

REGULAR MEETING

Monday, April 15, 1935.
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, April 15, 1935, at 7:30 p. m., in regular session. Vice-President Silas J. Carr in the chair.

The Clerk called the roll.

Present: Silas J. Carr, Vice-President, and seven members, viz: Theodore Cable, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren, John A. Schumacher, Ross H. Wallace.

Absent: President Edward B. Raub.

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

COMMUNICATIONS FROM THE MAYOR

April 3, 1935.

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

Gentlemen:

I have this day approved with my signature and delivered to Daniel J. O'Neill, Jr., City Clerk, the following ordinances:

GENERAL ORDINANCE NO. 28, 1935

AN ORDINANCE prohibiting in the City of Indianapolis the licensing of more than one circus in any fifteen (15) day period, and fixing a time when the same shall take effect.

Respectfully,

JOHN W. KERN,
Mayor.

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COMMUNICATIONS FROM CITY OFFICIALS

February 8, 1935.

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

Gentlemen:

Attached hereto are 15 copies of General Ordinance No. 29, 1935, amending the general zoning ordinance.

The City Plan Commission respectfully recommends the passage of this ordinance.

Very truly yours,

V. B. McLEAY,
Secretary-Engineer,
CITY PLAN COMMISSION.

April 15, 1935.

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

Gentlemen:

We are submitting herewith General Ordinance No. 30, 1935, ratifying the purchase of parts from the Stutz Fire Apparatus Company of Hartford City, Indiana, by the Fire Department for building a new pumper. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
BLYTHE Q. HENDRICKS,
Executive Secretary.

April 15, 1935.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 8, 1935, creating and establishing Fund No. 53—Refunds, Awards and

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Indemnities, under Item No. 5—Current Charges, in the Board of Public Safety, Administration budget and appropriating thereto the sum of Four Thousand (\$4,000.00) Dollars from the unappropriated and unexpended balance of the general fund of 1934.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

April 9, 1935.

Walter C. Boetcher,
City Controller,
City of Indianapolis.

Dear Sir:

With reference to the reinstatement of David Curran and Martin O'Brien in the Police Department, and in accordance with the agreement that each of these men be paid the sum of Two Thousand (\$2000.00) Dollars—dating from September 6, 1932, to and including March 26, 1935, we are asking that an ordinance be presented the Common Council establishing Fund No. 53—Refunds, Awards and Indemnities—in the Board of Public Safety budget—administration—and that Four Thousand (\$4000.00) Dollars be appropriated thereto out of the unexpended and unappropriated balance of the general fund of 1934 for this purpose.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
By: THEO. H. DAMMEYER,
President.

April 15, 1935.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 9, 1935, appropriating the sum of Twenty-five Thousand (\$25,000.00) Dollars from an unexpended and unappropriated balance of January

1, 1935, in the General Fund of the Department of Public Parks, to certain numbered funds in the Department of Public Parks.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

April 15, 1935.

Honorable Walter C. Boetcher,
Controller, City of Indianapolis,
City Hall.

Dear Sir:

We are handing you herewith fifteen copies of an appropriation ordinance appropriating the sum of \$25,000.00 from the unappropriated and unexpended balance of January 1, 1935, in the General Fund of the Department of Public Parks, and appropriating and apportioning the same to certain designated and numbered funds in the Department of Public Parks.

We respectfully request that you present this ordinance to the Common Council at its next meeting to be held April 15, 1935, with recommendations for its passage.

Very truly yours,

BOARD OF PARK COMMISSIONERS,
/s/ MARY E. GRIFFIN,
Secretary.

April 15, 1935.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 10, 1935, appropriating and allocating the sum of \$109,552.87 received on April 2, 1935, from the State of Indiana as revenue under the Gasoline Tax, to various departments of the City of Indianapolis in

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accordance with the provisions of Section 4A of General Ordinance No. 56, 1934.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

April 15, 1935.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 11, 1935, appropriating and transferring to the Department of Public Safety, Police Department Fund No. 44-1—General Materials—the sum of Twenty-five Hundred (\$2500.00) Dollars out of the unappropriated and unexpended balance in the Gasoline Tax Fund for the year 1934.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

April 9, 1935.

Walter C. Boetcher,
City Controller,
City of Indianapolis.

Dear Sir:

In connection with the drive against traffic violations, and on the recommendation of Mayor Kern, Chief Morrissey and others that additional warning signs be provided and zones established to reduce speed, we are asking that you cause to be prepared an ordinance appropriating from the unexpended and unappropriated balance of the Gasoline Tax Fund for the year 1934 the sum of Twenty-five Hundred (\$2500.00) Dollars to the Police Department budget—Fund No. 44-1 General Materials—for this purpose.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
By: THEO. H. DAMMEYER,
President.

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April 15, 1935.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 12, 1935, appropriating and transferring to the Department of Public Safety, Police Department Fund No. 72—Equipment—the sum of Five Thousand Five Hundred (\$5,500.00) Dollars out of the unappropriated and unexpended balance in the General Fund for the year 1934.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

April 9, 1935.

Walter C. Boetcher,
City Controller,
City of Indianapolis.

Dear Sir:

The Board of Safety has this date approved a Police Department requisition for the purchase of 10 new motorcycles and 5 new motorcycle side-cars to be used in connection with the enforcement of the traffic laws. We, therefore, ask that an ordinance be presented the Common Council appropriating Five Thousand Five Hundred (\$5500.00) Dollars from the unexpended and unappropriated balance of the general fund for the year 1934 to the Police Department budget—Fund No. 72—Equipment—for the purchase of the above motorcycles and side-cars.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
By: THEO. H. DAMMEYER,
President.

Mr. Schumacher asked for a recess. The motion was seconded by Mr. Wallace and the Council recessed at 7:35 p. m.

The Council reconvened from its recess at 8:10 p. m., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., April 15, 1935.

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. 25, 1935, entitled An ordinance creating and establishing positions of Merit Commission Clerks, fixing salaries thereof and authorizing appropriations to pay the same, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

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

Indianapolis, Ind., April 15, 1935.

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. 6, 1935, entitled Appropriating the sum of \$7,200.00 for salaries of Merit Clerks, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

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

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Indianapolis, Ind., April 15, 1935.

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. 7, 1935, entitled Creating and establishing Fund No. 73 in Board of Works budget and appropriating the sum of \$3500.00 thereto, 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.
ADOLPH J. FRITZ.
NANNETTE DOWD.

Indianapolis, Ind., April 15, 1935.

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

Gentlemen:

We, your Committee on Public Works, to whom was referred General Ordinance No. 27, 1935, entitled Extending lighting contract for period of six months, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

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

Indianapolis, Ind., April 15, 1935.

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. 21, 1935, entitled An ordinance concerning storage of gasoline, kerosene, etc., beg leave to report that we have

had said ordinance under consideration, and recommend that the same be held for further consideration.

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

Indianapolis, Ind., April 15, 1935.

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. 26, 1935, entitled Establishing passenger and/or loading zones: 336 East Washington Street, United Laundries; N. S. East Market, Fletcher Trust Building; N. S. Maryland Street, Colonial Furniture Co., beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

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

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 8, 1935

AN ORDINANCE creating and establishing, in the Department of Public Safety Office Administration budget, Item 5—Current Charges, Fund 53—Refunds, Awards and Indemnities, appropriating thereto the sum of Four Thousand Dollars (\$4,000) out of the unappropriated and unexpended balance in the general fund for the year 1934, and fixing a time when the same shall take effect.

WHEREAS, on January 20, 1928, Martin O'Brien and David Curran were dismissed from the police department by the Board of

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Public Safety, and thereafter court action was filed by each of them asking for reinstatement in the police department and for the payment of all back salary to date; and

WHEREAS, in compromise and settlement, arranged by the corporation counsel and approved by the mayor, each of said claimants agreed to drop his cause of action upon reinstatement to his former position on the police force and the payment of Two Thousand Dollars (\$2000) by the Board of Public Safety; and

WHEREAS, there is not now available in the budget of the Department of Public Safety any money with which to make such payment; NOW, THEREFORE,

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

Section 1. That there be and there is hereby established, in the Department of Public Safety Office Administration budget, Item 5—Current Charges, Fund 53—Refunds, Awards and Indemnities, and that the sum of Four Thousand Dollars (\$4000) be and the same is hereby appropriated thereto out of the unappropriated and unexpended balance in the general fund for the year 1934.

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:

APPROPRIATION ORDINANCE NO. 9, 1935

AN ORDINANCE appropriating certain monies from the unexpended and unappropriated balance of January 1, 1935, in the General Fund of the Department of Public Parks, to certain numbered funds in the Department of Public Parks, and fixing the time when the same shall take effect.

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

Section 1. That a part of the unexpended and unappropriated balance of January 1, 1935, of the General Park Fund of the Department of Public Parks, City of Indianapolis, viz., Twenty-five Thousand (\$25,000.00) Dollars be, and the same is, hereby appropriated in the amounts specified to the following numbered and designated funds of said Department of Public Parks, viz:

To ACCOUNTS:

ITEM 2—SERVICES CONTRACTUAL.

Fund 21. Communication and Transportation	
214—Telephone	\$ 250.00
Fund 22. Light, Water, Gas	
221—Electric Current	100.00
Fund 24. Printing and Advertising	
241—Advertising	100.00
Fund 25. Repairs	
252—Repairs to Equipment	50.00

ITEM 3—SUPPLIES

Fund 32. Fuel	
321—Coal	60.00
Fund 33. Garage and Motor	
331—Gasoline	2,160.00
332—Oil	560.00
Fund 38. General Supplies	
385—Tools	90.00
389—Miscellaneous	50.00

ITEM 4—MATERIALS

Fund 41. Building Materials	
411—Lumber	906.93
412—Nails and Bolts	18.00
413—Paint and Putty	20.00
414—Roofing	27.00
Fund 42. Sewer Materials	
421—Tile	11,900.75
422—Cement, Brick, etc.	1,118.00
423—Inlets	750.00
Fund 43. Street and Alley	
432—Sand, Gravel and Grits	94.32
Fund 44. General Materials	
442—Miscellaneous	200.00
Fund 45. Repair Parts	
451—Repair Parts—Equipment	150.00

ITEM 5—CURRENT CHARGES

Fund 54. Rents	
541—Rental	250.00

ITEM 7—PROPERTIES

Fund 71. Buildings, Structures, Improvements	
711—Buildings	600.00
712—Bridges	325.00
713—Improvements	70.00
Fund 72. Equipment	
726—Other Equipment	150.00
Fund 73. Land	
731—Acquisition	5,000.00
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	\$25,000.00

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 Finance.

By the City Controller:

APPROPRIATION ORDINANCE NO. 10, 1935

AN ORDINANCE appropriating and allocating the sum of One Hundred Nine Thousand Five Hundred Fifty-two Dollars and Eighty-seven Cents (\$109,552.87), received on April 2, 1935, 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 4A of General Ordinance No. 56, 1934, 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 total sum of One Hundred Nine Thousand Five Hundred Fifty-two Dollars and Eighty-seven Cents (\$109,552.87) received on April 2, 1935, from the State of Indiana as revenue under the Gasoline Tax, be and the same is hereby appropriated, allocated

and distributed to the following departments of the City of Indianapolis in the amounts specified, in accordance with the provisions of Section 4A of General Ordinance No. 56, 1934:

Board of Public Works.....	21.95%	\$24,046.85
City Civil Engineer.....	4.81%	5,269.49
Street Commissioner.....	62.87%	68,875.90
Park Department.....	10.37%	11,360.63

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 Finance.

By the City Controller:

APPROPRIATION ORDINANCE NO. 11, 1935

AN ORDINANCE appropriating and transferring to the Department of Public Safety, Police Department Fund No. 44-1—General Materials, the sum of Twenty-five Hundred Dollars (\$2500.00) out of the unappropriated and unexpended balance in the Gasoline Tax Fund for the year 1934, and fixing a time when the same shall take effect.

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

Section 1. That there be and there is hereby appropriated and transferred to the Department of Public Safety, Police Department Fund 44-1—General Materials, the sum of Twenty-five Hundred Dollars (\$2500.00) out of the unappropriated and unexpended balance in the Gasoline Tax Fund for the year 1934.

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:

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APPROPRIATION ORDINANCE NO. 12, 1935

AN ORDINANCE appropriating and transferring to the Department of Public Safety, Police Department Fund 72—Equipment, the sum of Five Thousand Five Hundred Dollars (\$5500.00) out of the unappropriated and unexpended balance in the general fund for the year 1934, and fixing a time when the same shall take effect.

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

Section 1. That there be and there is hereby appropriated and transferred to the Department of Public Safety, Police Department Fund 72—Equipment, the sum of Five Thousand Five Hundred Dollars (\$5,500.00) out of the unappropriated and unexpended balance in the general fund for the year 1934.

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.

INTRODUCTION OF GENERAL ORDINANCES

By the City Plan Commission:

GENERAL ORDINANCE NO. 29, 1935

AN ORDINANCE amending General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance, 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 U1 or residence district, the A1 or 7500 square foot area district and the H1 or 50 foot height district, be and the same are hereby amended, supplemented and changed so as to include the following described territory:

Beginning at a point on the west property line of College Avenue at its intersection with the center-line of the first alley south of Riverview Drive; thence west, southwest and south along the center-line of the first alley

south, southeast and east of Riverview Drive and the production of the said center-line to the south property line of 64th Street; thence west along the south property line of 64th Street and the production of the said south property line to the west property line of Washington Boulevard; thence south along the west property line of Washington Boulevard to the center-line of the first alley southeast of Riverview Drive; thence southwest along the center-line of the first alley southeast of Riverview Drive and the production of the said center-line to the southwest property line of Delaware Street; thence southeast along the southwest property line of Delaware Street to the north property line of 63rd Street; thence west along the north property line of 63rd Street to the east property line of Riverview Drive; thence northeast and east along the southeast property line of Riverview Drive to the west property line of College Avenue; thence south along the west property line of College Avenue to the point or place of beginning.

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

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

By the Board of Safety:

GENERAL ORDINANCE NO. 30, 1935

AN ORDINANCE authorizing the Board of Public Safety, or its duly acting purchasing agent, to purchase sufficient parts to build one complete pumper for the Fire Department of the City of Indianapolis.

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

Section 1. That the Board of Public Safety of the City of Indianapolis, by itself or through its duly acting purchasing agent, be and it is hereby authorized to purchase all parts necessary to make one complete pumper for the Fire Department of the City of Indianapolis.

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Section 2. That said purchase shall be made from the lowest and best bidder, or bidders, after advertising for competitive bids thereon according to law, and the total cost thereof shall not exceed the sum of Four Thousand Ninety-five Dollars and Fifty Cents (\$4,095.50).

Section 3. That the purchase price of all such parts for said proposed fire engine shall be paid out of funds heretofore allocated to Fund 72—Equipment, of the Fire Department of the Department of Public Safety.

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 Finance.

ORDINANCES ON SECOND READING

Mr. Wallace called for Appropriation Ordinance No. 7, 1935, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Schumacher, Appropriation Ordinance No. 7, 1935, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 7, 1935, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Cable called for General Ordinance No. 27, 1935, for second reading. It was read a second time.

On motion of Mr. Cable, seconded by Mr. Kealing, General Ordinance No. 27, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 27, 1935, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Wallace called for General Ordinance No. 26, 1935, for second reading. It was read a second time.

Mr. Oren presented the following written motion to amend General Ordinance No. 26, 1935:

Indianapolis, Ind., April 15, 1935.

Mr. President:

I move that General Ordinance No. 26, 1935, be amended by striking out the figures "36" in line 25 of Section 1, and inserting in lieu thereof the following: 18.

WM. A. OREN,
Councilman.

The motion was seconded by Mrs. Dowd and passed by the following roll call vote:

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

On motion of Mr. Wallace, seconded by Mr. Oren, General Ordinance No. 26, 1935, as amended, was ordered engrossed, read a third time by the Clerk and passed by the following roll call vote:

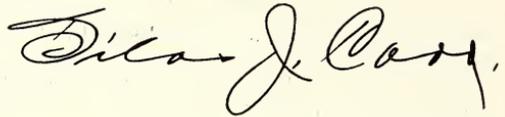
Ayes, 8, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, Vice-President Carr.

On motion of Mr. Schumacher, seconded by Mr. Cable, the Common Council adjourned at 8:20 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 15th day of April, 1935, at 7:30 p. m.

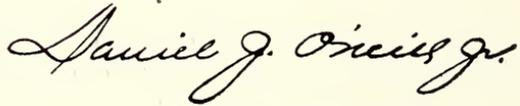
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In Witness Whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.



Vice-President.

Attest:



City Clerk.

(SEAL)