

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—NOVEMBER 16, 1891.

The Common Council of the City of Indianapolis, met in the Council Chamber, on Monday evening, November 16th, A. D. 1891, at 8:00 o'clock, in regular session.

PRESENT—Hon. Manford D. Yontz, President of the Common Council in the Chair, and 18 members, viz: Councilmen Austin, Burns, Coorer, Coy, Davis, Dunn, Hicklin, Markey, Murphy, Myers, McGill, Nolan; Olsen, Rassmann, Sherer, Trusler, and Weber.

ABSENT, 7—viz: Councilmen Gasper, Gauss, Martindale, Pearson, Stechhan, Sweetland, and Woollen.

The Proceedings of the Common Council for the regular session held November 2d, 1891, having been printed and placed upon the desks of the Councilmen, said Journal was approved as published.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, submitted the following communication; which was received:

Indianapolis, Ind., Nov. 16, 1891.

To the Members of the Common Council:

Gentlemen:—I have approved General Ordinance No. 39, also appropriation Ordinances Nos. 9 and 10, also Resolution No. 12, passed at your session held Nov. 9, '91.

Respectfully yours, THOMAS L. SULLIVAN, Mayor.

ORDINANCES VETOED BY THE MAYOR.

His Honor, the Mayor, presented the following communication, vetoing Ap. O. No. 9, 1891:

Indianapolis, Ind., Nov. 13, 1891.

To the Members of the Common Council:

Gentlemen:—Appropriation Ordinance No. 9 appropriates \$150, with which to pay the claim of James W. Brown against the City. The fact is, James W. Brown has no claim against the City. I am informed that Mr. Brown was the engineer in charge of grading and repairing levee on south bank of Fall Creek. No part of the cost of the levee to be paid by the City. In December, 1890, the Treasurer was directed to make a levy upon benefited real estate to pay said cost, and when collected to pay the total amount to the contractor. No part of the amount collected ever went into the City Treasury, and of course, no appropriation ought to be made by the City to pay the bill.

I therefore return the ordinance not approved. I am informed that since the passage of Ordinance No. 9, the contractor has paid Mr. Brown his debt.

Very respectfully, THOMAS L. SULLIVAN, Mayor.

Also, the following communication, vetoing G. O. 43, 1891:

Indianapolis, Ind., Nov. 16th, 1891.

To the Members of the Common Council:

Gentlemen:—General Ordinance No. 43 was introduced and referred to the Judiciary Committee. That Committee reported certain amendments to the Council which, in their opinion, ought to be made to the ordinance. The Council adopted the Committee's report, but failed to vote upon the amendments. The ordinance was then read a second and third time and passed.

I suppose the Council intended to pass the ordinance as recommended to them by the Judiciary Committee, but passed instead the ordinance as originally introduced. For that reason I return to you General Ordinance No. 43 not approved. My action is based entirely upon the fact that the records of the Council show that an ordinance has been sent me your body did not intend to pass. The effect upon the City of Indianapolis of such an ordinance as your honorable body seemed disposed to pass, I have not yet had occasion to consider.

Respectfully submitted,

THOMAS L. SULLIVAN, Mayor.

The Comptroller, through Councilman Rassmann, submitted the following communication; which was read and referred to the Committee on Ways and Means:

Indianapolis, Ind., Nov. 12, 1891.

To the Honorable, the Common Council of the City of Indianapolis:

Gentlemen:—The Mayor having certified to me bills against the city for \$120.00 to pay special Police Judges appointed by him previous to the election of a Police Judge (according to the provisions of Section 133 of the Charter Act,) and there being no money in the city treasury available to pay said bills, I respectfully ask the Council to appropriate said sum of one hundred and thirty dollars for that purpose.

Very respectfully,

WILLIAM WESLEY WOOLLEN,
City Comptroller.

The Committee on Judiciary, through Councilman McGill, submitted the following report; which was concurred in:

To the Common Council of the City of Indianapolis:

Gentlemen:—Your Committee to whom was referred General Ordinance No. 17, in reference to licensing breweries and distilleries, would beg leave to state that they are unable to agree upon a report. One member of the Committee wants the ordinance amended so as to require each separate establishment of the Indianapolis Brewing Company to pay a license of \$1,000.00; one member is opposed to such amendment, and the other member is of the opinion that such an amendment would not be legal. Your Committee therefore refers the ordinance back to the Council for further action.

Respectfully submitted,

Robt. C. McGill,
Michael J. Burns,
David A. Myers,
Judiciary Committee.

Councilman McGill offered the following motion; which was adopted:

Moved, That the Printing Committee be, and are hereby, authorized and directed to employ some responsible person to prepare an indexical digest of the Journals of the Council Proceedings for the year 1891, together with a complete roster and list of all boards, committees, and other city officials, the same to be prepared in due form for the printer; the compensation for said work not to exceed the sum of four hundred dollars. Said work to be under the direction of the City Clerk, who shall furnish a full and complete copy of the same to the printer for publication in book form.

INTRODUCTION OF GENERAL ORDINANCES.

Under this order of business the following entitled ordinances were introduced:

By Councilman Myers. Read first time:

G. O. 47, 1891—An ordinance providing for a license upon vehicles drawn upon the streets of Indianapolis, and to provide penalties for the enforcement of same.

By Councilman Moers. Read the first time;

G. O. 48, 1891—An ordinance providing for the annexation to the City of Indianapolis of a certain territory adjacent and contiguous to said city, made under and by virtue of an Act of the General Assembly of the State of Indiana, approved March 6th, 1891.

By Councilman Nolan. Read the first time:

G. O. 49, 1891—An ordinance prohibiting the placing of manure-boxes, boxes, barrels, lumber, old iron and other articles, in any street or alley in the City of Indianapolis, and providing a penalty for the violation thereof.

ORDINANCES ON SECOND READING.

Under this order of business the following entitled ordinance was read the second time:

G. O. No. 17, 1891—An ordinance designating the license fee to be paid the City of Indianapolis by distilleries and breweries, and the depots or agencies in said city of all breweries and distilleries, and all wholesale dealers in malt liquor, as provided for by the Act of the General Assembly of Indiana, approved March 6, 1891.

Councilman Trusler offered the following amendment:

Amend by inserting after the first word (dollars) in line 15, the words "for each and every distillery, brewery, depot or agency or wholesale dealer in malt liquor, as aforesaid."

Councilman Hicklin moved to lay Councilman Trusler's motion on the table.

Which was adopted by the following vote:

AYES, 13—viz: Councilmen Austin, Burns, Coy, Hicklin, Markey, Murphy, Myers, Nolan, Olsen, Rassmann, Sherer, Stechhan, and President Yontz.

NAYS, 6—viz: Councilmen Cooper, Davis, Dunn, McGill, Trusler, and Weber.

Councilman Olsen then moved to refer G. O. 17, 1891, back to the Judiciary Committee, together with two additional members of the Common Council, to be selected by the Chair, and the President of the Common Council to act as Chairman of said Committee.

Which motion was adopted, and Councilmen Murphy and Yontz were selected to act with said Committee.

On motion, the Common Council then adjourned.

M. D. Yontz _____, President.

Attest: *E. Swift* _____, City Clerk.