

JOURNAL OF PROCEEDINGS  
OF THE  
COMMON COUNCIL  
OF THE  
CITY OF INDIANAPOLIS,

In Marion County in the State of Indiana.

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FIRST REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, }  
THURSDAY, January 7, 1892, 7:30 P. M. }

The records and files in the office of the City Clerk of the city of Indianapolis, a city located in Marion County in the State of Indiana, and governed by and under an act of the General Assembly of said State entitled, "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 6, 1891, (see Laws 57th Regular Session, Chapter 97, pages 137 to 167, and commonly called "The City Charter"), showing that at the election held on the second Tuesday in October, 1891, being the 13th day of said month, pursuant to section 2 of said act, the following officers of said city were duly elected, all of whom have qualified in pursuance to section 6 of said act, to-wit:

THOMAS L. SULLIVAN, MAYOR.  
RANDALL J. ABRAMS, CITY CLERK.  
EDWARD C. BUSKIRK, POLICE JUDGE.

## COUNCILMEN AT LARGE.

HENRY W. LAUT,  
ROBERT C. MCGILL,  
JOHN B. MCGUFFIN,  
MARTIN J. MURPHY,  
FREDERICK SCHRADER,  
EDWARD J. SCHERER.

## COUNCILMEN REPRESENTING THE FIFTEEN WARDS.

THOMAS B. LINN, First Ward.  
JOHN R. ALLEN, Second Ward.  
ARCHIBALD A. YOUNG, Third Ward.  
JOHN A. PURYEAR, Fourth Ward.  
JAMES H. COSTELLO, Fifth Ward.  
WILLIAM H. COOPER, Sixth Ward.  
JOSEPH L. GASPER, Seventh Ward.  
EMIL C. RASSMANN, Eighth Ward.  
JOHN F. WHITE, Ninth Ward.  
GEORGE R. COLTER, Tenth Ward.  
PATRICK J. RYAN, Eleventh Ward.  
CHARLES A. GAUSS, Twelfth Ward.  
OLAF R. OLSEN, Thirteenth Ward.  
ANTON SCHMIDT, Fourteenth Ward.  
HENRY F. HOLLORAN, Fifteenth Ward.

The Common Council held its first meeting on the first Thursday in January, 1892, at 7:30 P. M., in the Council Chamber, located in the Court House, and was called to order by Randall J. Abrams, City Clerk, who called the roll of the six Councilmen at Large and the fifteen ward Councilmen, all of whom answered to their respective names except Councilman at Large Robert C. McGill.

The City Clerk announced twenty members present, and stated the first business in order to be the election of a presiding officer.

Whereupon Councilman Ryan nominated Councilman at Large Martin J. Murphy, which nomination was seconded by Councilman Cooper.

No further nominations being made Councilman Rassmann moved that the City Clerk cast the unanimous vote of the body for the nominee, which was agreed to, and the City Clerk announced twenty votes cast for Martin

J. Murphy and declared him duly elected President of the Common Council, whereupon the President took the chair and announced as the next order the election of a presiding officer pro tem.

Councilman at Large McGuffin nominated Councilman Emil C. Rassmann, which nomination was seconded by Councilman Gasper, and there being no further nominations, the election was made by acclamation, and Emil C. Rassmann was declared duly elected President pro tem.

Councilman Ryan offered the following and moved the same be adopted as the prescribed rules of this Common Council under the provision of Section 18 of said act.

## RULES AND REGULATIONS FOR THE GOVERNMENT OF THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS.

(Adopted January 7, 1892.)

### MEETINGS.

The regular meetings of the Council shall be held on the first and third Monday evenings of each month, at the hour of 8 o'clock. At the hour fixed the Clerk shall call the roll of members, noting those present and those absent. If the President be absent at the time for the first roll-call, the Vice-President shall call the Council to order; and, if the latter is absent, any member of the Council may, upon motion, be called to the chair, and such chairman shall act as presiding officer until the arrival of the one entitled to preside.

Special meetings of the Common Council may be held upon calls made as follows: By the Mayor, or by the President, or by any five members of the Common Council. In case of a call for a special meeting, in whatever manner made, it shall be the duty of the person or persons authorizing the same to duly notify the City Clerk thereof, and it shall be the duty of that officer to cause notices of such meetings to be served upon each member, either in person or by notice left at his place of residence.

### DUTIES OF OFFICERS.

#### PRESIDENT.

The presiding officer shall preserve order and decorum. He shall decide all questions of order, subject to an appeal to the Council. (He shall vote on all questions when the ayes and nays are taken, his name being called last), and upon all other questions, when the Council is equally divided, he shall cast the deciding vote.

He shall appoint all standing committees, as well as all special committees, that may be ordered by the Council. All standing committees shall be appointed at the first meeting of the Council after the commencement of each term.

It is also the duty of the President to sign all ordinances, orders or resolutions passed by the Council, before being presented to the Mayor, as well as all ordinances after enrollment, and the Journal of Proceedings.

In putting a question to a vote of the Council, the President shall rise to his feet, but may state a question sitting.

## CLERK.

It shall be the duty of the Clerk to keep an accurate journal of the proceedings of the Common Council in a book to be kept for that purpose, which shall be the official record of the acts of the Council, and he shall also keep a proper file of all the papers thereof. He shall have said proceedings printed after each regular or special meeting, one copy of which shall be presented to each member, and at least fifty (50) copies of which shall be kept on file to be bound, at the end of the term, with a proper index thereto.

He shall arrange a roll call of the members in alphabetical form. It shall also be his duty to have all necessary papers delivered to the chairmen of committees within two days after adjournment of any meeting of the Council.

## SERGEANT-AT-ARMS.

The Sergeant-at-Arms shall preserve order in the lobby, and shall prohibit smoking and loud talking. He shall act as messenger for the Council, and shall deliver all papers to the chairmen of the committees that may be placed in his hands by the City Clerk within two days after adjournment of any meeting of the Council at which such papers have been referred. He shall also notify all members of all special meetings, and shall always act under the direction of the Council or the President, and obey all orders given him.

## RULES.

1. The general rules of parliamentary law, so far as applicable, are to be considered the rules of the Council, unless the same conflict with any of the rules herein prescribed. The duties of standing committees shall be the same as in legislative bodies, except as hereinafter modified or changed.

2. When any motion is made and seconded it shall be stated by the presiding officer, or, being in writing, it shall be handed to the Clerk and read aloud before debate.

3. When any member is about to speak or deliver any matter to the Council he shall rise from his seat and respectfully address himself to the presiding officer, and, on being recognized, may address the Council, and shall confine himself to the question in debate, and avoid personality. The chair shall not recognize any member as in order unless he shall be in his proper seat.

4. No member shall speak more than twice on the same question without leave of the Council, nor more than once until every member choosing to speak shall have spoken: *Provided*, That all speeches shall be limited to five minutes, unless further time be granted by the Council, answering questions not to be considered as a part of the speaker's time.

5. When two or more members rise at once, the presiding officer shall decide which shall speak first.

6. All questions relating to the priority of business shall be decided without debate.

7. No one not a member of the Common Council shall be permitted to address the same, except by unanimous consent of the Council: *Provided, however*, That any officer may, when called upon, make a report.

8. When the presiding officer is putting a question or addressing the Council, or when any member is speaking, no member shall engage in any private discourse, or walk across or leave the room unnecessarily.

9. No member shall impeach the motive of any other member's vote or argument.

10. Every motion shall be reduced to writing, except to adjourn; to adjourn to a day certain; to reconsider the previous question or the seconding thereof; to

lay on the table; to postpone to a day certain; to postpone indefinitely; to commit; to amend; to suspend the rules; or to concur; and every other motion not so reduced to writing shall, upon the objection of any one member, be considered out of order.

11. The presiding officer shall decide whether any question is carried by affirmative or negative vote; but if he doubt, and the "ayes and noes" or a division be called for, the Council shall decide. In case of a rising vote, the affirmative shall first rise and be counted; after, those of the negative.

12. A quorum shall consist of a majority of all the members elected. But no ordinance, order or resolution shall be passed, or ordinance engrossed, which shall not have received the votes of a majority of all members constituting the Common Council.

13. If any member in anywise transgress the rules of the Council, any other member may call him to order; in which case the alleged offender shall immediately take his seat, unless permitted to explain. If the question of order be decided against him, he shall be liable, if the case require it, to the censure of the Council. If the decision be in his favor, he shall be at liberty to proceed.

14. After the call of the "ayes and noes" has been answered to by any one member called, it shall not be in order for any member to offer any remarks except in explanation of his vote; and no explanation shall be in order under the operation of the "previous question" or motion to "lay on the table."

15. Ordinances shall be of three distinct classes, viz: 1st. Appropriation ordinances. 2d. Special ordinances directing public improvements, and relating to special matters. 3d. General ordinances relating to the government of the city. The Clerk shall keep each class of ordinances in distinct files, according to the number of their readings, and shall give each ordinance of each class a distinct number in the order of its introduction, and shall place such files on the Clerk's desk at the opening of each meeting.

16. The vote on passage of ordinances and resolutions, upon suspension of the rules, and the motions to reconsider, must be by call of the roll; but any two members may call the ayes and noes upon any question or motion; and any member may call for the division of a question when the sense will admit of it.

17. Any ordinance failing to receive a majority of votes upon "engrossment" will be considered as still on its second reading and awaiting engrossment, unless stricken from the files or otherwise disposed of by order or permission of the Council.

18. Any ordinance failing to receive a sufficient number of votes on final passage will be considered as lost, and stricken from the files: *Provided*, The vote be not reconsidered within the time and manner authorized by Rule 21.

19. Any member may change his vote before the announcement of the result by the Chair. Every member must vote upon every question, unless excused from voting by a majority of the members present.

20. All questions shall be propounded in the order in which they are moved, except that in filling blanks, the largest sum and the longest time shall be first put, and then the next largest sum, etc.; till the blank be filled.

21. When any question has once been decided in the affirmative or negative, any member voting with the majority may move a reconsideration thereof, on the same or next regular meeting: *Provided*, That no such motion shall be introduced at the next or any subsequent meeting, unless the member intending to make the same shall have given written notice of such intentions at the meeting at which the vote which he desires to have reconsidered was taken. A resolution once adopted may be rescinded by subsequent resolution, and ordinances passed may be repealed by subsequent ordinances.

22. When the reading of any paper is called for, if objections be made, it shall be decided by the Council; and no paper shall be read, if objected to, without the consent of the Council.

23. When any matter is postponed indefinitely, it shall not be again voted upon during that or the next two succeeding meetings.

24. No matter or proposition on a subject different from that under consideration shall be admitted under color of an amendment.

25. All ordinances shall be read by title only, upon introduction, but such

title shall clearly set forth the subject-matter of the ordinance. Said ordinance shall then be immediately referred to the proper committee. The Council may, at any time, order that ordinances be printed for distribution among the members or other persons. No ordinance shall be passed upon the day of its introduction, except by unanimous consent.

26. Each ordinance shall be read through at its second reading, at which time it is open for amendment, and the next question will be on ordering the same to be engrossed. No amendment, except to strike out, shall be in order after the engrossment of an ordinance, unless by unanimous consent.

27. Any ordinance may be stricken from the files at any time by a vote of two-thirds of all the members elected, or by a majority vote after the ordinance shall have passed a second reading.

28. A motion to "lay on the table," or for the "previous question," shall not be in order if prefaced by any speech or remarks.

29. The "previous question" shall be put in this form: "*Shall the main question be now put?*" It shall only be admitted when demanded by a majority of the members present, and, until decided, shall preclude all other motions or amendments, except the motion to adjourn. If the motion be sustained, the Chair shall at once put the question, first upon the pending amendments in their order, and then upon the main proposition.

30. Any matter laid upon the table may be taken up by a vote of the Council at any time: *Provided*, A motion to reconsider once laid upon the table can not again be taken up.

31. A motion to "suspend the rules" is a privileged question, is not debatable, and can not be amended except to the acceptance of the mover.

32. A motion to "reconsider" and "That when the Council adjourn it adjourn to meet upon a day certain," are privileged questions, and are debatable.

33. Any business which, by law or necessity, must or should be transacted within or by a certain time, will be considered a question of privilege.

34. Any motion or resolution which, in effect, contemplates a violation of law, or is in conflict with any ordinance, will be ruled out of order.

35. A motion to adjourn can not be repeated, unless other business has intervened between the motions.

36. A motion to adjourn can not be reconsidered.

37. Any amendment to an ordinance may be referred, delayed, or otherwise disposed of, without delay or prejudice to the ordinance itself.

38. Ordinances reported back to the Council by committees or officers will take their proper places in first, second or third readings.

39. Ordinances, resolutions and reports may be committed and re-committed at the pleasure of the Council.

40. The standing committees of the Council shall consist of three (3) members each, except the Finance Committee and the Committee on Contracts and Franchises, each of which shall consist of seven (7) members. They shall have, under the Council, full supervision of all matters relating to the special subjects referred to them, and shall be as follows:

Committee on Accounts and Claims.

Committee on Contracts and Franchises.

Committee on Elections.

Committee on Fees and Salaries.

Committee on Finance.

Committee on Judiciary.

Committee on Ordinances.

Committee on Printing.

Committee on Public Health.

Committee on Public Morals.

Committee on Public Property and Improvements.

Committee on Public Safety and Comfort.

Committee on Railroads.

Committee on Rules.

Committee on Sewers, Streets and Alleys.

41. It shall be the duty of the Committee on Finance to report ordinances making the annual tax levies and those making the annual appropriations to meet the several items of expense that are appropriately chargeable against the city; all other matters relating to the raising of revenue shall also be referred to the committee.

42. All reports from committees shall be made in writing, and must be signed by a majority of the members thereof; and all committees shall return all papers referred to them, and report upon the same to the Common Council at the next regular meeting, or at a special meeting if so ordered: *Provided*, That the Council may, in its discretion, extend the time for making such reports.

43. The following Order of Business shall be observed by the Common Council at its meetings:

A—Reading the journal of the regular or special meetings.

B—Communications, etc., from the Mayor.

C—Reports, etc., from City Officers.

D—Reports from official Boards, in the following order:

1. Board of Public Works.
2. Board of Public Safety.
3. Department of Public Health.

E—Reports from Standing Committees, in the following order:

1. Accounts and Claims.
2. Contracts and Franchises.
3. Elections.
4. Fees and Salaries.
5. Finance.
6. Judiciary.
7. Ordinances.
8. Printing.
9. Public Health.
10. Public Morals.
11. Public Property and Improvements.
12. Public Safety and Comfort.
13. Railroads.
14. Rules.
15. Sewers, Streets and Alleys.

F—Reports from Select Committees.

G—Appropriation Ordinances.

H—Introduction of General and Special Ordinances.

I—Introduction of Miscellaneous Business.

J—Ordinances on Second Reading.

K—Ordinances on Third Reading.

L—Unfinished Business.

44. Special orders may be taken up immediately after "Reports from Select Committees," if so ordered by the Council.

45. The reading of the journal may be dispensed with at any time by order of the Council.

46. When the roll of members is called for the purpose, the member called shall have the privilege of presenting petitions, memorials, communications or remonstrances, or of offering motions or resolutions; and after such call has been made, it shall not be in order for any member to present any petition, memorial, communication or remonstrance or offer any motion or resolution during the evening, until the call for "Unfinished Business" is reached: *Provided*, That nothing herein contained shall be construed to prevent any member from offering any motion upon any pending matter during any time, if the same shall be declared by the chair to be in order.

47. These rules may be amended or annulled by a two-thirds vote of all the members of the Common Council: *Provided, however*, That no vote on any amendment or resolution to annul shall be taken until at least two weeks' notice shall be given of such intended action.

The question being, Shall the motion of Councilman Ryan be adopted and the above and foregoing be prescribed as the rules of this Common Council?

The same was agreed to by the following vote:

AYES, 20—viz: Allen, Colter, Cooper, Costello, Gasper, Gauss, Holloran, Laut, Linn, McGuffin, Olsen, Puryear, Rassmann, Ryan, Schmidt, Schrader, Sherer, White, Young and President Murphy.

Councilman Rassmann offered and moved the adoption of the following resolution:

*Resolved by the Common Council of the City of Indianapolis,* That the City Clerk be directed to have one hundred copies of the Rules of this body printed in book form, said copies to contain a complete list of all city officers, Boards, members of this body, and committees.

Councilman White offered the following amendment, which was accepted by Councilman Rassmann:

He shall also prepare and have appended thereto an index to the city charter as to the powers and duties of the Common Council granted thereunder, the same to be indicated by section and page.

The question being on the adoption of the resolution, as amended, the same was adopted by the following vote:

AYES 20—viz: Councilmen Allen, Cooper, Costello, Gasper, Gauss, Holloran, Laut, Linn, McGuffin, Olsen, Puryear, Rassmann, Ryan, Schmidt, Schrader, Sherer, White, Young, and President Murphy.

NAYS—None.

The following communication was received and ordered spread on the minutes:

JANUARY 1, 1892.

*To the Common Council, City of Indianapolis:*

GENTLEMEN: In compliance with an act "To create a Firemen's Pension Fund, for the pensioning of disabled firemen, and the widows and the dependent children, mothers and fathers of deceased firemen, to create a Board of Trustees of such fund, etc.," passed by the last General Assembly of the State of Indiana, approved March 9, 1891, we herewith submit a brief report as to the condition of said pension fund, on the first day of January, 1892. Since the organization of the Board of Trustees, on May 26, 1891, there has been paid to the Treasurer, by insurance companies, as provided in the act, the sum of \$1,335.13, from assessments and fines, \$598.54; donations and proceeds of ball given at Tomlinson Hall, \$1,619.92; making a total of \$3,553.59.

The Board of Trustees have invested a portion of the funds in three (3) Marion County Jail Bonds, of a thousand dollars denomination each, dated August 1, 1891, payable six years from date, interest five per cent., payable semi-annually. Said bonds were purchased at a cost of three thousand and thirty dollars and fifty-eight cents (\$3,030.58), being face value and accumulated interest to date of purchase, leaving a balance in treasury of five hundred and one dollars and sixty-one



cents (\$501.61). We feel that the above is a very good showing, for a new feature, introduced among the members of the fire force, and hope it will grow in favor with the public as well. While there has been no demands for benefits from said fund, we hope there will be none, until such time as the fund has become self-sustaining. Thanking the members of the fire force, and the public generally, for the interest shown us in a worthy cause, we are,

Most respectfully,

Attest:

ED. R. LEACH,  
*Secretary.*

EDWARD HAWKINS,  
*President.*

The following communication was received and ordered referred to the Committee on Contracts and Franchises, when appointed:

DEPARTMENT OF PUBLIC WORKS, OFFICE OF THE BOARD,  
INDIANAPOLIS, January 6, 1892.

*To the President and Members of the Common Council, City of Indianapolis, Ind.:*

GENTLEMEN: We transmit to you, herewith, for your approval, a certain contract made and entered into on the 6th day of January, 1892, by and between the Board of Public Works, for and in behalf of the City of Indianapolis, and the Indianapolis Water Company.

Respectfully submitted,

A. W. CONDUIT,  
M. M. DEFREES,  
A. SCHERRER,  
*Board of Public Works.*

Councilman Rassmann moved that when this Council do adjourn it be to meet again on Monday, January 13, 1892, at 8 o'clock P. M.

Which was agreed to.

President Murphy then announced the appointment, under Rules 2 and 40, of the following standing committees:

1. *Accounts and Claims.*

Councilmen Olsen, McGuffin and Puryear.

2. *Contracts and Franchises.*

Councilmen Ryan, Scherer, McGill, Cooper, Holloran, Gauss and Allen.

3. *Elections.*

Councilmen McGuffin, Laut and Linn.

4. *Fees and Salaries.*

Councilmen Holloran, White and Gasper.

5. *Finance.*

Councilmen Rassmann, Ryan, Laut, Gasper, Costello, Scherer and Cooper.

6. *Judiciary.*

Councilmen McGill, Rassmann and Young.

7. *Ordinances.*

Councilmen Schrader, Gasper and Costello.

8. *Printing.*

Councilmen Schmidt, Olsen and Puryear.

9. *Public Health.*

Councilmen Laut, McGuffin and Linn.

10. *Public Morals.*

Councilmen White, Gauss and Linn.

11. *Public Property and Improvememns.*

Councilmen Colter, Schrader and Young.

12. *Public Safety and Comfort.*

Councilmen Sherer, McGill and Allen.

13. *Railroads.*

Councilmen Gauss, Colter and Cooper.

14. *Rules.*

Councilmen Murphy, White and Young.

15. *Sewers, Streets and Alleys.*

Councilmen Costello, Schmidt and Young.

On motion of Councilman Gauss, the Council, at 9 o'clock P. M., adjourned until January 18, 1892.

  
MARTIN J. MURPHY, *President.*

Attest: RANDALL J. ABRAMS, *City Clerk.*

