

PROCEEDINGS
OF THE
COMMON COUNCIL.

ADJOURNED SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS, }
Thursday, December 30th, 1875—7 o'clock P. M. }

The Common Council met pursuant to adjournment.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members :

Councilmen Adams, Albershardt, Bollman, Buehrig, Craft, Curran, Darnell, Diffley, Geiger, Gimber, Hall, Hook, Kahn, Kenzel, Laughlin, Madden, McGill, Reasner, Reed, Schmidt, Stuckmeyer, Thalman, Ward and Webster—24.

Absent—Councilmen Ransdell and Stratford--2.

On motion by Mr. Geiger, the absence of Mr. Ransdell was excused.

On motion by Mr. Gimber, the absence of Dr. Stratford was excused.

The Chair stated the object of the session to be the trial of Marshal E. Hall, Councilman from 11th Ward, upon charges and specifications preferred against said Marshal E. Hall by Councilman Madden, December 13th, 1875, and reported on by Special Committee December 20th, 1875.

The Councilmen were sworn by His Honor, the Mayor, to well and truly try the defendant upon the charges preferred against him.

The defendant through his attorney, Hon. B. K. Elliott, entered a plea of not guilty.

Dr. Ward moved that His Honor, the Mayor, be delegated to decide all questions of law that may arise during the trial.

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

Judge Elliott, for the defendant, protested against the surrender of any of the powers and duties of the Mayor to decide all questions of law arising upon the admission of evidence, and insisted that all such questions shall be decided by the Mayor.

The question being on Mr. Madden's motion to lay Dr. Ward's motion on the table, those who voted in the affirmative were :

Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley, Geiger, Gimber, Kenzel, Laughlin, Madden, McGill, Reasner and Stuckmeyer—13.

Those who voted in the negative were :

Councilmen Adams, Craft, Darnell, Hook, Kahn, Reed, Schmidt, Thalman, Ward and Webster—10.

So Dr. Ward's motion was laid on the table.

Witnesses were sworn and examined.

After the evidence was all in, the case was submitted without argument.

The Mayor stated that the charges and specifications would be read and a vote had on each specification and charge, and those Councilmen who deemed the charges and specifications sustained would vote "guilty," and those who deemed the charges and specifications not sustained would vote "not guilty," as their names were called.

The first charge was then read and also the specification on the first charge.

A vote was then had on the specification under the first charge, which resulted as follows:

Those who voted "guilty" were:

Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley, Geiger, Laughlin, Madden, McGill, Reasner and Stuckmeyer—11.

Those who voted "not guilty" were:

Councilmen Adams, Craft, Darnell, Gimber, Hook, Kahn, Kenzel, Reed, Schmidt, Thalman, Ward and Webster—12.

It requiring 18 votes to convict, the Chair declared the specification not sustained.

A vote was then had on the first charge, which resulted as follows:

Those who voted "guilty" were:

Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley, Geiger, Laughlin, Madden, McGill, Reasner and Stuckmeyer—11.

Those who voted "not guilty" were:

Councilmen Adams, Craft, Darnell, Gimber, Hook, Kahn, Kenzel, Reed, Schmidt, Thalman, Ward and Webster—12.

It requiring 18 votes to convict, the Chair declared the first charge not sustained.

The first specification under the second charge was read, and a vote had with the following result :

Those who voted " guilty" were :

Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley, Geiger, Gimber, Kenzel, Laughlin, Madden, McGill, Reasner, Stuckmeyer and Ward—14.

Those who voted " not guilty" were :

Councilmen Adams, Craft, Darnell, Hook, Kahn, Reed, Schmidt, Thalman and Webster—9.

It requiring 18 votes to convict, the Chair declared the first specification not sustained.

The second specification under the second charge was read, and a vote had with the following result :

Those who voted " guilty" were :

Councilmen Bollman, Buehrig, Curran, Diffley, Geiger, Gimber, Kenzel, Laughlin, Madden, McGill, Reasner, Schmidt and Stuckmeyer—13.

Those who voted "not guilty" were :

Councilmen Adams, Albershardt, Craft, Darnell, Hook, Kahn, Reed, Thalman, Ward and Webster—10.

It requiring 18 votes to convict, the Chair declared the second specification not sustained.

The third specification under the second charge was read, and a vote had with the following result :

Those who voted "guilty" were :

Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley, Geiger, Gimber, Kenzel, Laughlin, Madden, McGill, Reasner, Schmidt, Stuckmeyer and Ward—15.

Those who voted "not" guilty" were :

Councilmen Adams, Craft, Darnell, Hook, Kahn, Reed, Thalman and Webster—8.

It requiring 18 votes to convict, the Mayor declared the third specification not sustained.

The fourth specification was read, and a vote had with the following result :

Those who voted "guilty" were :

Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley, Geiger, Gimber, Kenzel, Laughlin, Madden, McGill, Reasner, Schmidt, Stuckmeyer and Ward—15.

Those who voted "not guilty" were :

Councilmen Adams, Craft, Darnell, Hook, Kahn, Reed, Thalman and Webster—8.

It requiring 18 votes to convict, the Mayor declared the fourth specification not sustained.

Mr. Geiger moved that one vote be had on the fifth, sixth, seventh and eighth specifications.

Which was adopted.

Specifications 5, 6, 7 and 8, under the second charge, were read, and a vote had with the following result :

Those who voted "guilty" were :

Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley, Geiger, Gimber, Kenzel, Laughlin, Madden, McGill, Reasner, Schmidt, Stuckmeyer and Ward—15.

Those who voted "not guilty" were :

Councilmen Adams, Craft, Darnell, Hook, Kahn, Reed, Thalman and Webster—8.

It requiring 18 votes to convict, the Mayor declared the 5th, 6th, 7th and 8th specifications not sustained.

Specification nine under the second charge was read, and a vote had with the following result :

Those who voted "guilty" were:

Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley, Geiger, Gimber, Kenzel, Laughlin, Madden, McGill, Reasner, Schmidt, Stuckmeyer and Ward—15.

Those who voted "not guilty" were :

Councilmen Adams, Craft, Darnell, Hook, Kahn, Reed, Thalman and Webster—8.

It requiring 18 votes to convict, the Mayor declared the ninth specification not sustained.

The second charge was then read and vote had with the following result :

Those who voted "guilty" were:

Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley, Geiger, Gimber, Kenzel, Laughlin, Madden, McGill, Reasner, Schmidt, Stuckmeyer and Ward—15.

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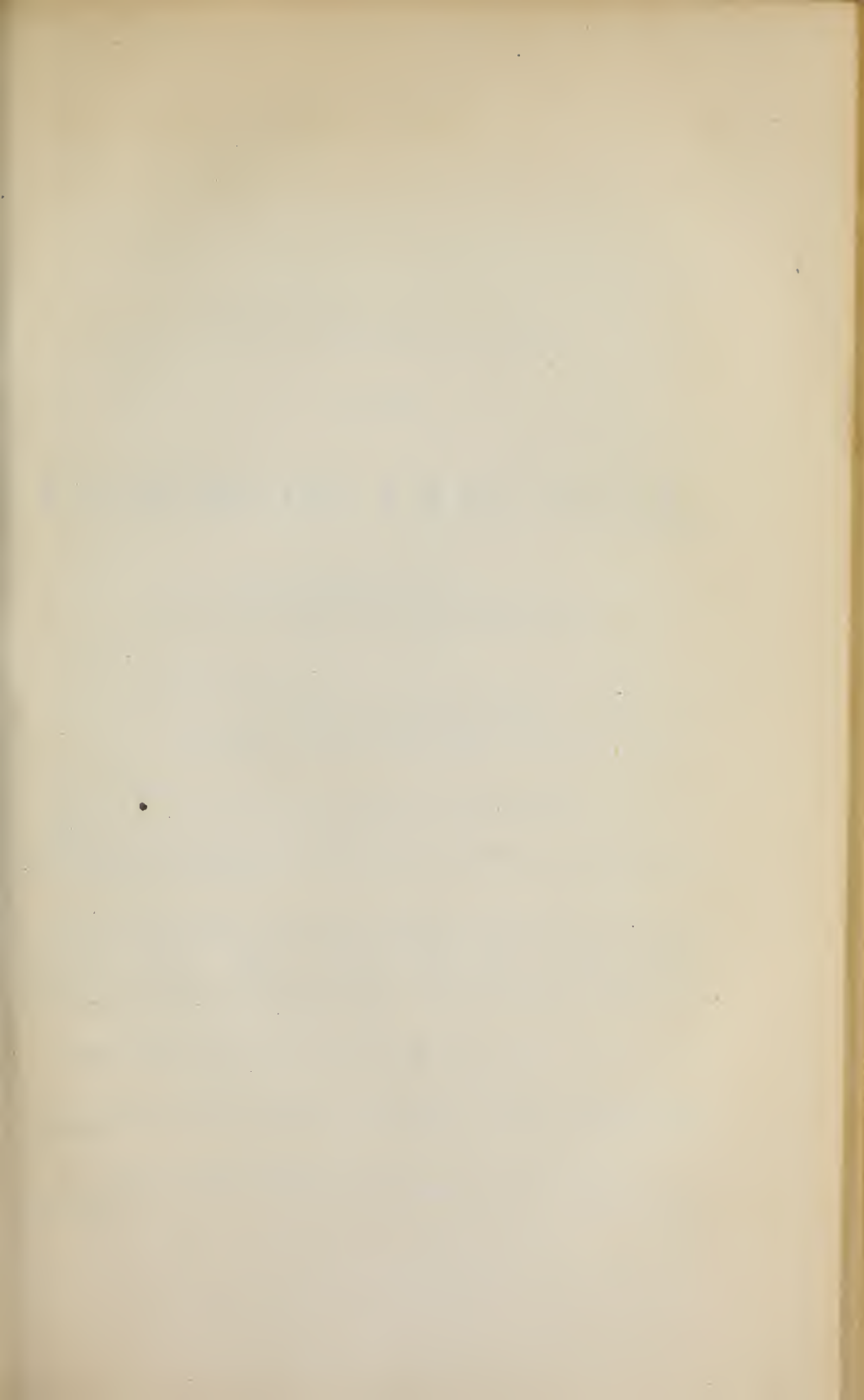
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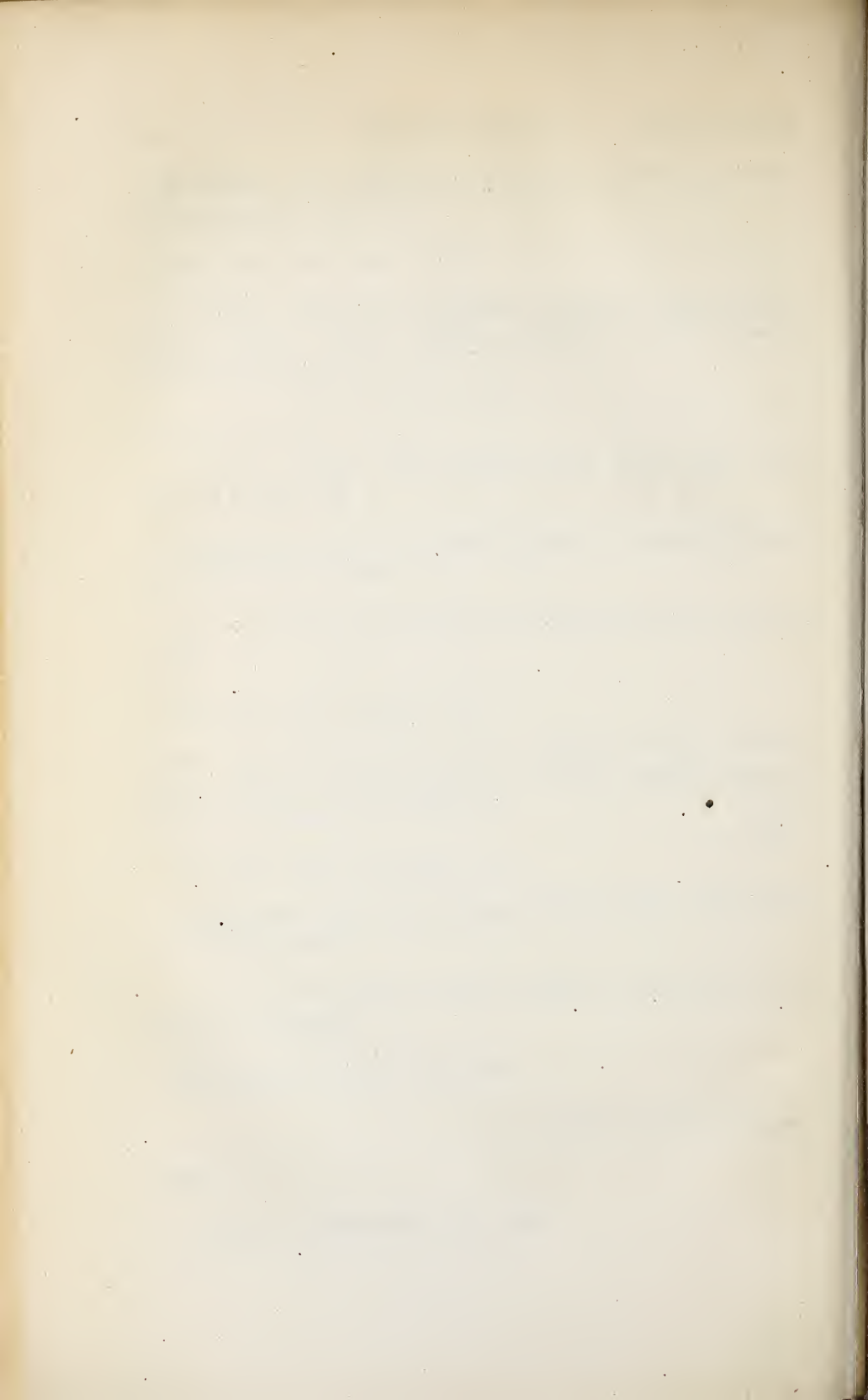
On motion, the Council adjourned.

JOHN CAVEN, Mayor.

Attest:

BENJ. C. WRIGHT, City Clerk.





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Those who voted in the negative were :

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Those who voted " guilty " were :

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Those who voted " not guilty " were :

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On motion, the Council adjourned.

JOHN CAVEN, Mayor.

Attest :

BENJ. C. WRIGHT, City Clerk.