

REGULAR MEETING

Monday, December 5, 1938

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, December 5, 1938, 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 eight members, viz: Theodore Cable, Silas J. Carr, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren, John A. Schumacher, Ross H. Wallace.

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

COMMUNICATIONS FROM THE MAYOR

November 25, 1938

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 the Honorable Daniel J. O'Neill, Jr., City Clerk, the following ordinances:

SPECIAL ORDINANCE NO. 10, 1938

AN ORDINANCE authorizing the sale, alienation and conveyance of certain lands of the City of Indianapolis, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 75, 1938

AN ORDINANCE to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 78, 1938

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

GENERAL ORDINANCE NO. 80, 1938

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, by adding thereto Sub-section (40), and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 81, 1938

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

GENERAL ORDINANCE NO. 86, 1938

AN ORDINANCE requiring the operators of all electrically operated cars and trains traveling on the tracks of the Indiana Railway to stop at North Keystone Avenue, providing a penalty for any violation thereof, and fixing a time when the same shall take effect.

Respectfully,

WALTER C. BOETCHER
Acting Mayor

COMMUNICATIONS FROM CITY OFFICIALS

December 5, 1938

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

Gentlemen:

Submitted herewith is General Ordinance No. 90, 1938, amending the Building Code, setting out a definite tenure of office for the appointive members of the Board of Electrical Examiners and the Board of Plumbing Examiners.

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
THEO H. DAMMEYER,
President

December 5, 1938

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

Gentlemen:

We are submitting herewith General Ordinance No. 91, 1938, requiring the registration at Police Headquarters of all persons holding keys to premises equipped with burglary alarms, and respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
THEO H. DAMMEYER,
President

December 5, 1938

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

Gentlemen:

Submitted herewith is General Ordinance No. 92, 1938, prohibiting parking on the south side of 63rd Street and on the south side of East New York Street, between certain points, and limiting parking on both sides of Noble Street and on the west side of Spring Street, between certain streets, from 7:00 a. m. to 6:00 p. m. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
THEO H. DAMMEYER,
President

December 5, 1938

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

Gentlemen:

Attached please find copies of General Ordinance No. 93, 1938, transferring the sum of Two Hundred Seventy-nine Dollars and Fifty Cents (\$279.50) from the 1938 Municipal Airport Budget Fund No. 51 to certain other funds of said budget.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,
Acting City Controller

December 5, 1938

Mr. H. Nathan Swaim,
City Controller.

Dear Sir:

Upon recommendation of the Superintendent of the Municipal Airport the Board of Public Works and Sanitation respectfully requests that you cause to be prepared an ordinance transferring the sum of \$279.50 from Municipal Airport Fund No. 51 and re-appropriate the same as follows:

\$ 79.50 into Airport No. 21
\$200.00 into Airport No. 22

The necessity for this transfer is due to the increased lighting facilities on the flying field.

Kindly submit the same to the Common Council at its next meeting with the recommendation from the Board of Public Works and Sanitation that the same be passed.

Very truly yours,

BOARD OF PUBLIC WORKS AND SANITATION
ERNEST F. FRICK
Executive Secretary

December 5, 1938

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

Gentlemen:

Attached please find copies of General Ordinance No. 94, 1938, authorizing the city controller of the City of Indianapolis to make a temporary loan in the sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00) in anticipation of current taxes of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,
Acting City Controller

December 5, 1938

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

Gentlemen:

Attached please find copies of General Ordinance No. 95, 1938, authorizing the City of Indianapolis to make a temporary loan in the year 1939 in the sum of Twenty-five Thousand Dollars, (\$25,000.00) for the use of the School Health Fund of the Board of Public Health and Charities of said City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,
Acting City Controller

December 5, 1938

Mr. H. Nathan Swaim,
Acting City Controller,
Indianapolis, Indiana.

Dear Sir:

Owing to the fact that the Board of Health is now, and will continue to be until the 11th day of May, 1939, without sufficient funds with which to meet the payroll and current expenses in the year 1939, payable out of the School Health Fund of said board, the board desires that you take the proper steps to negotiate a temporary loan of \$25,000 in order to carry on the functions of said board.

This loan is to be payable out of the current revenues and taxes levies in the year 1938, payable in the year 1939, for the School Health Fund.

Please prepare an ordinance authorizing such temporary loan and present the same to the Common Council at its next meeting. Prompt action is necessary on account of the small balance on hand.

Respectfully yours,

HERMAN G. MORGAN
Secretary, Board of Health

December 5, 1938

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

Gentlemen:

Attached please find copies of General Ordinance No. 96, 1938, authorizing the City of Indianapolis to make a temporary loan in the year 1939 in the sum of One Hundred Twenty-five Thousand Dollars (\$125,000.00) for the use of the Board of Public Health and Charities of said City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,
Acting City Controller

December 5, 1938] City of Indianapolis, Ind.

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December 2, 1938

Mr. H. Nathan Swaim,
Acting City Controller,
Indianapolis, Indiana.

Dear Sir:

Owing to the fact that the Board of Health is now, and will be until May 11, 1939, without sufficient funds with which to meet its payroll and current expenses in the year 1939, the board desires that you take the proper steps to negotiate a temporary loan of \$125,000 in order to carry on the functions of said board.

This loan is to be payable out of the current revenues and taxes levied in the year 1938, payable in the year 1939, for the general purposes of the board.

Will you please prepare an ordinance authorizing such temporary loan and present the same to the Common Council at its next meeting. Prompt action is necessary on account of the small balance of funds on hand.

Respectfully yours,

HERMAN G. MORGAN,
Secretary, Board of Health

December 5, 1938

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

Gentlemen:

Attached please find copies of General Ordinance No. 97, 1938, authorizing the City of Indianapolis to make a temporary loan in the year 1939, in the sum of Ten Thousand Dollars, (\$10,000.00) for the use of the Tuberculosis Fund of the Department of Public Health and Charities of the said City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,
Acting City Controller

December 3, 1938

Mr. H. Nathan Swaim,
Acting City Controller,
Indianapolis, Indiana.

Dear Sir:

Owing to the fact that the Board of Health is now, and will continue to be until May 11, 1939, without sufficient funds with which to meet its payroll and current expenses in the year 1939, payable out of the Tuberculosis Fund of said board, the board desires that you take the proper steps to negotiate a temporary loan of \$10,000 in order to carry on the functions of said board.

This loan is to be payable out of the current revenues and taxes levied in the year 1938, payable in the year 1939, for the Tuberculosis Fund.

Please prepare an ordinance authorizing such temporary loan and present the same to the Common Council at its next meeting. Prompt action is necessary on account of the small balance of funds on hand.

Respectfully yours,

HERMAN G. MORGAN,
Secretary, Board of Health

December 5, 1938

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

Gentlemen:

Attached please find copies of General Ordinance No. 98, 1938, requiring bonds to be executed by certain employees and assistants of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,
Acting City Controller

December 5, 1938

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

Gentlemen:

Attached please find copies of General Ordinance No. 99, 1938, transferring the sum of Five Hundred Dollars, (\$500.00) from Department of Law Budget Fund No. 53 and reappropriating the same to Department of Law Budget Fund No. 13.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,
Acting City Controller

December 2, 1938

Mr. H. Nathan Swaim,
Acting City Controller,
Indianapolis, Indiana.

Dear Sir:

The Department of Law respectfully requests that you cause to be introduced an ordinance transferring the sum of \$500.00 from Fund No. 53—Refunds, Awards and Indemnities, into Fund No. 13—Other Compensations, and present the same to the Common Council at its next meeting, December 5, 1938, with the recommendation of the Department of Law that it be passed.

The purpose of this transfer of the sum of \$500.00 is that there is in Fund No. 13 now \$400.00, and to meet the requirement that all 1938 bills be paid in the current year and not passed over to 1939, it will be necessary to have about \$500.00 additional in this fund, as we have on hand now bills for legal services rendered by local counsel representing the City of Indianapolis in other counties, amounting to more than we have on hand, and there will be several additional bills of this kind before the end of this month. This transfer is, therefore, necessary, as the need cannot be met in any other way.

Respectfully yours,

F. J. MATTICE
Corporation Counsel

December 5, 1938

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

Gentlemen:

Submitted herewith is Special Ordinance No. 11, 1938, authorizing the sale of certain real estate owned by the City of Indianapolis, under the jurisdiction of the Board of Safety, located as follows:

1915 West Washington Street.

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
THEO H. DAMMEYER,
President

December 5, 1938

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

Gentlemen:

Attached please find copies of Resolution No. 12, 1938, providing for the appropriation of Five Hundred Dollars, (\$500.00) from Fund No. 26-1—Mayor's Contingent Fund, as set out under the 1938 budget of the Department of Finance—City Controller. Said money to be used by the City Clerk to pay the expenses of publishing and printing certain advertisements concerning the official business of the City of Indianapolis and printing reports of the proceedings of the Common Council before January 1, 1939.

I respectfully recommend the adoption of this resolution.

Yours very truly,

H. NATHAN SWAIM,
Acting City Controller

December 2, 1938

Hon. H. Nathan Swaim,
Acting City Controller,
City Hall,
Indianapolis, Indiana.

Dear Sir:

You are hereby notified that as Acting 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 in an amount of Five Hundred Dollars (\$500.00). This expenditure is necessary to meet an urgent emergency for additional funds to be used by the City Clerk to pay the expenses of publishing and printing certain advertisements concerning the official business of the City of Indianapolis, and printing reports of the proceedings of the Common Council before January 1, 1939.

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

Very truly yours,

WALTER C. BOETCHER,
Acting Mayor

Mrs. Dowd made a motion for recess. The motion was seconded by Mr. Carr and the Council recessed at 7:45 p. m.

The Council reconvened at 8:05 p. m., with all members present.

COMMITTEE REPORTS

Indianapolis, Ind., December 5, 1938

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 16, 1938, entitled:

Appro. proceeds of bond sale—Track Elevation

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

ROSS H. WALLACE, Chairman
THEODORE CABLE
SILAS J. CARR
NANNETTE DOWD
ADOLPH J. FRITZ

Indianapolis, Ind., December 5, 1938

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. 87, 1938, entitled:

Track Elevation bonds—\$318,000.00

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

ROSS H. WALLACE, Chairman
THEODORE CABLE
SILAS J. CARR
NANNETTE DOWD
ADOLPH J. FRITZ

Indianapolis, Ind., December 5, 1938

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. 88, 1938, entitled:

Transfer—Board of Safety

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
ROSS H. WALLACE
WILLIAM A. OREN

Indianapolis, Ind., December 5, 1938

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. 85, 1938, entitled:

Amending zoning ordinance

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

WILLIAM A. OREN, Chairman
EDWARD KEALING
ROSS H. WALLACE
THEODORE CABLE
ADOLPH J. FRITZ

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the Board of Public Safety:

GENERAL ORDINANCE No. 90, 1938

AN ORDINANCE amending sub-section (a) of Section D-124, as
said sub-section was amended by General Ordinance No. 32,
1931, and amending sub-section (c) of Section F-117, as said
sub-section was amended by General Ordinance No. 32, 1931,
all of Section 865 of General Ordinance No. 121, 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. That sub-section (a) of Section D-124, as said sub-
section was amended by General Ordinance No. 32, 1931, of Section
865 of General Ordinance No. 121, 1925, be and the same is hereby
amended to read as follows:

(a) In order to safeguard life, health and property
through safe electrical installation, every person, firm or
corporation engaged in or offering to engage in the busi-
ness of electrical work or installation in the City of In-
dianapolis shall hereafter be required to submit evidence

that they are qualified therefor to so engage and shall be registered and licensed as hereinafter provided, and it shall be unlawful for any person, firm or corporation to engage in or offer to engage in the business of electrical work or installation in the City of Indianapolis, unless such person, firm or corporation has been duly registered and licensed under the provisions of this ordinance.

To carry out this provision there is hereby created a Board for the examination and licensing of Master Electricians, as hereinafter defined, to be known as "Board of Electrical Examiners," which Board shall consist of five (5) members, to be constituted and appointed as follows:

The Commissioner of Buildings of the City of Indianapolis and the Electrical Engineer shall each be a member of said board, ex-officio; The Commissioner of Buildings of the City of Indianapolis shall appoint as the third member of said Board some master electrician of good moral character of the City of Indianapolis, and these three members shall appoint two additional members, one of whom shall be a registered architect, and one registered electrical engineer under the laws of Indiana, all of the City of Indianapolis.

On and after January 1, 1939, the Board of Electrical Examiners shall be constituted, appointed, and hold tenure as follows:

The Commissioner of Buildings of the City of Indianapolis and the Chief Electrical Inspector shall each be a member of said Board, ex-officio; and the Mayor shall appoint three (3) additional members, to be known as the appointive members. One appointive member shall be a master electrician of good moral character of the City of Indianapolis; one appointive member shall be a registered architect; and one appointive member shall be a registered professional engineer, all residents of the City of Indianapolis at the time of appointment. The first appointive members of the Board to serve after January 1, 1939, shall hold office respectively as follows: the registered professional engineer for a term beginning January 1, 1939, and expiring January 1, 1940; the registered architect for a term beginning January 1, 1939, and expiring January 1, 1941; and the master electrician for a term beginning January 1, 1939, and expiring January 1, 1942. After the expiration of the aforesaid terms, said appointive

members thereafter shall be appointed by the Mayor for a term of three (3) years. Vacancies within a term shall be filled by the Mayor for the unexpired portion of the term only.

Section 2. That sub-section (c) of Section F-117, as said sub-section was amended by General Ordinance No. 32, 1931, of Section 865 of General Ordinance No. 121, 1925, be and the same is hereby amended to read as follows:

Said Board shall consist of five (5) members. The Commissioner of Buildings and the Secretary of the Board of Health and Charities shall be members of said Board ex-officio. These two members, as provided herein, shall appoint as members of said Board three additional members, two of whom shall be employers of not less than five years' experience in the business of plumbing and one shall be an employee of like experience, all of whom reside at the time of their appointment and shall have resided in the City of Indianapolis for a period of at least five (5) years prior to their appointment. After the appointment on said first board, no plumber shall be eligible for appointment on said board unless he be a registered and licensed plumber. The term of office of the three appointive members, first appointed under the provisions of this ordinance, shall be at the pleasure of the appointing members.

On and after January 1, 1939, the Board of Examiners of Plumbers shall be constituted, appointed, and hold tenure as follows:

The Commissioner of Buildings of the City of Indianapolis and the Secretary of the Board of Health and Charities shall each be a member of said Board, ex-officio; and the Mayor shall appoint three (3) additional members, to be known as the appointive members. Two appointive members shall be employer plumbers of not less than five (5) years' experience in the business of plumbing, and one (1) appointive member shall be an employee plumber of like experience, all resident at the time of appointment and for at least five (5) years prior thereto, in the City of Indianapolis. No one shall be eligible to serve as an appointive member unless he is a licensed plumber. The first appointive members of the Board to serve after January 1, 1939, shall hold office respectively as follows: one employer plumber for a term beginning

January 1, 1939, and expiring January 1, 1940; the employee plumber for a term beginning January 1, 1939, and expiring January 1, 1941; and another employer plumber for a term beginning January 1, 1939, and expiring January 1, 1942. After the expiration of the aforesaid terms, said appointive members thereafter shall be appointed by the Mayor for a term of three (3) years. Vacancies within a term shall be filled by the Mayor for the unexpired portion of the term only.

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 the Board of Public Safety:

GENERAL ORDINANCE No. 91, 1938

AN ORDINANCE requiring persons having the control of premises equipped with an automatic burglar-alarm to file with the Chief of Police the names, addresses and telephone numbers of all persons having a key to such premises, 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. It shall be unlawful for any person having the control of any office, store, storeroom, building or other establishment to equip any such place with an automatic burglar-alarm or to maintain thereon any such burglar-alarm, unless such person, prior to any such equipment or maintenance of any such place, shall have filed with the Chief of Police the names, addresses and telephone numbers of all persons having a key to any such place.

Section 2. Any person violating any of the provisions of this ordinance, upon conviction thereof, shall be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not exceeding one hundred eighty (180) days.

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

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

By the Board of Public Safety:

GENERAL ORDINANCE No. 92, 1938

AN ORDINANCE concerning the parking of vehicles on certain streets of the City of Indianapolis, providing a penalty for the violation thereof, and fixing a time when the same shall take effect.

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

Section 1. It shall be unlawful for the operator of any vehicle to park the same, or suffer, permit or allow the same to be parked at any time upon the following streets or parts of streets:

- (1) South side of Sixty-third Street between Cornell Avenue and Indianola Avenue.
- (2) South side of New York Street between Audubon Road and Bolton Avenue.

Section 2. It shall be unlawful for the operator of any vehicle to park the same for a longer period than one and one-half (1½) hours on the following streets or parts of streets:

- (1) North side of Robson Street from LaSalle Street to the Belt Railroad.
- (2) West side of Dearborn Street from New York Street to North Street.

Section 3. It shall be unlawful for the operator of any vehicle to park the same for a longer period than one and one-half (1½) hours, between the hours of 7:00 A. M. and 6:00 P. M., on the following named streets or parts of streets:

- (1) Noble Street from Michigan Street to Massachusetts Avenue.
- (2) West side of Spring Street from Michigan Street to St. Clair Street.

Section 4. Any person violating any of the provisions of this ordinance shall, upon conviction, be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not exceeding one hundred eighty (180) days.

Section 5. 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 Works.

By the City Controller:

GENERAL ORDINANCE No. 93, 1938

AN ORDINANCE transferring the sum of Two Hundred Seventy-nine Dollars and Fifty Cents (\$279.50) from the 1938 Municipal Airport Budget Fund No. 51 to certain other funds of said budget, and fixing a time when the same shall take effect.

WHEREAS, an extraordinary emergency has arisen for additional funds to provide increased lighting facilities on the flying field at the Municipal Airport,

NOW, THEREFORE,

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

Section 1. That the sum of Two Hundred Seventy-nine Dollars and Fifty Cents (\$279.50) now in 1938 Municipal Airport Budget Fund No. 51, is hereby transferred therefrom, reappropriated and reallocated in the following amounts to the following designated budget funds of said Municipal Airport:

Fund No. 21—Communications and Transportation,	\$79.50
Fund No. 22—Heat, light, Power and Water.....	200.00

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 Works.

By the City Controller:

GENERAL ORDINANCE No. 94, 1938

AN ORDINANCE authorizing the city controller of the City of Indianapolis to make a temporary loan in the sum of Seven Hundred Fifty Thousand Dollars (\$750,000) in anticipation of current taxes of the City of Indianapolis actually levied and in the course of collection for the fiscal year in which said loan

is made payable; providing for the interest to be charged therefor; providing for legal notice and the time when said loan shall mature; and fixing a time when the same shall take effect.

WHEREAS, the City of Indianapolis is now, and will continue to be until the 11th day of May, 1939, without sufficient funds to meet current expenses for the year 1939 for municipal purposes; and

WHEREAS, the first semi-annual installment of taxes for the year 1939 will amount to more than Seven Hundred Fifty Thousand Dollars (\$750,000);

NOW, THEREFORE,

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

Section 1. That the city controller is hereby authorized and empowered in the year 1939 to negotiate a temporary loan in anticipation of the current taxes for the general fund of the City of Indianapolis actually levied in the year 1938 and in the course of collection in the fiscal year 1939, not to exceed the sum of Seven Hundred Fifty Thousand Dollars (\$750,000) without considering the interest thereon to be added thereto, for a period not to exceed the time hereinafter fixed in this ordinance, at a rate of interest not to exceed six per cent (6%) per annum, the rate of interest to be fixed by the highest bidder bidding for said loan on an interest basis. Said loan shall run for a period not to exceed one hundred thirty (130) days. The city controller is authorized to make sale of said time warrants, after a notice thereof shall have been published by the present acting city controller once each week for two consecutive weeks in two newspapers of general circulation printed in the English language and published in the City of Indianapolis, and said sale to be not less than ten (10) days after the last publication of said notice. Said time warrants are to be signed by the mayor of the City of Indianapolis and the city controller, and attested by the city clerk of the City of Indianapolis, the seal of the City of Indianapolis to be attached thereto, and said time warrants are to be payable at the office of the city treasurer in the City of Indianapolis, Indiana; and to the payment of said time warrants the current revenues and taxes levied in the year 1938, payable in the year 1939, for the general fund of the City of Indianapolis, are hereby irrevocably appropriated and pledged.

Section 2. For the repayment of the principal amount of the temporary loan herein authorized by this ordinance, there is hereby appropriated to the city controller's 1939 Budget Fund No. 63—Payment of Temporary Loans (hereby established), out of the current revenues and taxes levied in the year 1938, payable in the year 1939, for the general fund of the City of Indianapolis, the sum of Seven Hundred Fifty Thousand Dollars (\$750,000); and for the payment of the interest thereon; there is hereby appropriated to the city controller's 1939 Budget Fund No. 61-2—Interest on Temporary Loans—out of the above designated revenues and taxes the sum of Four Thousand Eight Hundred Dollars (\$4,800.00).

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

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

By the City Controller:

GENERAL ORDINANCE No. 95, 1938

AN ORDINANCE authorizing the City of Indianapolis to make a temporary loan in the year 1939 in the sum of Twenty-five Thousand Dollars (\$25,000) for the use of the Board of Health of said city, in anticipation of and payable out of the current taxes of the Board of Health actually levied for the School Health Fund of said board and in course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing legal notice and the time when said loan shall mature; and fixing a time when the same shall take effect.

WHEREAS, the Board of Health of the City of Indianapolis, Indiana, is now, and will continue to be until the 11th day of May, 1939, without sufficient funds to meet the payroll and necessary current expenses of the year 1939, payable out of the School Health Fund of said Board of Health; and

WHEREAS, the first semi-annual installment of taxes levied by the City of Indianapolis for the School Health Fund for the year 1939 will amount to more than Twenty-five Thousand Dollars (\$25,000);

NOW, THEREFORE,

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

Section 1. That the city controller of the City of Indianapolis is hereby authorized and empowered in the year 1939 to negotiate a temporary loan for use of the Board of Health of the City of Indianapolis, Indiana, in anticipation of the current taxes of said Board of Health actually levied in the year 1938 and in the course of collection in the fiscal year 1939 for the School Health Fund, not to exceed the sum of Twenty-five Thousand Dollars (\$25,000), without considering the interest thereon to be added thereto, for a period not to exceed the time hereinafter fixed in this ordinance, at a rate of interest not to exceed six per cent (6%) per annum, the rate of interest to be fixed by the highest bidder bidding for said loan on an interest rate basis. Said loan shall run for a period not to exceed one hundred thirty (130) days. The city controller is authorized to make sale of said time warrants after a notice thereof shall have been published by the present acting city controller once each week for two consecutive weeks in two newspapers of general circulation, printed in the English language and published in the City of Indianapolis, and sale to be not less than ten (10) days after the last publication of said notice. Said time warrants are to be signed by the mayor of the City of Indianapolis and the city controller, countersigned by the president of the Board of Health, and attested by the city clerk of the City of Indianapolis, and the seal of the City of Indianapolis to be attached thereto, and said time warrants shall be payable at the office of the city treasurer in the City of Indianapolis, Indiana; and to the payment of said time warrants the current revenues and taxes levied in the year 1938, payable in the year 1939, for the School Health Fund of the Board of Health of the City of Indianapolis, are hereby irrevocably appropriated and pledged.

Section 2. That for the repayment of the principal amount of the temporary loan herein authorized by this ordinance, there is hereby appropriated to School Health Fund No. 63—Payment of Temporary Loans (hereby established), out of the current revenues and taxes levied in the year 1938, payable in the year 1939, for the School Health Fund of the Board of Health of the City of Indianapolis, the sum of Twenty-five Thousand Dollars (\$25,000); and for the payment of the interest thereon, there is hereby appropriated to School Health Fund No. 61—Interest on Temporary Loans, out of the above designated revenues and taxes the sum of Two Hundred Dollars (\$200.00).

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

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

By the City Controller:

GENERAL ORDINANCE No. 96, 1938

AN ORDINANCE authorizing the City of Indianapolis to make a temporary loan in the year 1939 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 current taxes of said Board of Health actually levied for general Board of Health purposes and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing legal notice and the time when said loan shall mature; and fixing a time when the same shall take effect.

WHEREAS, the Board of Health of the City of Indianapolis, Indiana, is now, and will continue to be until the 11th day of May, 1939, without sufficient funds to meet payroll and current expenses of the year 1939 necessary for the carrying on of the functions of said board and payable out of the general fund of said Board of Health; and

WHEREAS, the first semi-annual installment of taxes levied by the City of Indianapolis for general Board of Health purposes for the year 1939 will amount to more than One Hundred Twenty-five Thousand Dollars (\$125,000);

NOW, THEREFORE,

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

Section 1. That the city controller of the City of Indianapolis is hereby authorized and empowered in the year 1939 to negotiate a temporary loan for the use of the Board of Health of said City of Indianapolis, Indiana, in anticipation of the current taxes of said Board of Health actually levied for general Board of Health purposes in the year 1938 and in the course of collection in the fiscal year 1939, not to exceed the sum of One Hundred Twenty-five Thousand Dollars (\$125,000) without considering the interest thereon to be added thereto, for a period not to exceed the time hereinafter fixed in this ordinance, at a rate of interest not to exceed six per cent (6%) per annum, the rate of interest to be fixed by the highest bidder bidding for said loan on an interest rate basis. Said loan

shall run for a period not to exceed one hundred thirty days (130). The city controller is authorized to make sale of said time warrants after a notice thereof shall have been published by the present acting city controller once each week for two consecutive weeks in two newspapers of general circulation, printed in the English language and published in the City of Indianapolis, and said sale to be not less than ten (10) days after the last publication of said notice. Said time warrants are to be signed by the mayor of the City of Indianapolis and the city controller, countersigned by the president of the Board of Health, and attested by the city clerk of the City of Indianapolis, the seal of the City of Indianapolis to be attached thereto, and said time warrants shall be payable at the office of the city treasurer in the City of Indianapolis, Indiana; and to the payment of said time warrants the current revenues and taxes levied in the year 1938, payable in the year 1939, for the general purposes of the Board of Health of the City of Indianapolis are hereby irrevocably appropriated and pledged.

Section 2. That for the repayment of the principal amount of the temporary loan herein authorized by this ordinance, there is hereby appropriated to Board of Health 1939 Budget Fund No. 63—Payment of Temporary Loans (hereby established), out of the current revenues and taxes levied in the year 1938, payable in the year 1939, for the general purposes of the Board of Health of the City of Indianapolis, the sum of One Hundred Twenty-five Thousand Dollars (\$125,000); and for the payment of the interest thereon, there is hereby appropriated to Board of Health 1939 Budget Fund No. 61—Interest, out of the above designated revenues and taxes, the sum of Eight Hundred Dollars (\$800.00).

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

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

By the City Controller:

GENERAL ORDINANCE No. 97, 1938

AN ORDINANCE authorizing the City of Indianapolis to make a temporary loan in the year 1939, in the sum of Ten Thousand Dollars (\$10,000) for the use of the Board of Health of said city, in anticipation of and payable out of the current taxes of said Board of Health actually levied for the Tuberculosis Fund of said board and in the course of collection for the fiscal year

in which said loan is made payable; providing for the interest to be charged therefor; providing for legal notice and the time when said loan shall mature; and fixing a time when the same shall take effect.

WHEREAS, the Board of Health of the City of Indianapolis, Indiana, is now, and will continue to be until the 11th day of May, 1939, without sufficient funds to meet payroll and necessary current expenses for the year 1939, payable out of the Tuberculosis Fund of said Board of Health; and

WHEREAS, the first semi-annual installment of taxes levied by the City of Indianapolis for the Tuberculosis Fund for the year 1939 will amount to more than Ten Thousand Dollars (\$10,000);

NOW, THEREFORE,

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

Section 1. That the city controller of the City of Indianapolis is hereby authorized and empowered in the year 1939 to negotiate a temporary loan for use of the Board of Health of said City of Indianapolis, Indiana, in anticipation of the current taxes of said Board of Health actually levied in the year 1938 and in the course of collection in the fiscal year 1939 for the Tuberculosis Fund, not to exceed the sum of Ten Thousand Dollars (\$10,000) without considering the interest thereon to be added thereto, for a period not to exceed the time hereinafter fixed in this ordinance, at a rate of interest not to exceed six per cent (6%) per annum, the rate of interest to be fixed by the highest bidder bidding for said loan on an interest rate basis. Said loan shall run for a period not to exceed one hundred thirty (130) days. The city controller is authorized to make sale of said time warrants after a notice thereof shall have been published by the present acting city controller once each week for two consecutive weeks in two newspapers of general circulation printed in the English language and published in the City of Indianapolis, and said sale to be not less than ten (10) days after the last publication of said notice. Said time warrants are to be signed by the mayor of the City of Indianapolis and the city controller, countersigned by the president of the Board of Health, and attested by the city clerk of the City of Indianapolis, the seal of the City of Indianapolis to be attached thereto, and said time warrants shall be payable at the office of the city treasurer of the City of Indianapolis, Indiana; and to the payment of said time warrants the current revenues and taxes levied in the year 1938, payable in

the year 1939, for the Tuberculosis Fund of the Board of Health of the City of Indianapolis, are hereby irrevocably appropriated and pledged.

Section 2. That for the repayment of the principal amount of the temporary loan herein authorized by this ordinance, there is hereby appropriated to Tuberculosis Fund No. 63—Payments of Temporary Loans (hereby established), out of the current revenues and taxes levied in the year 1938, payable in the year 1939, for the Tuberculosis Fund of the Board of Health of the City of Indianapolis the sum of Ten Thousand Dollars (\$10,000); and for the payment of the interest thereon, there is hereby appropriated to Tuberculosis Fund No. 61—Interest on Temporary Loans, out of the above designated revenues and taxes, the sum of One Hundred Dollars (\$100.00).

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

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

By the City Controller:

GENERAL ORDINANCE No. 98, 1938

AN ORDINANCE requiring bonds to be executed by certain employees and assistants of the City of Indianapolis, and fixing a time when the same shall take effect.

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

Section 1. In addition to those officers, heads of departments, assistants and employees who are required to execute bonds by the provisions of Section 122 of General Ordinance No. 121, 1925, and subsequent amendments thereof, each of the following assistants and employees of the City of Indianapolis shall execute a bond, payable to the City of Indianapolis, conditioned upon the faithful performance of the duties of his respective office, and for the payment and transfer to the proper persons of all moneys and property received by him as such assistant and employee. Such bond shall be in the several sums hereinafter stated respectively, as follows:

DEPARTMENT OF PUBLIC SAFETY	
Market House—Clerk-Bookkeeper	\$1000.00
DEPARTMENT OF PUBLIC SANITATION	
Auditor	\$1000.00

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 Finance.

By the City Controller:

GENERAL ORDINANCE No. 99, 1938

AN ORDINANCE transferring the sum of Five Hundred Dollars (\$500.00) from a certain fund of the Department of Law to a certain other designated fund of said department, and fixing a time when the same shall take effect.

WHEREAS, an extraordinary emergency exists for the continued retention of local counsel in counties outside of Marion County where numerous suits against the City of Indianapolis are pending; and

WHEREAS, there is not now sufficient money in the budgeted fund of the Department of Law allocated for that purpose to pay both for the continued retention of such local counsel and to pay bills for legal services already rendered by local counsel in counties outside of Marion County;

NOW, THEREFORE,

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

Section 1. That the sum of Five Hundred Dollars, now in Fund No. 53—Refunds, Awards and Indemnities, of the 1938 budget of the Department of Law, be and the same is hereby transferred therefrom, reappropriated and reallocated to Fund No. 13—Other Compensations, of the 1938 budget of said department.

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

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

By Councilman Carr:

GENERAL ORDINANCE No. 100, 1938

AN ORDINANCE amending Section 1 of General Ordinance No. 19, 1938 (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. 19, 1938 (as amended), be amended to read as follows:

Section 1. That Section 1 of General Ordinance No. 51, 1936 (as amended), be amended to read as follows:

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 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 (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.
- (h) Central Avenue, north from Ft. Wayne Avenue to Westfield Boulevard.
- (i) Capitol Avenue, north from Sixteenth Street to Westfield Boulevard.

- (j) Pennsylvania Street, from Sixteenth Street north to Westfield Boulevard.
- (k) Boulevard Place, from 38th Street north to Westfield Boulevard.

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 Board of Public Safety:

SPECIAL ORDINANCE No. 11, 1938

AN ORDINANCE authorizing the sale, alienation and conveyance of certain land of the City of Indianapolis, and fixing a time when the same shall take effect.

WHEREAS, the Board of Public Safety of the City of Indianapolis has determined that certain land, hereinafter described, is no longer necessary for the public use and that it would be to the best interests of the said City of Indianapolis to dispose of said land by sale;

NOW, THEREFORE,

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

Section 1. That the Board of Public Safety is hereby authorized to sell, alienate and convey for cash, at public or private sale, for not less than the appraised value thereof, which value is to be hereafter determined by appraisers appointed by the judge of the Circuit Court of Marion County, Indiana, as required by law, the following described real estate belonging to the City of Indianapolis and situated in the City of Indianapolis, Marion County, Indiana, to-wit:

Lot No. 16 in Neal's West Washington Street Sub.
in Outlot No. 16, west of White River in the City of Indianapolis, Indiana.

That said real estate shall be sold at public or private sale, upon such notice, or notices, as the Board of Public Safety may determine. The conveyance of the above described real estate shall

be by the Mayor in the name of the City of Indianapolis, and attested by the City Clerk and with the seal of the city.

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.

INTRODUCTION OF RESOLUTIONS

By the City Controller:

RESOLUTION No. 12, 1938

WHEREAS, it is necessary that certain advertisements concerning the official business of the City of Indianapolis be made before the first of January, 1939, by the City Clerk; and

WHEREAS, it is necessary that the City Clerk continue to print the proceedings of the Common Council of the City of Indianapolis until January 1, 1939, and to cause to be published notices of the passage of ordinances by the Common Council of said city; and

WHEREAS, there will not be sufficient moneys remaining in the funds of the City Clerk to continue such aforesaid printing and legal publications, which said printings and publications are estimated to cost the sum of about Five Hundred Dollars (\$500.00); and

WHEREAS, the Acting Mayor of the City of Indianapolis and the Acting City Controller have, and do now recommend to this Common Council that there is immediate necessity for an appropriation not exceeding Five Hundred Dollars (\$500.00), to be appropriated from Fund No. 26-1—Mayor's Contingent Fund, as set out under the 1938 budget of the Department of Finance—City Controller;

NOW, THEREFORE,

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

FIRST. That the sum of Five Hundred Dollars (\$500.00) is hereby appropriated from the above designated fund for expenditure by the City Clerk for the purposes above set forth, said expense

to be incurred and accounted for by said City Clerk upon requisitions and vouchers directed to the office of the City Controller, to be paid out of said appropriated amount, as in similar cases made and provided.

SECOND. This resolution shall become effective immediately upon its passage and approval by said Acting Mayor.

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

ORDINANCES ON SECOND READING

Mr. Wallace called for General Ordinance No. 87, 1938, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Carr, General Ordinance No. 87, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 87, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for Appropriation Ordinance No. 16, 1938, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Kealing, Appropriation Ordinance No. 16, 1938, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 16, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Carr called for General Ordinance No. 88, 1938, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Fritz, General Ordinance No. 88, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 88, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Oren called for General Ordinance No. 85, 1938, for second reading. It was read a second time.

On motion of Mr. Oren, seconded by Mr. Wallace, General Ordinance No. 85, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 85, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace asked that the rules be suspended for the further consideration and passage of Resolution No. 12, 1938. The motion was seconded by Mrs. Dowd and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

The rules were suspended.

The Council reverted to a previous order of business.

COMMITTEE REPORT

Indianapolis, Ind., December 5, 1938.

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 Resolution No. 12, 1938, entitled:

Appropriating \$500.00 to City Clerk's Fund No. 24

beg leave to report that we have had said ordinance under consid-

eration, and recommend that the same be passed under suspension of the rules.

ROSS H. WALLACE, Chairman
THEODORE CABLE
SILAS J. CARR
NANNETTE DOWD
ADOLPH J. FRITZ

ORDINANCES ON SECOND READING

Mr. Wallace called for Resolution No. 12, 1938, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Carr, Resolution No. 12, 1938, was ordered engrossed, read a third time and placed upon its passage.

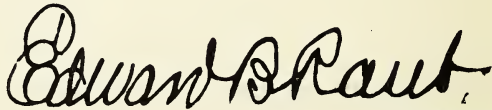
Resolution No. 12, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

On motion of Mr. Wallace, seconded by Mr. Cable, the Common Council adjourned at 9:25 p. m.

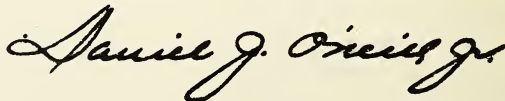
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 5th day of December, 1938, at 7:30 p. m.

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



Attest:

President.



City Clerk.

(SEAL)