hereby authorized to sell, alienate, grant and convey by warranty deed for cash, at public or private sale, for not less than appraised value, which value has heretofore been determined by appraisers appointed by the Judge of the Circuit Court of Marion County, Indiana, as required by law, the following described real estate in the City of Indianapolis, Marion County, Indiana, to-wit:

Parts of Lots 2, 3, 4, 5, 6, 7, 8, 9 and 10 in Bell and Anderson's Sub., being that ground immediately west of White River on Washington Street now occupied by the Shell Petroleum Company.

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

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

ORDINANCES ON SECOND READING

Mr. Tennant called for General Ordinance No. 5, 1933, for second reading. It was read a second time.

Mr. Tennant made a motion that General Ordinance No. 5, 1933, be stricken from the files. The motion was seconded by Mr. Welch and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

President Ropkey ordered General Ordinance No. 5, 1933, stricken from the files. Which ordinance was stricken from the files by the Clerk.

Mr. Houck called for General Ordinance No. 6, 1933, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Henry, General Ordinance No. 6, 1933, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 6, 1933, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for General Ordinance No. 7, 1933, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Henry, General Ordinance No. 7, 1933, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 7, 1933, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for General Ordinance No. 8, 1933, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Henry, General Ordinance No. 8, 1933, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 8, 1933, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for General Ordinance No. 9, 1933, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Henry, General Ordinance No. 9, 1933, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 9, 1933, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for General Ordinance No. 12, 1933, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Henry, General Ordinance No. 12, 1933, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 12, 1933, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for General Ordinance No. 13, 1933, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Henry, General Ordinance No. 13, 1933, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 13, 1933, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for General Ordinance No. 14, 1933, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Henry, General Ordinance No. 14, 1933, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 14, 1933, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Tennant called for General Ordinance No. 10, 1933, for second reading. It was read a second time.

Mr. Tennant presented the following written motion to amend General Ordinance No. 10, 1933:

Indianapolis, Ind., February 6, 1933.

Mr. President:

I move that General Ordinance No. 10, 1933, be amended by striking out the words "One Hundred Dollars" in the last line of said section and inserting in lieu thereof the following: "Fifty Dollars (\$50.00) per annum."

MAURICE E. TENNANT,
Councilman.

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

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

On motion of Mr. Tennant, seconded by Mr. Welch, General Ordinance No. 10, 1933, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 10, 1933, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Tennant called for General Ordinance No. 11, 1933, for second reading. It was read a second time.

Mr. Tennant presented the following written motion to amend General Ordinance No. 11, 1933:

Indianapolis, Ind., February 6, 1933.

Mr. President:

I move that General Ordinance No. 11, 1933, be amended to read as follows:

GENERAL ORDINANCE NO. 11, 1933

AN ORDINANCE licensing and regulating itinerant produce dealers.

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

Section 1. That the term "itinerant produce dealer" for the purpose of this ordinance shall be defined as a person, firm, corporation or association without an established store or warehouse in the City of Indianapolis or an established trucking and distributing business in the City of Indianapolis, serving regular customers on substantially fixed routes, that sells or offers for sale from a cart, wagon, truck, automobile or other vehicle, operated and/or propelled over and/or stationed upon the streets and thoroughfares of the City of Indianapolis and/or temporarily located on an open lot in the City of Indianapolis, any fruits, vegetables or garden produce, either in a fresh, dried, processed or canned state, to any person, firm, corporation or association engaged in the business of the resale at retail or wholesale of the same produce within the City of Indianapolis or to any hospital, club, restaurant or hotel in the City of Indianapolis.

Section 2. It shall be unlawful for any person, firm, corporation or association to engage in the business of an itinerant produce dealer in the City of Indianapolis without first having been duly licensed so to do as hereinafter provided. Every applicant for a license shall make application in writing to the City Controller, which application shall set forth the name under which the business is to be conducted, and the name of every person interested in the said business. Said application shall contain as reference the names of at least two citizens of the City of Indianapolis as to the character of the applicant or applicants.

Section 3. Licenses for the carrying on of the business of itinerant produce dealer shall be issued annually and shall expire on the 31st day of December of each year; shall not be transferable and no deductions shall be allowed from the fee for such license for any part of the year during which the licensee shall not exercise the right of such license. The license fee for carrying on the business of itinerant produce dealer, as herein defined, shall be Two Hundred Dollars (\$200.00) per annum.

Section 4. Every licensee as itinerant produce dealer shall execute and file a bond in the sum of Five Hundred Dollars (\$500.00)

payable to the City of Indianapolis, to be approved by the City Controller as to sureties and form, which bond shall be conditioned upon the faithful observance of the provisions of this ordinance and of all ordinances of the City of Indianapolis and laws of the State of Indiana concerning or regulating the merchandising and handling of products dealt in by the licensee, and it shall also be conditioned so as to indemnify any person obtaining a judgment against the licensee because of any damage sustained on account of the violation by the licensee of the said ordinances, or laws, or because of misrepresentation or deception which may have been practiced on such person by the licensee while carrying on his licensed business.

Section 5. Upon the filing of the bond and the payment of the license fee hereinbefore prescribed, the City Controller shall issue to the applicant a license as itinerant produce dealer and shall furnish the said licensee two metal signs not less than six (6) inches wide and nine (9) inches long, upon which shall be inscribed "Itinerant Produce Dealer's License, Indianapolis, Indiana, No.....," giving in the blank space the number of such license and the year during which the same shall be in force, which metal signs shall be securely fastened in plain view on both sides of the vehicle used by such licensee whenever he is engaged in operating under such license.

Section 6. No license as an itinerant produce dealer shall be required of any farmer, producer or other person selling produce of his own raising or producing, provided each farmer, producer or other person selling produce of his own raising or producing shall file with the City Controller an affidavit setting forth his name and address, the amount and variety of produce he proposes to sell, the place where said produce is grown or produced and that said produce was actually grown and produced by him.

Section 7. Each licensee, at the time of making any sale of produce, shall deliver to the purchaser a sales slip which shall contain in a conspicuous place thereon the license number assigned to such licensee.

Section 8. The issuance of a license hereunder shall not be construed in any manner to exempt the holder thereof from the obligation of compliance with any and all other ordinances of the City of Indianapolis.

Section 9. Any person, firm, corporation or association or any agent, servant, employee or officer thereof, violating any of the provisions of this ordinance shall, upon conviction thereof, be fined

in any sum not exceeding Two Hundred Dollars (\$200.00) for each and every offense, and each day or fraction of a day any person, firm, corporation or association shall be engaged in such business without license shall be considered a separate and distinct offense.

Section 10. In the event any section of this ordinance shall be declared by a court of competent jurisdiction invalid or unconstitutional such adjudication shall in no manner effect the other sections of this ordinance which shall be in full force and effect as if the said section or sections so declared invalid or unconstitutional was not originally a part hereof.

Section 11. All ordinances or parts of ordinances of the City of Indianapolis in conflict with this ordinance are hereby repealed.

Section 12. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication according to law.

MAURICE E. TENNANT,
Councilman.

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

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

On motion of Mr. Tennant, seconded by Mr. Wheatley, General Ordinance No. 11, 1933, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 11, 1933, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

On motion of Mr. Wheatley, seconded by Mr. Henry, the Common Council adjourned at 10:00 o'clock p. m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 6th day of February, 1933, 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.

Ernest C Ropkey

President.

ATTEST:

Henry O Goett

City Clerk.

(SEAL)