

PROCEEDINGS OF COMMON COUNCIL.

ADJOURNED SESSION—JULY 12, 1880.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, July 12, A. D. 1880, at eight o'clock pursuant to adjournment (see page 195 *ante.*)

PRESENT—Hon. John Caven, Mayor, and, *ex officio*, President of the Common Council, in the chair, and 24 members, viz.: Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Conner, Pearson, Prier, Pritchard, Shilling, Thalman, Van Vorhis, White, and Yoke.

ABSENT—Councilman Downey—1.

Special orders: Consideration of Special Ordinances and General Ordinances 23, 28 and 29, 1880.

By consent, the Board of Public Improvements, through Councilman Morrison, submitted the following report; which was concurred in:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The Board of Public Improvements, to whom sundry papers were referred, would report thereon as follows:

1st. Is S. O. 93, 1880.—“An ordinance providing for the construction of a brick sewer in and along Washington street, from the east line of New Jersey street to Pennsylvania street.”

Recommend said ordinance be passed.

2d. Is S. O. 73, 1880.—“An ordinance to provide for grading and graveling the first alley south of Market street, from East street to Liberty street, together with petition for and remonstrance against.

Recommend said ordinance be passed.

Respectfully submitted.

WILLIAM H. MORRISON,
EDWARD H. DEAN,
Board of Public Improvements.

SPECIAL ORDINANCES.

The following entitled ordinance was read the second time, ordered to
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be engrossed, and then, on motion, the further consideration of the ordinance was postponed :

- S. O. 39, 1880—An Ordinance to provide for grading and bowldering the gutters, and curbing with stone the outer edge of the sidewalks (where not already bowldered and curbed,) of Virginia avenue, from Washington street to its southern terminus.

The following entitled ordinance was read the second time and stricken from the files :

- S. O. 47, 1880—An Ordinance to provide for grading and graveling the alley between Broadway and Plum streets, from Arch street to Vine street.

The following entitled ordinance was read the second time :

- S. O. 56, 1880—An Ordinance to provide for grading and graveling the first alley east of Tennessee street, from Ray street to McCarty street.

On motion by Councilman Fultz the title and first section of above ordinance was amended, by substituting the words "a point 110 feet south of McCarty street" for the words "McCarty street."

The ordinance as amended was then ordered to be engrossed.

The following entitled ordinance was read the second time and stricken from the files :

- S. O. 63, 1880—An Ordinance to provide for grading and graveling the first alley east of Greer street, from the first alley south of McCarty street to the first alley north of Buchanan street.

The following entitled ordinance was read the second time :

- S. O. 85, 1880—An Ordinance to provide for grading and graveling the first alley east of the I., P. & C. R., R. track, from Malott avenue to the C., C., C. & I. R. Co.'s track.

On motion by Councilman McKay the title and first section of above ordinance was amended by striking out everything in relation to graveling.

The ordinance as amended was then ordered to be engrossed.

The following entitled ordinance was read the second time :

- S. O. 68, 1880—An Ordinance to provide for the construction of a brick sewer in, and along, Indiana avenue, from Mississippi street to, and connecting with, the Illinois street sewer; and providing for the assessment and collection of the cost thereof.

On motion, the first section of above ordinance was amended by inserting after the words "Indiana avenue" the words "as near the center thereof as possible without interfering with the street railway track."

The ordinance as amended was then ordered to be engrossed.

Special ordinances Nos. 59 and 70, 1879, and Nos. 22, 27, 29, 48, 62, 65, 67, 70, 71, 73, 74, 75, 79, 80, 83, 84 and 86, 1880, were severally read the second time and ordered to be engrossed.

ORDINANCES ON THIRD READING.

S. O. 59, 1879—An Ordinance to provide for grading and graveling the west sidewalk of Reid street, from Prospect street to Cypress street,

Was read the third time, and passed by the following vote:

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, Van Vorhis, White, and Yoke.

NAYS—None.

S. O. 70, 1879—An Ordinance to provide for grading, paving with brick, and curbing with stone (where not already paved and curbed) the east sidewalk, and bowldering the east gutter, of West street, between First and Second streets.

Was read the third time, and passed by the following vote:

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, Van Vorhis, White, and Yoke.

NAYS—None.

S. O. 22, 1880—An Ordinance authorizing D. Ricketts, Charles Mayer, F. L. and A. W. Ritzinger, Charles Williams, Daniel B. Hosbrook, C. A. Maus & Bros., C. E. and T. W. Pottage & Co., Jacob L. Greene, James W. Greene, or either of them, to construct a sewer, at their own expense, in and along the first alley north of Washington street, from Tennessee street to, and connecting with, the Illinois street sewer.

Was read the third time, and passed by the following vote:

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, Van Vorhis, White, and Yoke.

NAYS—None.

S. O. 27, 1880—An Ordinance to provide for grading, paving with brick the south sidewalk, and bowldering the south gutter, of Louisiana street, from New Jersey street to the first alley west of New Jersey street.

Was read the third time, and passed by the following vote:

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

S. O. 29, 1880—An Ordinance to provide for grading and graveling the first alley west of East street, from McCarty street to Bicking street.

Was read the third time, and passed by the following vote :

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

S. O. 48, 1880—An Ordinance to provide for grading and graveling the first alley east of East street, from Walnut street to Massachusetts avenue.

Was read the third time, and passed by the following vote :

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

S. O. 56, 1880—An Ordinance to provide for grading and graveling the first alley east of Tennessee street, from Ray street to a point 110 feet south of McCarty street.

Was read the third time, and passed by the following vote :

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

S. O. 62, 1880—An Ordinance to provide for grading and graveling King street and sidewalks, from Pennsylvania street to Delaware street.

Was read the third time, and passed by the following vote :

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

S. O. 65, 1880—An Ordinance to provide for grading and graveling the first alley north of Buchanan street, from Greer street to Beaty street.

Was read the third time, and passed by the following vote :

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

S. O. 67, 1880—An Ordinance to provide for grading, and paving with brick, the south sidewalk of St. Clair street, from Illinois street to Tennessee street.

Was read the third time, and passed by the following vote:

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

S. O. 68, 1880—An Ordinance to provide for the construction of a brick sewer in, and along, Indiana avenue, from Mississippi street to, and connecting with, the Illinois street sewer; and providing for the assessment and collection of the cost thereof.

Was read the third time, and passed by the following vote:

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

S. O. 70, 1880—An Ordinance to provide for grading and graveling the first alley west of Missouri street, from Indiana avenue to North street.

Was read the third time, and passed by the following vote:

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

S. O. 71, 1880—An Ordinance to provide for grading and graveling the first alley west of Tennessee street, from Garden street to Pogue's Run.

Was read the third time, and passed by the following vote:

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

S. O. 73, 1880—An Ordinance to provide for grading and graveling the first alley south of Market street, from East street to Liberty street.

Was read the third time, and passed by the following vote :

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, Van Vorhis, White, and Yoke.

NAYS—None.

S. O. 74, 1880—An Ordinance to provide for grading, and paving with brick, (where not already paved,) the west sidewalk of Maple street, from McCarty street to Ray street.

Was read the third time, and passed by the following vote :

AYES 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, Van Vorhis, White, and Yoke.

NAYS—None.

S. O. 75, 1880—An Ordinance to provide for grading and graveling the first alley east of Maple street, from Ray street to Wilkens street.

Was read the third time, and passed by the following vote :

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, Van Vorhis, White, and Yoke.

NAYS—None.

S. O. 79, 1880—An Ordinance to provide for grading and bowldering the west gutter of New Jersey street, from South street to the south line of the first alley south of South street.

Was read the third time, and passed by the following vote :

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, Van Vorhis, White, and Yoke.

NAYS—None.

S. O. 80, 1880—An Ordinance to provide for grading and bowldering the gutters of New Jersey street, from Virginia avenue to South street.

Was read the third time, and passed by the following vote :

AYES 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, Van Vorhis, White, and Yoke.

NAYS—None.

S. O. 83, 1880—An Ordinance to provide for grading and bowldering the gutters, and curbing with stone the outer edges of the sidewalks, (except where properly curbed or bowldered,) of Mississippi street, from Ohio street to First street.

Was read the third time, and passed by the following vote :

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Conner, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

S. O. 84, 1880—An Ordinance to provide for grading and bowldering the gutters, and curbing with stone the outer edges of the sidewalks, (except where already properly curbed or bowldered,) of Mississippi street, from First street to Seventh street.

Was read the third time, and passed by the following vote :

AYES 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Conner, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

S. O. 85, 1880—An Ordinance to provide for grading the first alley east of the I. P. & C. R. R track from Malott avenue to the C., C., C. & I. R. R. Co.'s tracks

Was read the third time, and passed by the following vote :

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Conner, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

S. O. 86, 1880—An Ordinance to provide for grading and graveling the first alley east of Central avenue, from Christian avenue to Butler street.

Was read the third time, and passed by the following vote :

AYES, 24—viz Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Conner, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

Councilman VanVorhis, by consent, introduced the following entitled ordinance, which was read the first time.

S. O. 101, 1880—An Ordinance to provide for grading and graveling Meridian street, and bowldering the gutters (placing a gutter stone therein) thereof, from St. Clair street to Seventh street.

Councilman McKay moved that the above entitled ordinance, together with S. O. 12 and 13, 1880 (North Meridian street block pavement ordinances) and all petitions, remonstrances, etc., in relation to said improvements be refered to the Board of Public Improvements, with instructions to report at our next regular meeting.

Which motion was adopted.

GENERAL ORDINANCES.

The following entitled ordinance was read the second time :

G. O. 28, 1880—An Ordinance to further regulate the construction of Privy-vaults, and providing that certain buildings shall be provided with sewer connections.

Councilman Thalman moved to strike the ordinance from the files.

Councilman VanVorhis moved to lay the foregoing motion on the table.

Which motion to lay on the table was adopted by the following vote :

AYES, 23—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Conner, Pearson, Prier, Pritchard, Thalman, VanVorhis, White, and Yoke.

NAYS, 1—Councilman Shilling.

Councilman VanVorhis moved that the ordinance be engrossed.

Councilman Bernhamer moved that the Common Council now resolve itself into a committee of the whole, for the purpose of considering general ordinance No. 28, 1880.

Which motion was adopted by the following vote :

AYES, 17—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Mauer, Morrison, McKay, O'Conner, Prier, Pritchard, VanVorhis, White, and Yoke.

NAYS, 7—viz. Councilmen Kahn, Koller, Lamb, Lang, Pearson, Shilling, and Thalman.

Chairman Kahn, from the Committee of the Whole, reported progress.

It now being nearly eleven o'clock, Councilman Bernhamer moved the suspension of the following section of the rules, viz :

"SEC: 5. This Council shall not, without a suspension of the rules by a two-thirds vote, sit later on any evening than eleven o'clock,"

Which motion was adopted, and the rules suspended by the following vote :

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Conner, Pearson, Pritchard, Prier, Shilling, Thalman, VanVorhis, White, and Yoke.

NAYS—None.

Councilman VanVorhis moved that the Common Council now again resolve itself into a committee of the whole, for the further consideration of said ordinance.

Which motion was adopted.

Chairman Kahn, from the Committee of the Whole, submitted the following report:

Indianapolis, July 12, 1880.

To the Mayor and Common Council:

Gentlemen:—The Common Council, as a committee of the whole, having had under consideration General Ordinance No. 28, 1880, have instructed me to report the said ordinance back to your honorable body with the recommendation that it be stricken from the files.

Respectfully,

LEON KAHN, Chairman.

Attest: JOS. T. MAGNER, Clerk.

Councilman Bernhamer moved that the report be concurred in.

Which motion failed of adoption by the following vote :

AYES, 11—viz. Councilmen Caylor, Dowling, Harrold, Lamb, Mauer, Morrison, McKay, O'Conner, Pearson, Shilling, and Thalman.

NAYS, 13—viz. Councilmen Bedford, Bernhamer, Bryce, Dean, Fultz, Kahn, Koller, Lang, Prier, Pritchard, VanVorhis, White, and Yoke.

Councilman Kahn moved to amend section 2 by striking out all of said section after the words "fit sanitary condition."

Which motion was adopted by the following vote :

AYES, 15—viz. Councilmen Bedford, Caylor, Dowling, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Shilling, and Thalman.

NAYS, 9—viz. Councilmen Bernhamer, Bryce, Dean, Fultz, Prier, Pritchard, VanVorhis, White, and Yoke,

Councilman Lamb moved to amend section 1 by striking out all of said section after the ordaining clause.

Which motion was adopted by the following vote :

AYES, 13—viz. Councilmen Caylor, Dowling, Harrold, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Shilling, and Thalman.

NAYS, 11—viz. Councilmen Bedford, Bernhamer, Bryce, Dean, Fultz, Kahn, Prier, Pritchard, VanVorhis, White, and Yoke.

Councilman Lamb moved that the ordinance, as amended, be stricken from the files.

Which motion was adopted by the following vote:

AYES, 13—viz. Councilmen Caylor, Dowling, Harrold, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Shilling, and Thalman.

NAYS, 11—viz. Councilmen Bedford, Bernhamer, Bryce, Dean, Fultz, Kahn, Prier, Pritchard, VanVorhis, White, and Yoke.

On motion, the Common Council then adjourned.

J. Leaven
..... Mayor,

President of the Common Council.

Attest: *Jas. H. Magner*
..... City Clerk.