

SPECIAL MEETING.

COUNCIL CHAMBER,
CITY OF INDIANAPOLIS, }
December 23, 1897. }

The Common Council of the City of Indianapolis met in the Council Chamber, Thursday evening, December 23, 1897, at 8 o'clock, in special session, pursuant to the following call:

INDIANAPOLIS, IND., December 20, 1897.

Hon. John H. Mahoney, President of the Common Council:

You are hereby requested to call a special meeting of the Common Council, to meet in the Council Chamber, Thursday, December 23, 1897, at 8 o'clock P. M., to transact such business as may come before said meeting.

JAS. H. COSTELLO.
JOHN M. HIGGINS.
E. D. MOFFETT.
FRANK S. CLARK.
RICHARD MERRICK.

INDIANAPOLIS, IND., December 20, 1897.

To the Members of the Common Council:

GENTLEMEN—In pursuance of the above call you are respectfully requested to meet in the Council Chamber, Thursday, December 23, 1897, at 8 o'clock P. M.

JNO. H. MAHONEY,
President.

I, Charles H. Stuckmeper, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES H. STUCKMEYER,
City Clerk.

Present, Hon. John H. Mahoney, President of the Common Council, in the chair, and 18 members, viz.: Messrs. Bernauer, Bowser, Clark, Colter, Costello, Crall, Higgins, Knight, Little, Madden, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer, Smith and Von Spreckelsen.

Absent, 2—viz.: Messrs. Allen and Harston.

The Clerk proceeded to read the Journal, whereupon Councilman Madden moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS,
December 22, 1897. }

Hon. John H. Mahoney, President of the Common Council:

DEAR SIR—I have this day approved the following ordinance:
App. O. No. 21, 1897, the same being an ordinance appropriating \$18,872.75
for the use of the Finance Department.

Respectfully,
T. TAGGART,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Moffett, on behalf of the Committee on Public Health, to which was referred:

G. O. No. 65, 1897. An ordinance regulating the keeping or standing of garbage wagons in the City of Indianapolis, fixing a penalty for the violation thereof, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., December 23, 1897.

Mr. President:

Your Committee on Public Health has had under consideration G. O. No. 65, 1897, and beg leave to recommend that it be amended as follows:

1. By striking out the words "at any one place in said city, whether said wagons be at the time loaded or unloaded" in Section 1. and inserting in lieu thereof the words, "in any ward of said city."

2. By amending Section 2 so as to read as follows:

"This ordinance shall be in full force and effect from and after the 1st day of March, 1898, and after its publication one day each week for two consecutive weeks in *The Sun*, a newspaper of general circulation, printed and published in the City of Indianapolis, Indiana."

And that when so amended the ordinance be passed.

E. D. MOFFETT,
JOHN M. HIGGINS,
Committee.

Which was read and concurred in.

Mr. Moffett, on behalf of the Committee on Public Health, to which was referred:

G. O. No. 75, 1897. An ordinance regulating the location of morgues and undertaking establishments in the City of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, IND., December 23, 1897.

Mr. President:

Your Committee on Public Health has had G. O. No. 75, 1897, under consideration, and recommend it do pass.

Respectfully,

E. D. MOFFETT,
JOHN M. HIGGINS,
Committee.

And submitted the following communication from City Attorney John W. Kern:

CITY OF INDIANAPOLIS,)
OFFICE OF THE DEPARTMENT OF LAW,)
December 23, 1897.)

Dr. E. D. Moffett, Councilman:

DEAR SIR—I prepared the ordinance concerning the location of morgues and undertaking establishments, and have no doubt as to the power of the Council to legislate on the subject.

The main features of the ordinance are similar to those of one which has been in force many years in Chicago. In fact, nearly all the leading cities have ordinances regulating the location of places of business which might be offensive to resident property owners.

I have nothing to do with the policy or propriety of passing an ordinance. I only speak of the power of the Council to act in the premises in the manner suggested by the ordinance in question, and on this point I am entirely free from doubt.

Very respectfully,
JOHN W. KERN,
City Attorney.

Which was read and concurred in.

MISCELLANEOUS BUSINESS.

Mr. Colter offered and moved the adoption of the following resolution:

Resolution No 30, 1897.—

WHEREAS, It is essential that the City Clerk's office shall be accessible to the Common Council and ordinances filed therein; and as it is the belief of the Council that portable desks could be placed in the Police Court in such a way as to be easily removed; therefore, be it

Resolved, That it is the wish of the Common Council that the Council Chamber be transferred to the new Police Station building.

Which was read and adopted by the following vote:

AYES 17—viz: Messrs. Bernauer, Bowser, Clark, Colter, Costello, Higgins, Knight, Little, Madden, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer, Von Spreckelsen and President Mahoney.

NAYS—None.

ORDINANCES ON SECOND READING.

On motion of Mr. Moffett, the following entitled ordinance was taken up and read a second time:

G. O. No. 65, 1897. An ordinance regulating the keeping or standing of garbage wagons in the City of Indianapolis, fixing a penalty for the violation thereof, and fixing the time when the same shall take effect.

Mr. Colter offered the following amendment to G. O. No. 65, 1897:

Mr. President:

I move to amend Section No. 1 of G. O. No. 65, 1897, by striking out the words "or unloaded."

Mr. Colter moved that the amendment to G. O. No. 65, 1897, be adopted.

Mr. Madden moved to lay Mr. Colter's motion on the table.

The ayes and nays being called for by Messrs. Colter and Clark, the roll was called, and Mr. Madden's motion adopted by the following vote:

AYES 13—viz.: Messrs. Bernauer, Bowser, Higgins, Knight, Little, Madden, Merrick, Moffett, McGrew, Scanlon, Smith, Von Spreckelsen and President Mahoney.

NAYS 5—viz.: Messrs. Clark, Colter, Costello, Rauch and Shaffer.

Mr. Moffett moved that the amendment to G. O. No. 65, 1897, as recommended by the Committee on Public Health, be adopted.

Which motion prevailed.

On motion of Mr. Moffett, G. O. No. 65, 1897, was then ordered engrossed, as amended, read a third time, and passed by the following vote:

AYES 14—viz.: Messrs. Bernauer, Bowser, Clark, Higgins, Knight, Little, Madden, Merrick, Moffett, McGrew, Scanlon, Smith, Von Spreckelsen and President Mahoney.

NAYS 4—viz.: Messrs. Colter, Costello, Rauch and Shaffer.

Mr. Moffett moved for a reconsideration of the vote by which G. O. No. 65, 1897, was passed.

Mr. Higgins moved to lay Mr. Moffett's motion on the table.
Which motion prevailed.

On motion of Mr. Moffett, the following entitled ordinance was taken up and read a second time:

G. O. No. 75, 1897. An ordinance regulating the location of morgues and undertaking establishments in the City of Indianapolis, Indiana.

Mr. Shaffer requested that a communication giving Mr. Whittsett's views on G. O. No. 75, 1897, be read.

Mr. Bernauer moved that the Clerk read the communication.
Which motion prevailed.

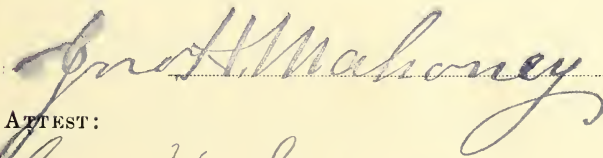
On motion of Mr. Moffett, G. O. No. 75, 1897, was ordered engrossed and read a third time.

And failed of passage by the following vote:

AYES 9—viz.: Messrs. Bernauer, Clark, Costello, Higgins, Little, Madden, Merrick, Moffett and President Mahoney.

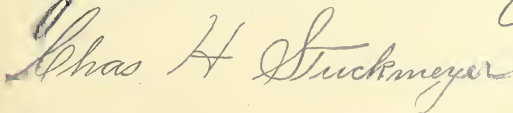
NAYS 10—viz.: Messrs. Bowser, Colter, Crall, Knight, McGrew, Rauch, Scanlon, Shaffer, Smith and Von Spreckelsen.

On motion of Mr. Colter, the Common Council, at 8:45 o'clock, P. M., adjourned.



President.

ATTEST:



City Clerk.