

REGULAR MEETING

Monday, August 3, 1936,

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, August 3, 1936, at 7:30 p. m., in regular session. President Edward B. Raub in the chair.

The Clerk called the roll.

Present: Edward B. Raub, President, and seven members, viz: Theodore Cable, Silas J. Carr, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren, John A. Schumacher.

Absent: Ross H. Wallace.

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

COMMUNICATIONS FROM THE MAYOR

Indianapolis, Ind., July 22, 1936.

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

Gentlemen:

I have today approved with my signature and delivered to Mr. Daniel J. O'Neill, Jr., the following ordinances:

APPROPRIATION ORDINANCE NO. 22, 1936

AN ORDINANCE appropriating and allocating moneys out of the unexpended and unappropriated 1935 balance of the general fund of the Department of Public Parks to a certain designated fund in said department, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 23, 1936

AN ORDINANCE appropriating the sum of Five Hundred Dollars (\$500.00) out of the unexpended and unappropriated 1935 balance of the Municipal Airport Fund and allocating the same to certain designated funds, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 24, 1936

AN ORDINANCE appropriating and allocating the sum of One Hundred Thirty-seven Thousand and Two Dollars and Ninety-two Cents (137,002.92), received on July 3, 1936, from the State of Indiana as revenue under the Gasoline Tax, to the following departments of the City of Indianapolis, in the amounts specified, in accordance with the provisions of Section 3A of General Ordinance No. 70, 1935, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 48, 1936

AN ORDINANCE transferring moneys from a certain fund of the Department of Public Works, reappropriating and reallocating the same to another designated fund, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 49, 1936

AN ORDINANCE authorizing the city controller of the City of Indianapolis to make a temporary loan, or loans, in the sum of Five Hundred Thousand Dollars (\$500,000.00) in anticipation of current revenues of said city actually levied and in the course of collection for the fiscal year in which such loan, or loans, are made payable out of the current revenues for such year, authorizing the rate of interest to be charged therefor, providing for legal notice, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 50, 1936

AN ORDINANCE authorizing the City of Indianapolis, Indiana, to make a temporary loan in the sum of One Hundred Twenty-five Thousand Dollars (\$125,000) for the use of the Board of Health of said city in anticipation of and payable out of the current revenues of said Board of Health collectible in the year 1936 for general Board of Health purposes; authorizing the legal rate of interest to be charged therefor; providing for legal notice, and fixing a time when the same shall take effect.

Respectfully,

JOHN W. KERN,

Mayor.

Indianapolis, Ind., Aug. 3, 1936.

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

Gentlemen:

I am submitting to you a formal resolution empowering me to sell and assign certain United States registered bonds held by the City of Indianapolis as Trustee, under the last wills and testaments of Susan W. Butler and Margaret Butler Snow.

The sale of these bonds has been authorized by an order of the Probate Court dated May 26, 1936, under whose direction the trust is administered, and is for the purpose of raising funds with which to pay a part of the cost of the full completion and equipment of the Flower Mission Hospital and John Maurice Butler Dispensary.

I hope that it will be possible for the resolution to be passed under a suspension of the rules and become effective immediately, so that the transaction may be completed and the funds made available.

Respectfully,

JOHN W. KERN,

Mayor.

Indianapolis, Ind., July 28, 1936.

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

Gentlemen:

I am transmitting to you for your consideration an ordinance

authorizing the State Highway Commission of Indiana to improve Northwestern Avenue from a point 236 feet North of the center of Maple Road to the north corporation line, and authorizing the mayor of Indianapolis to enter into an agreement binding this city to maintain such improvement when made.

This is a very much needed improvement, and the procedure is similar to that which has accompanied the securing of other projects for Indianapolis with Federal aid. I am attaching hereto a letter which I received from the State Highway Commission for your information.

Respectfully,

JOHN W. KERN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

Indianapolis, Ind., July 24, 1936.

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

Gentlemen:

In Re: Appropriation Ordinances No. 25 and No. 26, 1936.

I beg leave to report that pursuant to the laws of the State of Indiana, I caused notice by publication to be inserted in the Indianapolis News and the Indianapolis Commercial on July 24, 1936, that taxpayers would have a right to be heard on the above ordinance at the regular meeting of the Common Council, to be held Monday, August 3, 1936, and by posting a copy of said notice at the following places:

Police Station, City Hall and Court House.

Yours very truly,

DANIEL J. O'NEILL, JR.,
City Clerk.

Indianapolis, Ind., July 15, 1936.

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

Gentlemen:

This is to inform you that on June 22, 1936, I received sealed bids for the sale of \$300,000.00 City Hall Refunding Bonds of 1936.

The bonds were awarded to the Fletcher Trust Company and Phelps, Fenn and Company of New York, on their joint bid of par, accrued interest and a premium of \$1,560.00.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

Indianapolis, Ind., July 23, 1936.

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

Gentlemen:

This is to advise you that I did on the 15th day of July, 1936, deliver to the Fletcher Trust Company and Phelps, Fenn and Company of New York, three hundred (300) City Hall Refunding Bonds of 1936, dated July 1, 1936, and received from the above named companies the sum of \$301,793.40 in full payment for said bonds. The above amount covered:

Principal -----	\$300,000.00
Premium -----	1,560.00
Accrued Interest -----	233.40
	<hr/>
	\$301,793.40

Yours very truly,

WALTER C. BOETCHER,
City Controller.

Indianapolis, Ind., August 3, 1936.

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

Gentlemen:

Re: Special Ordinance No. 5, 1936.

Acting under instructions from the Board of Health, of the City of Indianapolis, I am directed to submit upon behalf of said Board the following ordinance, as per copies thereof attached hereto, accepting and approving on behalf of the City of Indianapolis, a "superseding grant agreement," submitted by the United States of America, authorizing the Board of Health to execute the same for, and on behalf of, and in the name of, the City of Indianapolis.

The "superseding grant agreement" set out in said ordinance provides for additional funds for use in connection with the construction and equipment of the Indianapolis Flower Mission Memorial Hospital and the John Maurice Butler Dispensary and Aid to the Sick Poor of Indianapolis.

Inasmuch as the Board of Health is anxious to marshal funds as quickly as possible so as to hasten the completion of this project, it requests the passage of this ordinance under suspension of the rules.

Respectfully yours,

H. G. MORGAN,
Secretary, Board of Health.

Indianapolis, Ind., August 3, 1936.

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

Gentlemen:

Attached find copies of an ordinance authorizing the grant to the Public Service Company of Indiana of an easement over small strips of land lying along a continuation of Northwestern Avenue. The strips contain approximately one and one-half acres (1½).

The passage of this ordinance is requested in order to obtain the necessary legal authority to complete a transaction whereby the City obtained a deed for this ground from the Indiana Public Service Company of Indiana upon the condition that in turn the City would grant a perpetual easement to said company to maintain and construct poles and lines, for the transmission of electrical energy. The net result of the transaction will be that the City obtains title to this ground at no cost to the City, except the costs of appraisements of same. This

ground is to be beautified so as to improve the view of one of the main approaches to the City.

We respectfully recommend the passage of this ordinance.

Very truly yours,

DEPARTMENT OF PUBLIC PARKS,

M. E. GRIFFIN, Secretary.

Indianapolis, Ind., July 31, 1936.

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

Gentlemen:

Your attention is directed to General Ordinance No. 53 to set aside an appropriation for the expenditure of a sum of money not to exceed Nine Thousand Two Hundred Forty and no/100 Dollars (\$9,240.00) for the purchase of Canned Goods which will cover our estimated requirements up until December 31, 1936.

In view of the fact that the fruit and vegetable market has suffered severely from the drought, and that prices are pyramiding at a rapid pace, we deem it advisable to cover our prices with a contract which will insure delivery at not exceeding the bid price.

The vendor agrees to warehouse this merchandise for us and it is ordered out as needed.

Respectfully submitted,

DEPARTMENT OF PUBLIC PURCHASE,

ALBERT H. LOSCHE, Purchasing Agent.

Indianapolis, Ind., August 3, 1936.

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

Gentlemen:

We are submitting herewith General Ordinance No. 55, 1936, establishing a 36 foot "loading zone" for the Hibben-Hollweg Company at 110-116 South Meridian Street, and respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

BLYTHE Q. HENDRICKS, Executive Secretary.

Indianapolis, Ind., August 3, 1936.

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

Gentlemen:

Attached please find copies of General Ordinance No. 57, 1936, amending Section (2) Two of General Ordinance No. 50, 1936, entitled "An Ordinance authorizing the City of Indianapolis, Indiana, to make a temporary loan in the sum of One Hundred Twenty-five Thousand (\$125,000.00) Dollars for the use of the Board of Health of said city."

I respectfully recommend the passage of this ordinance under suspension of rules.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

Indianapolis, Ind., August 3, 1936.

Mr. Walter C. Boetcher,
City Controller,
Indianapolis, Indiana.

Dear Sir:

Please prepare an ordinance amending Section (2) two of General Ordinance No. 50, 1936, to read as follows:

"Section 2. Said temporary loan shall be made by borrowing the sum of \$125,000.00 for a period of seventy-nine (79) days, beginning with August 25, 1936, and ending November 12, 1936. Said loan shall mature in full and be made payable November 12, 1936, and shall bear interest only from the time the same is made available for use of the Board of Health."

At the time of the passage of General Ordinance No. 50, 1936, the Board of Health was under the impression that it would be without sufficient funds from August 1, 1936, until November 12, 1936, to meet its pay roll and current expenses necessary for the proper carrying on of the functions of said Board. It has since developed that said Board will have sufficient funds for such purposes until August 25, 1936.

Inasmuch as the City Controller has not negotiated and/or made the temporary loan provided for in General Ordinance No. 50, 1936, we request the preparation and passage, under suspension of rules, of an ordinance making the amendment as hereinabove set out.

Respectfully submitted,

BOARD OF HEALTH,

By H. G. MORGAN, Secretary.

Indianapolis, Ind., July 21, 1936.

Honorable John W. Kern, Mayor,
Indianapolis, Indiana.

Dear Mayor Kern:

The Federal Road authorities have approved certain projects in your city, to be made with Federal funds granted under the provisions of the Emergency Relief Appropriation Act, which projects are set out in the enclosed ordinance. Plans are now being prepared for these improvements, and as rapidly as they are finished, they will be forwarded to the U. S. Bureau of Public Roads for approval. When finally approved a copy of them will be sent to you.

We are enclosing an ordinance (three copies), which your city will be required to at once adopt. This is essential and must be done before the U. S. Bureau of Public Roads will finally authorize the projects in your city. We are also enclosing the form of a contract to be entered into between the City and State, and providing for the maintenance of each of the projects. This contract must be executed in triplicate, after the adoption of such ordinance, and all copies sent to this commission, whereupon one copy, after execution, will be returned to you. All three copies of the contract will be certified by the City Clerk, and the seal of the city affixed where called for. Two copies of the ordinance will also be certified and forwarded to the commission, the original copy will be retained for your files.

Later it will be necessary for your city to execute an ordinance for the protection of such projects, containing the provisions where applicable, required by Section Six (6) of the ordinance enclosed. In this connection you will remember that these particular streets are being improved by the Federal Government, in order to expedite traffic through the city, and naturally the Government demands that these improvements be protected after they are made. The form of this ordinance will be prepared by the commission and forwarded to you for adoption.

If additional right of way in the city will be required for the project, you will be notified just what additional rights are required, and your city will be required to obtain such right of way at its expense.

You are urged to at once call a special meeting of the Common Council of your city, pass the enclosed ordinance, and at once return the documents to this commission, properly executed as above outlined.

If any public or municipal utility has tracks, pipes, lines or conduits in the street or streets to be improved which should be renewed or removed, your city must take immediate steps to have this done so that when awarded, the contractor may not be delayed in the performance of his contract. If there are any street, interurban or steam railroad tracks in the street to be improved, you must take steps to have the company owning them at once to put them in good condition. The tracks must be put on a good foundation, with good ties, and the rails properly aligned. If this is done, the State is authorized to improve between and above the ties to the top of the rails. If the tracks are not put in good condition, the improvement will be made only to the end of the ties. If there are any sanitary sewers in the street, they must be examined and put in good condition by the city. These matters should be attended to as soon as you are notified that the project is finally approved.

Correspondence concerning these projects should be addressed to the Commission. If your city does not desire this improvement, please notify us at once.

Very truly yours,

STATE HIGHWAY COMMISSION OF INDIANA,

JAMES D. ADAMS, Chairman.

Mr. Cable asked for a recess. The motion was seconded by Mr. Oren and the Council recessed at 7:45 p. m.

The Council reconvened at 8:50 p. m., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., August 3, 1936.

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. 47, 1936, entitled Two loading zones, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
WM. A. OREN.
JOHN A. SCHUMACHER.

Indianapolis, Ind., August 3, 1936.

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

Gentlemen:

We, your Committee on Law and Judiciary, to whom was referred General Ordinance No. 46, 1936, entitled Amending zoning ordinance, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WM. A. OREN, Chairman.
EDWARD R. KEALING.
THEODORE CABLE.
ADOLPH J. FRITZ.

Indianapolis, Ind., August 3, 1936.

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 Appropriation Ordinance No. 26, 1936, entitled Appropriating \$500.00 Board of Works and Sanitation, beg leave to report that we have had

said ordinance under consideration, and recommend that the same be passed.

THEODORE CABLE, Chairman.
 SILAS J. CARR.
 WM. A. OREN.
 JOHN A. SCHUMACHER.

Indianapolis, Ind., August 3, 1936.

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 Appropriation Ordinance No. 25, 1936, entitled Appropriating \$100.00 to City Clerk's Office, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

EDWARD KEALING, Chairman.
 JOHN A. SCHUMACHER.
 SILAS J. CARR.
 NANNETTE DOWD.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By Councilman Schumacher:

GENERAL ORDINANCE NO. 51, 1936

AN ORDINANCE amending General Ordinance No. 61, 1935, as amended, 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 General Ordinance No. 61, 1935, as amended, be and the same is hereby amended to read as follows:

Section 1. That the use of the following named streets of the

City of Indianapolis is hereby prohibited for all automobiles weighing over one (1) ton, except passenger cars or motor buses devoted to the carriage of passengers for hire, to-wit:

- (a) Thirty-eighth Street, from Northwestern Avenue to Keystone Avenue.
- (b) Washington Boulevard, from Fall Creek Parkway, North Drive, to Westfield Boulevard.
- (c) Illinois Street, from Fortieth Street to Westfield Boulevard.
- (d) Meridian Street, from Sixteenth Street to Westfield Boulevard.
- (e) Meridian Street, and/or Pennsylvania Street (U. S. Road 31), from 61st Street to 64th Street.
- (f) Union Street, from Merrill Street to Adler Street.
- (g) College Avenue, north from Ninth Street to the city limits.

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

By Councilman Schumacher:

GENERAL ORDINANCE NO. 52, 1936

AN ORDINANCE amending Section One (1) of General Ordinance No. 31, 1931 (as amended), 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 One (1) of General Ordinance No. 31, 1931 (as amended), be amended to read as follows, to-wit:

"That sub-section (u) of Section 1 of Article 1 of General Ordinance No. 96, 1928, be amended to read as follows, to-wit:

"(u) Central Traffic District: That part of the City of Indianapolis included within the limits of the north curb line of North Street on the north; the east curb line of East Street on the east; the

south curb line of South Street on the south; and the west curb line of West Street on the west; also on both sides of Capitol Avenue, from the north curb line of North Street to the south curb line of St. Clair Street; also on both sides of East Washington Street, from the west curb line of Noble Street to the east curb line of East Street; also on both sides of West Washington Street, from the west curb line of West Street to the east bank of White River; also both sides of North Illinois Street, from the north curb line of North Street to the south curb line of West St. Clair Street; also both sides of North Meridian Street, from the north curb line of North Street to the south curb line of St. Clair Street; also both sides of North Pennsylvania Street, from the north curb line of East North Street to the south curb line of East St. Clair Street; also both sides of North Delaware Street, from the north curb line of East North Street to the south curb line of East St. Clair Street; also both sides of East St. Clair Street, from Meridian Street to Pennsylvania Street; also both sides of Massachusetts Avenue, from the north curb line of East North Street to the south curb line of East Tenth Street shall be known as the Central Traffic District or Congested District."

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

By the Purchasing Department:

GENERAL ORDINANCE NO. 53, 1936

AN ORDINANCE authorizing the Board of Health of the City of Indianapolis, Indiana, through its duly authorized purchasing agent, to purchase the estimated Canned Goods necessary for the operation of the City Hospital up to December 31, 1936, 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 Board of Health of the City of Indianapolis, Indiana, through its duly authorized purchasing agent, is hereby authorized to purchase in No. 10 cans the canned goods necessary for the use and operation of the Indianapolis City Hospital up to Decem-

ber 31, 1936, the same to be of the kind, quality and specifications as heretofore advertised for and in conformity with the uses as prescribed by the management of the Indianapolis City Hospital.

Section 2. That the said purchase shall be made from the lowest and best bidder or bidders after advertising for competitive bids thereon, and shall not exceed the sum of Nine Thousand Two Hundred and Forty Dollars (\$9,240.00) as per tabulation of the lowest and best bidders submitted to the office of the department of public purchase.

Section 3. That the purchase price of said canned goods shall be paid out of the funds heretofore appropriated to the department of public health and charities of the City of Indianapolis, Indiana, for the year 1936.

Section 4. That this ordinance shall be in full force and effect from and after its passage and approval by the mayor.

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

By Mayor Kern:

GENERAL ORDINANCE NO. 54, 1936

AN ORDINANCE authorizing the State Highway Commission of Indiana to improve certain projects in the City of Indianapolis with Federal Funds, and authorizing the mayor of said city to enter into an agreement binding said city to maintain such improvements, providing for the future maintenance of said improvements and for the enactment of ordinances for protection of said improvements and the regulation of traffic thereon and matters connected therewith.

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

Section 1. That the consent of the City of Indianapolis, Indiana, is hereby given to the State Highway Commission of Indiana to improve with 1937 Federal Aid Funds, apportioned to the State of Indiana as authorized in the Hayden-Cartwright Act of June 18, 1934, the following project in said city, to-wit:

1. For the improvement of Northwestern Avenue from a point 236 feet north of the center of Maple Road to the north corporation line.

Section 2. Said city hereby forever pledges itself and its funds, after the construction of said improvements, at its own cost and expense, to maintain the same in good condition and repair and in a manner satisfactory to said State Highway Commission and/or said Secretary of Agriculture, or their authorized representatives, and said city shall make ample provision each year for such maintenance of said improvements.

Section 3. The mayor of said city is hereby authorized and empowered on behalf of said city to enter into such agreement or agreements, in duplicate, as may be required by said State Highway Commission and/or said Secretary of Agriculture to maintain said several projects set out in Section one (1) of this ordinance, or such of them as said Secretary of Agriculture shall finally approve, and said city does hereby ratify and confirm each act of said mayor done and performed under the authority hereof. Said agreement so to be executed by said mayor of said city shall be in the form prescribed by the State Highway Commission and the Secretary of Agriculture.

Section 4. When said agreement or agreements are so executed on behalf of said city, said mayor on behalf of said city is hereby authorized and empowered to deliver said agreements in duplicate with a certified copy of this ordinance to said State Highway Commission for its use and the use of the Secretary of Agriculture.

Section 5. Said city during the course of the construction of said project, at its own expense agrees to furnish and maintain such detours as may be necessary to detour traffic in said city around such construction; such detours to be approved by the State Highway Commission of Indiana.

Section 6. Said city agrees, at its own expense, to obtain additional right of way in said city (if any required) that may be necessary to construct such project or projects and to take such steps as may be necessary to compel any railroad, street railroad or public utility occupying such street or streets to put its tracks, poles, lines or other property in such street or streets in condition that such construction may be made. Said city, at its own expense and costs agrees to perform whatever work may be required to repair or reconstruct any sanitary sewers that may be necessitated by said improvement. As soon as the plans for said project are prepared and approved by the proper Federal authorities, a copy thereof shall be submitted to said city for its consideration. If after such plans are received by said city, it shall elect not to further proceed with such project or projects, said city shall immediately notify the State Highway Commission of its election.

Section 7. Said city agrees whenever called upon by said State Highway Commission of Indiana, to enact and enforce an ordinance of said city, containing the following provisions:

1. Making it unlawful to erect or construct signal light standards or other obstructions in the portion or portions of streets improved under the authority herein contained.
2. Limiting the parking on said street or streets to one side of such street or streets where the same is less than thirty-six (36) feet in width from curb to curb.
3. Forbidding diagonal parking on said street or streets where the same is less than forty (40) feet in width from curb to curb.
4. Forbidding the maintenance on said street or streets of "stop and go" signals unless approved by the State Highway Commission of Indiana, and then only of such design as may be approved by such commission.
5. Providing for the establishment and maintenance of "stop and go" signals in said street or streets when required by said State Highway Commission.
6. Forbidding the cutting into or disturbing the pavement of said street or streets without the consent of said city, and then only under its inspection and proper regulation.
7. Forbidding the building of fires and the doing of other practices in said street or streets, which would be injurious to the pavement thereof.
8. Forbidding the piling, storage or placing of material or other obstruction in said street or streets.
9. Forbidding the placing or maintenance of gasline or other pumps in the sidewalks of said street or streets where the same is less than thirty-six (36) feet in width from curb to curb.

Section 8. This ordinance shall be in full force and effect from and after its passage.

Approved _____, 193_____.

Mayor.

City of Indianapolis, Indiana.

Attest:

Clerk of said City.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 55, 1936

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 by General Ordinance No. 31, 1931, as amended by General Ordinance No. 58, 1931, 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 for the purpose of providing the owners or occupants of certain premises fronting on certain public streets in the City of Indianapolis with ingress and egress for passengers, materials and merchandise coming to or going from such premises, such owners or occupants having complied with the provisions of Section 26 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, as amended by General Ordinance No. 58, 1931, relative to the establishment of passenger and/or loading zones, at the place hereinafter set out, and the board of public safety having caused investigation to be made thereof and having recommended the establishment, pursuant to the terms of the aforesaid ordinances, the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, to-wit:

36 feet in front of No. 110 South Meridian Street, said premises being occupied by Hibben-Hollweg & Company.

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

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

By Councilman Carr:

GENERAL ORDINANCE NO. 56, 1936

AN ORDINANCE prohibiting the use, discharge and display of fireworks without a permit therefor, requiring a license for the sale of fireworks, providing a penalty for the violation thereof, repealing all ordinances or parts of ordinances in conflict herewith, specifically repealing General Ordinance No. 20, 1932, and Sections 393, 394, 395, 396, 397 and 398 of General Ordinance No. 121, 1925, known as Municipal Code of Indianapolis of 1925, 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 and it is hereby prohibited for any person, persons, firm or corporation to discharge, explode, ignite, fire, set off, or to possess for any of such purposes, within the limits of the City of Indianapolis, any fireworks, firecrackers, fire arms, rockets, sparklers, roman candles, fire balloons, or substances of any combination designed or intended for producing audible or visible effects or pyrotechnic displays, except after having obtained a permit as hereinafter provided. Nothing herein contained shall prohibit the use or sale of blank cartridges for theatrical purposes or for signal purposes in athletic contests or sport events, nor the use of firearms by police, militia, or military organizations, nor the use or sale of colored flares.

Section 2. Permits may be issued by the Board of Public Safety of Indianapolis to individuals, groups, fair associations, amusement parks and civic organizations for the public display of fireworks to be superintended by, and under the direction of, experts in the handling and display of fireworks. Such permits may be in such form as prescribed by said board and may be issued by said board upon the furnishing to said board such information as said board and the Chief

of the Fire Department may require; Provided, That such display, or displays, shall be of such a character and so located, discharged or fired, as in the opinion of the Chief of the Fire Department, after inspection, shall not be hazardous to property or endanger any person or persons; Provided, That application for such permits be made fifteen (15) days in advance of the date of display.

Section 3. It shall be unlawful for any person, persons, firm or corporation to sell, offer for sale, store or possess, except such possession as provided for in Section 2 hereof, any fireworks, fire crackers, firearms, rockets, sparklers, roman candles, fire balloons, or substances of any combination designed or intended for producing audible or visible effects or pyrotechnic displays, unless a license therefor is obtained in the following manner from the city controller of the City of Indianapolis, which license shall be kept on display in a conspicuous place.

A written application shall be filed, stating the name and address of the applicant, the location and character of the building or premises where such fireworks or explosives are to be kept, sold or disposed of; the kind and character of fire resisting and fire extinguishing equipment installed; the kind or character and amount of fireworks or explosives to be kept or handled during the time covered by the license, together with the written approval of the application by the Chief of the Indianapolis Fire Department, and shall be filed with the city controller, accompanied with a license fee of Ten Dollars (\$10.00), in case of a wholesale dealer, or a license fee of Two Dollars (\$2.00) in case of a retail dealer. The city controller shall issue a license to said applicant to extend not longer than the close of the current calendar year. Such license may be revoked by the Board of Public Safety of the city for any false statement in the application or for any violation of the terms of this ordinance.

Fireworks or explosives shall not be sold, bartered or given away on the streets, alleys, sidewalks, or other public property.

Section 4. No person shall sell or give away any fireworks knowing that the same are to be discharged, exploded, ignited, fired or otherwise set in action within the limits of the City of Indianapolis; Provided, That this section shall not apply to fireworks sold to persons authorized to publicly display same as provided for in Section 2 hereof.

Section 5. The provisions of this ordinance shall not apply to articles of the kind and nature herein mentioned which shall be in the possession of railroads or transportation companies for the purpose of transportation, unless the same shall be held voluntarily by such

railroads or companies as warehousemen; Provided, That none of the provisions of this ordinance shall apply to signalling devices used by railroad companies, trucks, aircraft, or other instrumentalities of transportation; nor to explosives used for blasting or similar purposes.

Section 6. Any person violating any of the provisions of this ordinance shall, on conviction, be fined not less than Five Dollars (\$5.00) nor more than Two Hundred Dollars (\$200.00).

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed. This ordinance repeals specifically General Ordinance No. 20, 1932, and Sections 393, 394, 395, 396, 397 and 398 of General Ordinance No. 121, 1925, known as Municipal Code of Indianapolis of 1925.

Section 8. 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 the City Controller:

GENERAL ORDINANCE NO. 57, 1936

AN ORDINANCE to amend Section (2) two of General Ordinance No. 50, 1936, entitled "An Ordinance authorizing the City of Indianapolis, Indiana, to make a temporary loan in the sum of One Hundred Twenty-five Thousand Dollars (\$125,000) for the use of the Board of Health of said city in anticipation of and payable out of the current revenues of said Board of Health collectible in the year 1936 for general Board of Health purposes; authorizing the legal rate of interest to be charged therefor; providing for legal notice, and fixing a time when the same shall take effect," and fixing a time when the same shall take effect.

WHEREAS, the Common Council of the City of Indianapolis did, on the 20th day of July, 1936, pass General Ordinance No. 50, 1936 (approved by the Mayor July 22, 1936), authorizing the City Controller of the City of Indianapolis to negotiate and make a temporary loan of \$125,000.00 for the use of the Board of Health, payable out of the current revenues of said Board of Health for the year 1936, for a period of one hundred three (103) days, beginning with August 1, 1936; and

WHEREAS, since the passage of said General Ordinance No. 50, 1936, it has been discovered by the Board of Health and the City Controller that the said Board of Health has sufficient funds with which to meet its pay roll and current expenses for the proper carrying on of the functions of said Board until August 25, 1936; and

WHEREAS, therefore, no temporary loan has been negotiated and/or made by the City Controller under the provisions of General Ordinance No. 50, 1936; now, therefore,

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

Section 1. That Section (2) of General Ordinance No. 50, 1936, entitled "An Ordinance authorizing the City of Indianapolis, Indiana, to make a temporary loan in the sum of One Hundred Twenty-five Thousand Dollars (\$125,000) for the use of the Board of Health of said city in anticipation of and payable out of the current revenues of said Board of Health collectible in the year 1936 for general Board of Health purposes; authorizing the legal rate of interest to be charged therefor; providing for legal notice, and fixing a time when the same shall take effect.", be amended to read as follows:

"Section 2. Said temporary loan shall be made by borrowing the sum of \$125,000.00 for a period of seventy-nine (79) days, beginning with August 25, 1936, and ending November 12, 1936. Said loan shall mature in full and be made payable November 12, 1936, and shall bear interest only from the time the same is made available for use of the Board of Health."

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

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

By the Park Board:

SPECIAL ORDINANCE NO. 4, 1936

AN ORDINANCE authorizing the sale, alienation and conveyance to Public Service Company of Indiana, and its successors and assigns, of an easement for electric and gas transmission lines across certain "park land" of the City of Indianapolis, authorizing the

Mayor and the City Clerk to sign, acknowledge, seal and deliver the instrument and deed conveying the same, and fixing the time when the ordinance shall take effect.

WHEREAS, the Board of Park Commissioners of the City of Indianapolis by resolution duly adopted and spread of record at its meeting on July 30, 1936, determined that a certain easement over and across park lands hereinafter described is not necessary for park or boulevard purposes nor for public use and that it would be to the best interests of said City of Indianapolis to sell and dispose of said easement to Public Service Company of Indiana, its successors and assigns, by written instrument and deed; now, therefore,

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

Section 1. That the City of Indianapolis, through its Board of Park Commissioners, do sell, alienate and convey, by written instrument and deed duly executed and acknowledged in the name of said City by the Mayor and the City Clerk and attested with the seal of said City, unto Public Service Company of Indiana, its successors and assigns, for cash, at private sale, for not less than the appraised value thereof as determined by the appraisers appointed for such purpose by the Judge of the Circuit Court of Marion County, Indiana, as required by law, a perpetual easement to construct, maintain, renew, repair, operate and/or remove, upon, along, across and/or from the real estate hereinafter described, at the places where the same are now and may hereafter be located and maintained, a line or lines with the necessary poles, towers, structures, wires, cables, substations, mains and appurtenances for the transmission, distribution and delivery of electrical energy and/or gas to other persons and concerns and to the public in general for light, heat, power, telephone and/or other purposes.

Said real estate is described as follows:

A strip of land 40 feet in width lying along and adjoining the West line of the Michigan Road in the Northeast quarter of Section 22, Township 16 North, Range 3 East, Marion County, in the State of Indiana and more particularly described as follows:

Commencing at a point on the West line of the Michigan Road where it is intersected by the North line of said Section 22 running thence west along said North Section Line 40 feet; thence Southeastwardly parallel with said west line 1,265 feet; thence

East 40 feet to the said West line of said Michigan Road, and thence Northwestwardly along the said West line to the place of beginning, the said strip of land containing 1.16 acres more or less; and also

A strip of land 50 feet in width lying along parallel with and adjacent to the West line of the Michigan Road in the North East Quarter of Section 22, Township 16 North, Range 3 East, in Marion County, State of Indiana, and more particularly described as follows:

Commencing at a point on the West line of the Michigan Road 1,265 feet Southeastwardly from the North line of said Section 22, running thence West 50 feet, thence southeastwardly parallel with said West line to the West line of the highway known on plat of Clifton on the River as Crescent street, thence Northeastwardly along the West side of said Crescent street to the West line of said Michigan Road and thence Northwestwardly along the west line of said Michigan Road to the place of beginning, said strip of land containing 0.43 acre, more or less.

Section 2. That the Attorney for the Board of Park Commissioners be, and he is hereby, directed to prepare and file, in the name of the City of Indianapolis, with the Judge of the Circuit Court of Marion County, Indiana, a written petition requesting said judge to appoint appraisers to determine the fair cash value of said easement so to be sold and conveyed and to return and file sworn reports of such determination and appraisal and, such appraisers having been so appointed and having returned their appraisal as aforesaid, to prepare and submit to the Mayor and the City Clerk of the City of Indianapolis a proper written instrument and deed conveying such easement as aforesaid; and that the Mayor and the City Clerk of the City of Indianapolis be, and they are hereby, authorized and directed to execute and acknowledge said written instrument and deed for and on behalf of and in the name of the City of Indianapolis and to affix the seal of the said City upon said written instrument and deed and deliver the same to the said Attorney for the Board of Park Commissioners of the City of Indianapolis.

Section 3. This ordinance shall be in full force and effect from and after its passage and its approval by the mayor.

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

By the Board of Health:

SPECIAL ORDINANCE NO. 5, 1936

AN ORDINANCE accepting and approving a proposed "superseding grant agreement" submitted by the United States of America to the City of Indianapolis and authorizing its execution, accepting the grant to be made by the United States of America to the City of Indianapolis for the purpose of constructing a hospital building as provided for in said superseding grant agreement, and fixing a time when this ordinance shall take effect.

WHEREAS, there is in the City of Indianapolis an urgent need for public hospital facilities for the care and treatment of persons suffering from advanced cases of tuberculosis and for a dispensary and aid to the sick poor of said city; and

WHEREAS, the city, acting by and through its Board of Health, has almost completed a project of this nature erected on the Indianapolis City Hospital grounds, to be known as the Indianapolis Flower Mission Memorial Hospital and the John Maurice Butler Dispensary and Aid to the Sick Poor of Indianapolis; and

WHEREAS, the United States of America has approved a grant to the City of Indianapolis adding to and supplementing grants already accepted by the city under the terms of Special Ordinance No. 3, 1934, and Special Ordinance No. 1, 1935, the terms and conditions of which grant are expressed in a superseding grant agreement, which superseding grant agreement is as follows:

SUPERSEDING

GRANT AGREEMENT

between the

CITY OF INDIANAPOLIS

(MARION COUNTY, INDIANA)

and the

UNITED STATES OF AMERICA

P. W. A. Docket No. 8436

P. W. 58096.

1. *Purpose of Agreement.* Subject to the terms and conditions of this Grant Agreement (herein called the "Agreement") the United

States of America (herein called the "Government") will, by grant, aid the City of Indianapolis (Marion County, Indiana) herein called the "Grantee") in financing a project herein called the "Project") consisting of the construction of a hospital building, all pursuant to the Grantee's application (herein called the "Application"), P. W. A. Docket No. 8436, Title II of the National Industrial Recovery Act (herein called the "Act") and the Constitution and Statutes of the State of Indiana (herein called the "State").

2. *Amount of Grant.* The Government will make and the Grantee will accept a grant (herein called the "Grant") in an amount equal to 30 per centum of the cost of the labor and materials employed upon the Project. In no event shall the Grant be in excess of \$60,800. The determination by the Federal Emergency Administrator of Public Works (herein called the "Administrator") of the cost of the labor and materials employed upon the Project shall be conclusive.

3. *Grant Requisitions.* From time to time after the execution of this Agreement, the Grantee may file a requisition with the Government requesting the Government to make a payment on account of the Grant. Each requisition shall be accompanied by such documents as may be requested by the Administrator (a requisition together with such documents being herein collectively called a "Requisition").

4. *Grant Payment.* If a Requisition requesting the Government to make a payment on account of the Grant is satisfactory in form and substance to the Administrator, the Government will pay to the Grantee at such place or places as the Administrator may designate, against delivery by the Grantee of its receipt therefor, a sum of money equal to the difference between the aggregate amount previously paid on account of the Grant, and

- (a) 25 per centum of the cost of the labor and materials shown in the Requisition to have been employed upon the Project if the Requisition shows that the Project has not been completed, or
- (b) 30 per centum of the cost of such labor and materials if the Requisition shows that the Project has been completed and that all costs incurred in connection therewith have been determined.

5. *Grant Advances.* At any time after the execution of this Agreement the Government may, upon request of the Grantee, if in the judgment of the Administrator the circumstances so warrant, make advances to the Grantee on account of the Grant, but such advances shall not be in excess of 30 per centum of the cost of the labor and

materials to be employed upon the Project, as estimated by the Administrator.

6. *Deposit of Grant; Construction Accounts.* The Grantee shall deposit the Grant promptly upon receipt thereof, and all funds which will be required in addition to the Grant to complete the Project, in a separate account or accounts (each of such separate accounts herein called a "Construction Account"), in a bank or banks which are members of the Federal Reserve System and of the Federal Deposit Insurance Corporation and which shall be satisfactory at all times to the Administrator.

7. *Disbursement of Monies in Construction Accounts.* The Grantee shall expend the monies in a Construction Account only for such purposes as shall have been previously specified in Requisitions filed with the Government and as shall have been approved by the Administrator. Any monies remaining unexpended in any Construction Account after the completion of the Project shall be used to meet obligations (including bonds or other indebtedness) incurred in connection with the construction of the Project. When there are no longer any such obligations outstanding the Grantee may use such monies for any other purpose.

8. *Other Financial Aid from the Government.* If the Grantee shall receive any funds directly or indirectly from the Government or any agency or instrumentality thereof, other than the Grant, to aid in financing the construction of the Project, to the extent that such funds are so received the Grant shall be reduced.

9. *Construction of Project.* As soon as practicable after the execution of the Agreement, the Grantee (unless it has already done so) shall commence or cause to be commenced the construction of the Project, and the Grantee shall thereafter continue such construction or cause it to be continued to completion with all practicable dispatch, in an efficient and economical manner, at a reasonable cost and in accordance with the provisions of this Agreement, plans, drawings, specifications and construction contracts which shall be satisfactory to the Administrator, and under such engineering supervision and inspection as the Administrator may require. Except with the written consent of the Administrator, no materials or equipment for the Project shall be purchased by the Grantee subject to any chattel mortgage, or any conditional sale or title retention agreement.

10. *Completion of Proceedings.* As soon as practicable after the execution of this Agreement, the Grantee (unless it has already done so) shall obtain, or will take proceedings appropriate to obtain

funds, which, together with the Grant, will be sufficient to pay all costs of constructing the Project.

11. *Construction Work.* All work on the project shall be done subject to the rules and regulations adopted by the Administrator to carry out the purposes and control the administration of the Act. By the act of executing this Agreement the Grantee acknowledges receipt of a copy of the construction regulations set out in Bulletin No. 2, Non-Federal Projects, revised March 1, 1935, as amended, entitled "P. W. A. REQUIREMENTS as to BIDS, CONTRACTORS' BONDS, AND CONTRACT, WAGE AND LABOR PROVISIONS AND GENERAL INSTRUCTIONS as to APPLICATIONS AND LOANS AND GRANTS," and covenants that said rules and regulations, with all blank spaces filled in as provided in said Bulletin (the word "Borrower" as used therein being construed as meaning "Grantee") will be incorporated verbatim in ALL CONSTRUCTION CONTRACTS for work on the Project.*

12. *Force Account.* All construction work on the Project shall be done under contract, provided, however, that if prices in the bids are excessive, the Grantee reserves the right, anything in this Agreement to the contrary notwithstanding, to apply to the Administrator for permission to do all or any part of the Project on a force account basis.

13. *Bonds and Insurance.* Construction contracts shall be supported by adequate surety or other bonds or security satisfactory to the Administrator for the protection of the Grantee, or materialmen, and of labor employed on the Project or any part thereof. All contractors and subcontractors under construction contracts shall be required to provide, if required by the Administrator, public liability and property damage insurance in an amount satisfactory to the Administrator.

14. *Information.* During the construction of the Project the Grantee shall furnish to the Government all such information and data as the Administrator may request as to the construction, cost and progress of the work.

* Particular care should be taken by the Grantee that in all construction contracts *the following words* are inserted in the blank space in Paragraph 3 (a) (1) of the rules and regulations: the City of Indianapolis and/or Marion County, and *the following words* are inserted in the blank space in Paragraph 3 (a) (2) of the rules and regulations: State of Indiana.

15 *Representations and Warranties.* The Grantee represents and warrants as follows:

- (a) *Litigation.* No litigation or other proceedings are now pending or threatened which might adversely affect the construction and operation of the Project, or the financial condition of the Grantee;
- (b) *Financial Condition.* The character of the assets and the financial condition of the Grantee are as favorable as at the date of the Grantee's most recent financial statement furnished to the Government as a part of the Application, and there have been no changes in the character of its assets or in its financial condition except such changes as are necessary and incidental to the ordinary and usual conduct of the Grantee's affairs;
- (c) *Fees and Commissions.* It has not paid and does not intend to pay any bonus, fee or commission in order to secure the Grant hereunder;
- (d) *Affirmation.* Every statement contained in this Agreement, in the Application, and in any supplement thereto or amendment thereof, and in any other document submitted to the Government is correct and complete, and no relevant fact materially affecting the Grant or the Project, or any of the duties or obligations of the Grantee under this Agreement has been omitted therefrom.

16. *Expenses.* The Government shall be under no obligation to pay any costs, charges or expenses incident to compliance with any of the duties or obligations of the Grantee under this Agreement including, without limiting the generality of the foregoing, any legal, engineering or accounting costs, charges or expenses incurred by the Grantee.

17. *Waiver.* Any provision of this Agreement may be waived or amended with the consent of the Grantee and the written approval of the Administrator, without the execution of a new or supplemental agreement.

18. *Interest of Member of Congress.* No Member of or Delegate to the Congress of the United States of America shall be admitted to any share or part of this Agreement, or to any benefit to arise thereupon.

19. *Naming of Project.* The Project shall never be named except with the written consent of the Administrator.

20. *Insurance on Project* The Grantee shall, during the life of the Project, maintain proper and adequate insurance thereon.

21. *Undue Delay by the Grantee.* If in the opinion of the Administrator, which shall be conclusive, the Grantee shall delay for an unreasonable time in carrying out any of the duties or obligations to be performed by it under the terms of this Agreement, the Administrator may cancel this Agreement.

22. *Conditions Precedent to the Government's Obligations.* The Government shall be under no obligation to make any part of the Grant:

- (a) *Financial Condition and Budget.* If, in the judgment of the Administrator, the financial condition of the Grantee shall have changed unfavorably in a material degree from its condition as theretofore represented to the Government, or the Grantee shall have failed to balance its budget satisfactorily or shall have failed to take action reasonably designed to bring the ordinary current expenditures of the Grantee within the prudently estimated revenues thereof;
- (b) *Cost of Project.* If the Administrator shall not be satisfied that the Grantee will be able to complete the Project for the sum of \$206,800, or that the Grantee will be able to obtain, in a manner satisfactory to the Administrator, any additional funds which the Administrator shall estimate to be necessary to complete the Project;
- (c) *Compliance.* If the Administrator shall not be satisfied that the Grantee has complied with all the provisions contained in this Agreement theretofore to be complied with by the Grantee;
- (d) *Legal Matters.* If the Administrator shall not be satisfied as to all legal matters and proceedings affecting the Grant or the Project;
- (e) *Representations.* If any representation made by the Grantee in this Agreement or in the Application or in any supplement thereto or amendment thereof, or in any document submitted to the Government by the Grantee shall be found by the Administrator to be incorrect or incomplete in any material respect.

23. *Termination of Previous Grant Agreements.* It is specially understood and agreed that certain Grant Agreement heretofore entered into by and between the parties hereto as of September 21, 1934

(P. W. A. Docket No. 8436); and of June 19, 1935 (P. W. A. Docket No. 8436-A) for the making of grants to aid in financing the construction of the Project, by mutual consent, are hereby terminated as of the date of the execution of this Agreement.

This Agreement shall be binding upon the parties hereto when a copy thereof, duly executed by the Grantee and the Government, shall have been received by the Grantee. This Agreement shall be governed by and be construed in accordance with the laws of the State. If any provision of this Agreement shall be invalid in whole or in part, to the extent it is not invalid it shall be valid and effective and no such invalidity shall affect, in whole or in part, the validity and effectiveness of any other provision of this Agreement or the rights or obligations of the parties hereto, provided, however, that in the opinion of the Administrator, the Agreement does not then violate the terms of the Act.

IN WITNESS WHEREOF, the Grantee and the Government have respectively caused this Agreement to be duly executed as of

CITY OF INDIANAPOLIS (MARION COUNTY, INDIANA),

By _____

(SEAL)

Attest:

UNITED STATES OF AMERICA,
Federal Emergency Administrator of Public Works,

By _____

Assistant Administrator.

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

Section 1. That the City of Indianapolis, Indiana, does hereby approve, accept, agree to, and enter into the "Superseding Grant Agreement," submitted by the United States of America as herein set out in the preamble of this ordinance, and accepts the grant as provided for therein.

Section 2. That the Board of Health of the City of Indianapolis is hereby authorized, empowered and directed to execute, for and on behalf of and in the name of the City of Indianapolis, said "Superseding Grant Agreement," said execution by and upon the part of the said Board of Health of said "Superseding Grant Agreement" to be made and evidenced through the signature of M. Joseph Barry, President of said board, and attested by Herman G. Morgan, Secretary of said board.

Section 3. That the Board of Health of the City of Indianapolis, and any other proper authorities of said city, are hereby authorized, for and on behalf and in the name of said city, to enter into any and all agreements and to do all other things as may be necessary or desirable in the opinion of said board, to carry out and comply with the terms of said "Superseding Grant Agreement" of the United States of America.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval by the mayor.

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

INTRODUCTION OF RESOLUTIONS

By Mayor Kern:

RESOLUTION NO. 3, 1936

A RESOLUTION authorizing and empowering John W. Kern, Mayor of Indianapolis, to sell and assign certain United States registered government bonds, held by the City of Indianapolis as trustee under the last wills and testaments of Susan W. Butler and Margaret Butler Snow, and naming an effective date.

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

Section 1. That John W Kern, Mayor of the City of Indianapolis, be authorized and empowered to sell and assign the following United States bonds registered on the books of the Treasury Department in

the name of "City of Indianapolis, trustee under the last wills and testaments of Susan W. Butler and Margaret Butler Snow," and which are held by this corporation in a fiduciary capacity to carry out the purposes of said last wills:

Title of Loan	Serial Number	Denomination	Form of Registration
Treasury 3½'s of 1940-43	895-E	\$10,000.00	City of Indianapolis as Trustee under the last wills and testaments of Susan W. Butler and Margaret Butler Snow
"	1454-D	5,000.00	
"	1456-F	5,000.00	

being of the total par value of \$20,000.00, to provide for a contribution of \$22,985.43 for the equipment and completion of the John Maurice Butler Dispensary and the Indianapolis Flower Mission Hospital, having heretofore been authorized by the Probate Court of Marion County, having jurisdiction of the trust herein.

Section 2. AND BE IT FURTHER RESOLVED, That the said City of Indianapolis hereby ratifies and confirms all assignments of such bonds heretofore or hereafter made by the above named officers.

Section 3. This resolution shall be in full force and effect from and after its passage and approval by the mayor.

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

ORDINANCES ON SECOND READING

Mr. Carr called for General Ordinance No. 47, 1936, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Cable, General Ordinance No. 47, 1936, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 47, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, President Raub.

Mr. Oren called for General Ordinance No. 46, 1936, for second reading. It was read a second time.

On motion of Mr. Oren, seconded by Mr. Kealing, General Ordinance No. 46, 1936, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 46, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, President Raub.

Mr. Kealing called for Appropriation Ordinance No. 25, 1936, for second reading. It was read a second time.

On motion of Mr. Kealing, seconded by Mr. Carr, Appropriation Ordinance No. 25, 1936, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 25, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr.

Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, President Raub.

Mr. Cable called for Appropriation Ordinance No. 26, 1936, for second reading. It was read a second time.

On motion of Mr. Cable, seconded by Mr. Fritz, Appropriation Ordinance No. 26, 1936, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 26, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, President Raub.

Mr. Fritz asked for suspension of the rules for further consideration and passage of General Ordinance No. 57, 1936. The motion was seconded by Mr. Carr and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, President Raub.

The rules were suspended.

The Council reverted to a previous order of business.

COMMITTEE REPORT

Indianapolis, Ind., August 3, 1936.

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

Gentlemen:

We, your Committee on Public Health and Charities, to whom was referred General Ordinance No. 57, 1936, entitled Amending General Ordinance No. 50, 1936, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed under suspension of the rules.

ADOLPH J. FRITZ, Chairman.
THEODORE CABLE.
NANNETTE DOWD.
WM. A. OREN.
EDWARD KEALING.

ORDINANCES ON SECOND READING

Mr. Fritz called for General Ordinance No. 57, 1936, for second reading. It was read a second time.

On motion of Mr. Fritz, seconded by Mrs. Dowd, Gen-

eral Ordinance No. 57, 1936, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 57, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, President Raub.

Mr. Fritz asked for suspension of the rules for further consideration and passage of Resolution No. 3, 1936. The motion was seconded by Mr. Carr and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, President Raub.

The rules were suspended.

The Council reverted to a previous order of business.

COMMITTEE REPORT

Indianapolis, Ind., August 3, 1936.

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 Reso-

lution No. 3, 1936, entitled Authorizing sale of bonds, beg leave to report that we have had said resolution under consideration, and recommend that the same be passed under suspension of the rules.

JOHN A. SCHUMACHER, Chairman.
EDWARD R. KEALING.
THEODORE CABLE.
ADOLPH J. FRITZ.

ORDINANCES ON SECOND READING

Mr. Fritz called for Resolution No. 3, 1936, for second reading. It was read a second time.

On motion of Mr. Fritz, seconded by Mr. Oren, Resolution No. 3, 1936, was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 3, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, President Raub.

MISCELLANEOUS BUSINESS

The chairmen of the committees to whom were referred General Ordinances No. 27, No. 33 and No. 40 of 1936, asked for time for further consideration of the same, which was granted.

On motion of Mr. Schumacher, seconded by Mr. Kealing, the Common Council adjourned at 9:05 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 3rd day of August, 1936, at 7:30 p. m.

In Witness Whereof, we have hereunto subscribed our

signature and caused the seal of the City of Indianapolis, to be affixed.

Edward Raut

President.

Attest:

Samuel J. Orvis Jr.

(SEAL)

City Clerk.