

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.,

FRIDAY, September 28, 1917.

The Common Council of the City of Indianapolis met in the Council Chamber, Friday evening, September 28, 1917, at 7:30 o'clock in special session, President Michael J. Shea in the chair, pursuant to the following call:

INDIANAPOLIS, IND., September 28, 1917.

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

GENTLEMEN—You are hereby notified that there will be a special meeting of the Common Council of the City of Indianapolis, Indiana, held in the Council Chamber on Friday evening, September 28th, 1917, at 7:30 o'clock, for the purpose of allowing Michael J. Shea as President of the Common Council to appoint a committee of five members on his own motion to investigate the charges preferred by President Michael J. Shea against Councilman Edward P. Barry; also for the purpose of the introduction, consideration and final action on a resolution or ordinance for the appointment of inspectors for the City Election on November 6th, 1917.

Respectfully,

MICHAEL J. SHEA,

President.

I, Thomas A. Riley, Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

THOMAS A. RILEY,

City Clerk.

Which was read.

The Clerk called the roll.

Present: The Hon. Michael J. Shea, President of the Common Council, and 6 members, viz.: Messrs. Barry, Young, Miller, Porter, Connor and Graham.

Absent, 2, viz.: Messrs. McGuff and Lee.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

By Mr. Connor :

Resolution No. 8, 1917. A resolution appointing and electing inspectors for the City Election in the city of Indianapolis to be held November 6, 1917.

Be it resolved by the Common Council of the City of Indianapolis that the following named persons be and hereby are appointed Election Inspectors to serve as such in the City Election to be held in the city of Indianapolis, Marion County, Indiana, on November 6, 1917, such Inspectors to serve in the Precincts set beside their names :

First Precinct, First Ward—John Sheehan, 2848 Brightwood Ave.

Second Precinct, First Ward—John D. Cave, 2634 N. Gale St.

Third Precinct, First Ward—Israel Loyd, 2128 Cushing St.

Fourth Precinct, First Ward—Oliver N. Snyder, 2232 Langley Ave.

Fifth Precinct, First Ward—Frank Kanouse, 1542 Sheldon St.

Sixth Precinct, First Ward—Patrick H. Hagerty, 1209 E. 19th St.

Seventh Precinct, First Ward—August H. Kerl, 1437 Martindae Ave.

Eighth Precinct, First Ward—W. E. Sandman, 1631 Nowland Ave.

Ninth Precinct, First Ward—John Cornet, 1910 Commerce Ave.

Tenth Precinct, First Ward—John Kiesel, 2634 E. 10th St.

Eleventh Precinct, First Ward—Henry G. Blume, 3419 E. 16th St.

First Precinct, Second Ward—I. G. Wilson, 2455 Bellefontaine St.

Second Precinct, Second Ward—Julius Pasquire, 2452 College Ave.

Third Precinct, Second Ward—C. M. Cook, 2206 N. New Jersey St.

Fourth Precinct, Second Ward—John O'Mara, 2322 Bellefontaine St.

Fifth Precinct, Second Ward—Judge P. W. Bartholomew, 1934 College Ave.

Sixth Precinct, Second Ward—Dr. Chas. E. Ferguson, 412 E. 17th St.

Seventh Precinct, Second Ward—Joseph H. Woolling, 1649 Broadway.

First Precinct, Third Ward—Judge Chas. Remster, 2509 N. Penn. St.

Second Precinct, Third Ward—Judge John J. Rochford, 2226 N. Meridian St.

Third Precinct, Third Ward—John Garvey, 2135 Highland Place.

Fourth Precinct, Third Ward—Emil Fertig, 1935 N. Ills. St.

Fifth Precinct, Third Ward—Judge James D. Ermston, 1932 Talbott Ave.

Sixth Precinct, Third Ward—J. O. Henderson, 1634 N. Meridian St.
Seventh Precinct, Third Ward—Edward Berry, 1607 Hall Place.
Eighth Precinct, Third Ward—Chas. Ambrose, 1732 Northwestern Ave.
Ninth Precinct, Third Ward—Bert Agan, 47 The Lexington.
First Precinct, Fourth Ward—James E. Manley, 3747 Central Ave.
Second Precinct, Fourth Ward—Wm. F. Fox, 2940 Central Ave.
Third Precinct, Fourth Ward—W. F. Handy, 3118 Central Ave.
Fourth Precinct, Fourth Ward—Chas. M. Meiskell, 3433 N. Ills. St.
Fifth Precinct, Fourth Ward—Wm. E. Singer, 3214 N. Capitol Ave.
Sixth Precinct, Fourth Ward—W. W. Baker, 2852 N. Ills. St.
Seventh Precinct, Fourth Ward—John R. Coxe, 544 W. 30th St.
Eighth Precinct, Fourth Ward—Ellsworth Burkhart, 954 W. 33rd St.
Ninth Precinct, Fourth Ward—A. J. Clark, 950 W. 29th St.
Tenth Precinct, Fourth Ward—Joseph Todd, 738 Roache Ave.
Eleventh Precinct, Fourth Ward—George Gettings, 2518 Northwestern Ave.
Twelfth Precinct, Fourth Ward—Oscar W. Bridges, 1338 Roache St.
Thirteenth Precinct, Fourth Ward—Wm. Madden, 1868 Dexter St.
Fourteenth Precinct, Fourth Ward—Wm. Jackson, 2156 Northwestern Ave.
Fifteenth Precinct, Fourth Ward—Wm. Beale, 1005½ Indiana Ave.
Sixteenth Precinct, Fourth Ward—Fred McCallister, 3850 Byrum Ave.
Seventeenth Precinct, Fourth Ward—John E. Hollett, 4001 N. Meridian St.
Eighteenth Precinct, Fourth Ward—Silas Johnson, 660 E. 46th St.
First Precinct, Fifth Ward—W. G. Stehlin, 944 N. West St.
Second Precinct, Fifth Ward—Dudley Lowry, 925 Locke St.
Third Precinct, Fifth Ward—John P. Tarpey, 420 N. Drover St.
Fourth Precinct, Fifth Ward—M. A. Farrell, 436 Bright St.
Fifth Precinct, Fifth Ward—George Killinger, 428 N. California St.
Sixth Precinct, Fifth Ward—Patrick Lynch, 921 W. New York St.
Seventh Precinct, Fifth Ward—James McMahon, 337 Agnes St.
First Precinct, Sixth Ward—Seymour L. Davis, 22 E. Vermont St.
Second Precinct, Sixth Ward—George Elliott, 720 N. Senate Ave.
Third Precinct, Sixth Ward—Byron P. Kilgore, 216 W. North St.
Fourth Precinct, Sixth Ward—John Merrick, 326 N. Senate Ave.
Fifth Precinct, Sixth Ward—Marshall Sands, 534 W. Washington St.

- Sixth Precinct, Sixth Ward—C. A. Howes, 120 N. Senate Ave.
Seventh Precinct, Sixth Ward—W. B. Overman, Linden Hotel.
Eighth Precinct, Sixth Ward—Harry Schofield, 319½ Indiana Ave.
First Precinct, Seventh Ward—Henry C. Allen, 619 N. Liberty St.
Second Precinct, Seventh Ward—Daniel W. Crockett, 317 E. St. Clair St.
Third Precinct, Seventh Ward—Wilbur F. Christian, 404 N. Alabama St.
Fourth Precinct, Seventh Ward—Wm. P. Brandow, 408 Mass. Ave.
Fifth Precinct, Seventh Ward—Wm. Haigh, 524 E. Miami St.
Sixth Precinct, Seventh Ward—Anthony E. Amer, 416 N. Spring St.
Seventh Precinct, Seventh Ward—George W. Daly, 541 E. Ohio St.
Eighth Precinct, Seventh Ward—Francis Craig, 328 E. Washington St.
First Precinct, Eighth Ward—J. E. Hoffman, 1101 Central Ave.
Second Precinct, Eighth Ward—Edw. Stenger, 1453 N. New Jersey St.
Third Precinct, Eighth Ward—Hugh Rooker, 128 W. 14th St.
Fourth Precinct, Eighth Ward—Charles Bailey, 902 N. Penn. St., Flat 27.
Fifth Precinct, Eighth Ward—John Ludlow, 910 Park Ave.
Sixth Precinct, Eighth Ward—Mike Lane, 814 N. Pine St.
First Precinct, Ninth Ward—A. C. Caldwell, 5043 E. New York St.
Second Precinct, Ninth Ward—Rudolph Engelkin, 101 N. Kealing Ave.
Third Precinct, Ninth Ward—Norman Patrick, 816 N. Rural St.
Fourth Precinct, Ninth Ward—Daniel Mahoney, 9 N. Beville Ave.
Fifth Precinct, Ninth Ward—John T. Burke, 424 N. Hamilton Ave.
Sixth Precinct, Ninth Ward—Homer Blount, 427 Walcott St.
Seventh Precinct, Ninth Ward—Wm. Vahle, 1247 E. Pratt St.
Eighth Precinct, Ninth Ward—Harry Gorman, 1411 E. Vermont St.
Ninth Precinct, Ninth Ward—Fred Nuerge, 1228 E. Market St.
Tenth Precinct, Ninth Ward—John L. Feltman, 219 N. Randolph St.
Eleventh Precinct, Ninth Ward—John Wiese, 3113 E. New York St.
Twelfth Precinct, Ninth Ward—Joseph R. Williams, 321 Drexel Ave.
Thirteenth Precinct, Ninth Ward—Theodore Portteus, 5454 E. Wash-
ton St.
Fourteenth Precinct, Ninth Ward—Chas. B. Clarke, 115 S. Audubon Road.
First Precinct, Tenth Ward—Herman P. Kirkhoff, 12 S. State St.
Second Precinct, Tenth Ward—John McNelis, 237 Detroit St.

- Third Precinct, Tenth Ward—Chas. Mankedick, 322 S. Rural St.
Fourth Precinct, Tenth Ward—A. J. Kelly, 2013 Hoyt Ave.
Fifth Precinct, Tenth Ward—Jas. E. Callahan, 1241 English Ave.
Sixth Precinct, Tenth Ward—Anton T. Weiland, 1621 Lexington Ave.
Seventh Precinct, Tenth Ward—George W. Elbreg, 1634 Prospect St.
Eighth Precinct, Tenth Ward—Fred Hukriede, 1335 S. State St.
Ninth Precinct, Tenth Ward—Albert Kennedy, 1805 Olive St.
Tenth Precinct, Tenth Ward—Clifford O. Gerhardt, 1509 Wade St.
Eleventh Precinct, Tenth Ward—Charles Stringer, 3413 Prospect St.
First Precinct, Eleventh Ward—James Sullivan, 1002 Bates St.
Second Precinct, Eleventh Ward—Mark Horton, 343 E. Louisiana St.
Third Precinct, Eleventh Ward—Chas. Froschauer, 424 S. New Jersey St.
Fourth Precinct, Eleventh Ward—Wm. H. Hobin, 1033 S. New Jersey St.
Fifth Precinct, Eleventh Ward—Michael M. Mahoney, 742 S. Noble St.
Sixth Precinct, Eleventh Ward—George C. Morrison, 828 Fletcher Ave.
Seventh Precinct, Eleventh Ward—John H. Mahoney, 909 Lexington Ave.
Eighth Precinct, Eleventh Ward—Wm. Curry, 915 Woodlawn Ave.
Ninth Precinct, Eleventh Ward—Edward Crossen, 902 S. East St.
First Precinct, Twelfth Ward—Albert F. Zwick, 124½ Kentucky Ave.
Second Precinct, Twelfth Ward—Edward Krebs, 432 W. South St.
Third Precinct, Twelfth Ward—Michael Clark, 538 S. West St.
Fourth Precinct, Twelfth Ward—John Dugan, 533 W. Norwood St.
Fifth Precinct, Twelfth Ward—Joseph Broderick, 32 Madison Flats.
Sixth Precinct, Twelfth Ward—Henry Holloran, 909 S. Meridian St.
Seventh Precinct, Twelfth Ward—Eugene Sullivan, 934 Meikle St.
First Precinct, Thirteenth Ward—C. F. Wiese, 918 Sanders St.
Second Precinct, Thirteenth Ward—Carl Sobbe, 618 Parkway Ave.
Third Precinct, Thirteenth Ward—Chas. M. McCollam, 743 Terrace Ave.
Fourth Precinct, Thirteenth Ward—Wm. Mowwe, 1849 Ringgold St.
Fifth Precinct, Thirteenth Ward—Harry M. Davis, 1854 S. East St.
Sixth Precinct, Thirteenth Ward—Edward Oesterle, 2412 S. Meridian St.
Seventh Precinct, Thirteenth Ward—Frank Hueber, 22 E. Minnesota St.
Eighth Precinct, Thirteenth Ward—John C. F. Dietz, 1314 S. Talbott St.

Ninth Precinct, Thirteenth Ward—Wm. Wundrum, 21 W. Wisconsin St.

Tenth Precinct, Thirteenth Ward—Ernest Gabbie, 546 Wilkins St.

First Precinct, Fourteenth Ward—Daniel B. Dunham, 1277 Oliver Ave.

Second Precinct, Fourteenth Ward—J. C. Vandiver, 825 River Ave.

Third Precinct, Fourteenth Ward—Thomas B. Wright, 638 Division St.

Fourth Precinct, Fourteenth Ward—Michael Egan, 1829 W. Morris St.

Fifth Precinct, Fourteenth Ward—Wm. W. Tinsley, 1520 Blaine Ave.

Sixth Precinct, Fourteenth Ward—Wm. J. Hourigan, 1420 Nordyke Ave.

Seventh Precinct, Fourteenth Ward—Samuel Duzan, 1222 S. Belmont Ave.

First Precinct, Fifteenth Ward—C. B. Phillips, 2002 W. Vermont St.

Second Precinct, Fifteenth Ward—Chas. H. Zollner, 1847 W. Washington St.

Third Precinct, Fifteenth Ward—Wm. Kingsley, 109 N. Harding St.

Fourth Precinct, Fifteenth Ward—Wilber L. Steinmetz, City.

Fifth Precinct, Fifteenth Ward—Walter A. Stout, 63 N. Warman St.

Sixth Precinct, Fifteenth Ward—Bernard Roache, 545 Centennial St.

Seventh Precinct, Fifteenth Ward—H. D. Cornelius, 901 Arnolda St.

Eighth Precinct, Fifteenth Ward—C. C. Shaffer, 742 N. King Ave.

Ninth Precinct, Fifteenth Ward—David Erbeling, 942 N. Belmont Ave.

Which was read a first time.

Mr. Connor moved that the rules be suspended and Resolution No. 8, 1917, be placed upon its passage.

The roll was called and the motion to suspend the rules carried by the following vote:

Ayes, 7, viz.: Messrs. Barry, Young, Miller, Porter, Connor, Graham and President Michael J. Shea.

Noes, none.

Mr. Connor moved that Resolution No. 8, 1917, be adopted.

The roll was called and Resolution No. 8, 1917, was adopted by the following vote:

Ayes, 7, viz.: Messrs. Barry, Young, Miller, Porter, Connor, Graham and President Michael J. Shea.

Noes, none.

By President Shea:

To the Hon. Members of the Common Council, City of Indianapolis:

Pursuant to the authority vested in me under Section 5, Rule 1, of the Rules and Regulations governing the Common Council, granting authority to the President of the Council in the appointing of special committees, I hereby appoint Councilmen Miller, Connor, Porter, Graham and Young a committee of five to make investigation as to the correctness of the statement made by Councilman Barry, on September 17th, 1917, on the occasion of the passage of General Ordinance No. 83, 1917.

Respectfully,

MICHAEL J. SHEA,

President.

Mr. Porter moved to adjourn.

The roll was called and the motion was lost by the following vote:

Ayes, 3, viz.: Messrs. Barry, Porter and Connor.

Noes, 4, viz.: Messrs. Young, Miller, Graham and President Michael J. Shea.

By Mr. Barry:

MR. PRESIDENT:

I notice in the Journal of the proceedings of the Common Council of the special meeting of Thursday, September 20, 1917, that you decided that the resolution introduced by you, and the motion made by Councilman Graham in connection therewith, had carried. The record shows that the motion received four votes for and three against, and I wish to appeal from your decision that the motion was carried.

I claim that you have not only ignored parliamentary rules, but also the rules of the Council and State law, in your action on this matter. Section 2 of Rule 1 of the Common Council says: "A quorum shall consist of a majority of all 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." Your decision sets aside this rule.

The second paragraph of Rule 2 (page 20, Book of Rules) says: "* * * nor shall any ordinance or resolution be passed upon the same day it is introduced except by unanimous consent of the Common Council." Unanimous consent was not given, as there were three dissenting votes, according to the record.

Section 10 of Rule 2 was violated by you, as you did not refer the resolution to a committee in accordance with its provisions.

Section 48 (page 34, Revision of 1910) provides that "It shall require a majority vote of all members-elect to pass an ordinance," etc.

Section 52 (page 35, Revision of 1910) provides "No ordinance shall be passed on the same day or at the same meeting that it is introduced, except by unanimous consent, and then only in case there are present and voting at least two-thirds of all the memers-elect of the Council," etc.

I claim that you have no powers except those specifically given to you by the rules of the Council and the State law. I claim that you have violated the rules and State law in your decision as recorded in the Journal of the proceedings of the Common Council of Thursday, September 20, 1917, and that the matter upon which you made your ruling is dead and is not now a matter pending before the Council.

Mr. Miller raised the point of order that this meeting of the Council is a special meeting and no matter not included in the call for this meeting can be acted on; that the reading and correcting of the Journal is not in order.

President Shea decided the point of order was well taken.

At 8:05 o'clock Mr. Miller was excused by the President and left the Council Chamber.

Mr. Barry again appealed from the decision of the Chair relative to President Shea's charges and Mr. Graham's motion that a committee be appointed to investigate the charges.

On motion of Mr. Young, the Common Council, at 8:20 o'clock P. M., adjourned, by the following vote:

Ayes, 5, viz.: Messrs. Barry, Young, Porter, Connor and President Michael J. Shea.

Noes, 1, viz.: Mr. Graham.

Michael J. Shea

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President.

ATTEST:

Thomas A. Riley

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City Clerk.