

# PROCEEDINGS OF COMMON COUNCIL.

SPECIAL SESSION—APRIL 30, 1888.

The Common Council of the City of Indianapolis, met in the Council Chamber, Friday evening, April 30th, A. D. 1888, at eight o'clock, in special session, pursuant to announcement made by His Honor, the Mayor, at the last regular session of the Common Council, to consider the charges heretofore preferred against Councilman Simeon Coy.

**PRESENT**—Hon. Caleb S. Denny, Mayor, and *ex officio* President of the Common Council, in the Chair, and 24 members, viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

**ABSENT**—None.

The report of the Special Committee, together with the charges presented to the Common Council at the special session held April 23d, 1888, were read.

Councilman Markey moved that he be allowed the privilege of presenting a minority report.

Which privilege was granted, by the following vote :

**AYES**, 14—viz: Councilmen Burns, Gaul, Hicklin, Johnston, Kelley, Markey, O'Connor, Parkinson, Pearson, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

**NAYS**, 10—viz: Councilmen Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Long, McClelland, and Smith.

Whereupon the following minority report was submitted and read :

To the Mayor and the Members of the Common Council of the City of Indianapolis :

*Gentlemen*:—We, the undersigned, members of the Special Committee appointed to investigate the charges preferred against Simeon Coy, a member of this body, beg leave to submit the following report :

*First*—We find that at the November Term of the U. S. Grand Jury, in the year 1886, that certain information was filed against said Simeon Coy and others; and after a thorough investigation by said grand jury, they failed to find sufficient evidence against said parties to return an indictment.

*Second*—We also find in December, 1886, one Dr. Wagner filed information against Simeon Coy, and others, charging them with the mutilation of certain tally-sheets, at an election held on November 2d, 1886; and during the progress of said

examination, an appeal was taken to Judge Gresham, of the U. S. Circuit Court, who held that the U. S. Courts had no jurisdiction in said cases. The investigation was discontinued, and the defendants discharged.

*Third*—We also find that at the February Term of the Marion County Grand Jury, in the year 1887, that one Eli Ritter, acting as the Attorney for the "Committee of One Hundred," went before said grand jury and filed information against said Simeon Coy, and after a thorough investigation by said grand jury, they failed to return any indictment against said Coy.

*Fourth*—We find that at the May Term of the U. S. Grand Jury in the year 1887, information was again filed by said Eli Ritter before said grand jury against said Coy, and others, charging them with the mutilation of certain tally-sheets for an election held on November 2d, 1886; and said grand jury found a bill of indictment against said Coy and others.

*Fifth*—Your committee further find that one David W. Coffin and H. H. Lee were members of the said Committee of One Hundred, and also of said grand jury. Said committee was organized for the purpose of prosecution of said election cases, and the said David W. Coffin was selected as foreman of said grand jury, and during the investigation by said grand jury, he (Coffin) held constant communication with the said Eli Ritter, the Attorney of said Committee of One Hundred. And the said David W. Coffin and H. H. Lee were contributing members to a fund raised by said Committee of One Hundred, and were further taking an active part in the prosecution of said Coy and others. And we therefore must consider that said Coffin and Lee were not competent persons to act as grand jurors for the indictment of said Coy and others. Further, we are of opinion that the U. S. Court has no jurisdiction in the trial of their cases.

*Sixth*—And we find that on the 20th day of July, 1887, the case against said Coy and others, was set for trial before the U. S. District Court; and after the trial of said cases, the jury failed to agree—standing eight for an acquittal, and four for conviction, in the case of Coy.

*Seventh*—Your committee further find that in October, 1887, the same U. S. Grand Jury, with David W. Coffin as foreman, and H. H. Lee as a member of the same, was again called together to again consider the tally-sheet cases, and to re indict said Coy and others, under some other Statute that had been found by said U. S. District Court; and thereupon, on the 16th of January, 1888, said Coy and others were again placed on trial, charged with conspiracy. Said trial resulted in the conviction of Coy.

*Eighth*—Your committee further find that Samuel E. Perkins, who was the principal prosecuting witness and alleged informant, testified before the Marion County Grand Jury that Coy was alone cognizant of the alleged attempted frauds upon the election returns; and after the said Marion County Grand Jury had refused to return an indictment upon the evidence of said Perkins against said Coy, the said Perkins, at the May Term of the U. S. Grand Jury, testified that Coy and ten others were connected together in the attempt at the election frauds of 1886.

*Ninth*—Your committee would further report that the said Perkins either committed perjury before the Marion County Grand Jury or before the U. S. Grand Jury. We also find that the testimony of said Perkins tended mainly to the mutilation of tally-sheets, and not to conspiracy, as charged in the indictment, and which testimony was not in any way corroborated, but, on the contrary, was overwhelmingly rebutted by the testimony of the defense. And we further find that the entire testimony of said Perkins was thrown out as being unworthy of belief, by said jury before whom the case had been tried, and by whom said Coy was convicted.

*Tenth*—And as your committee verily believe, the said jury was tampered with, they being allowed by the Court to separate, thus affording certain persons who were interested in the conviction of Coy an opportunity to use undue influence on the minds of said jurors, to-wit: Where it can be proven that one Schell acknowledged having taken one of the jurors and getting him under the influence of intoxicating liquors, and then enticed him to a house of ill-fame, and keeping said juror there during the night, and in the morning insisting on said juror to vote for the conviction of said Coy, which said juror did do.

*Eleventh*—Your committee further find, upon further investigation, that upon the night that the said jury went out to deliberate, that five members of said jury were induced to drink intoxicating liquors, while deliberating upon their verdict in the jury room; and that one of the jurors protested, and warned said jurors that they were violating their oaths in drinking said intoxicating liquors while deliberating upon a verdict.

*Twelfth*—We further believe that one of the jurors, by the name of Albert Mesick, was either bribed, or by other undue influence, compelled to vote for a verdict of guilty in said cause.

*Thirteenth*—We also find that the foreman of the jury used undue influence with a member of said jury by the name of Peters. The said Peters was led to believe by said foreman of said jury, that if he, Peters, would vote for a verdict of guilty, that said defendants—among whom was said Coy—would be fined in a nominal sum, and that no imprisonment would be added. The said foreman further informed said Peters that he was authorized so to speak; and upon these representations said Peters was induced to vote for a verdict of guilty.

All this, taken together with the partizan ruling of the Court, and with the strong plea of conviction embodied in the charge to the jury, consummated one of the greatest judicial outrages ever heard of, and consigned an innocent man to prison.

And we further find that the only evidence against Coy, is his own statement to the jury, to-wit: "That upon receiving information, on the morning after the election, that the Republican Judges of the election were getting possession of the outside tally-sheets under the direction of the Chairman of the Republican Central Committee, and having positive information that the Democratic Inspectors were turning the same over to the Republican Judges—which was contrary to the laws of Indiana—and fearing the result of this course upon the part of the Democratic Inspectors, and knowing under the law that one tally-sheet, sealed in a sack, should be returned to the County Clerk (who being a Republican) and at the urgent request of the Democratic candidates and prominent Democrats, I felt justified in sending messengers to the Court House and the various Precincts of Marion County, requesting all Inspectors not to make their returns to the County Clerk's office, but to hold them in their possession until Thursday at 10 o'clock, A. M., and report the same to the Board of Canvassers, which they had a right to do under the law."

We, your committee, verily believe that from the evidence produced before the various grand juries and courts by whom said Simeon Coy has been tried, and the bitter partizan feeling which has been brought into his case, with the help of the personal enemies to said Coy, and with the uncorroborated evidence of Perkins—and finding the presence of two active members of the Committee of One Hundred upon the grand jury which indicted him, one of whom was the foreman of the same, and who was found to have been in constant communication with the Attorney for the Committee of One Hundred—and the outrageous conduct of certain jurors connected with the trial, and from the fact that Coy's case had been investigated by numerous grand juries—United States and local—also a most thorough investigation by a United States Commissioner and tried before a U. S. Court, in which the jury disagreed. And further, that while still under indictment in the U. S. Court he was unanimously re-nominated by his party, and re-elected by double the majority he ever received as a member of this Council—and believing that no crime was intended against the laws of the United States or of the State of Indiana by said Simeon Coy.

Nor was there a charge to commit fraud against the ballots, sustained by any evidence against said Simeon Coy; and after giving the case a fair and impartial investigation, and firmly believing that the Government of the United States will never allow a persecuted case, instead of a prosecuted one like his, to stand against one of her citizens, we, your committee, report that there is no evidence to sustain the charge against said Simeon Coy, and recommend that the charges against Simeon Coy be not sustained,

THOMAS MARKEY.

The City Attorney submitted the following transcripts of the Indictment and sentence in the cause of the United States vs. Simeon Coy and others; which was read:

UNITED STATES OF AMERICA, }  
DISTRICT OF INDIANA, } ss:

In the District Court of the United States for the District of Indiana. May Term, A. D. 1887, at Indianapolis.

The Grand Jurors of the United States, within and for the District of Indiana, impaneled, sworn and charged in said Court, at the term aforesaid, to inquire for the United States, within and for the District of Indiana aforesaid, upon their oath present that Simeon Coy, Henry Spann, John H. Councilman, Charles N. Metcalf, John E. Sullivan, Albert T. Beck, George W. Budd, Stephen Matler, William F. A. Bernhamer and John L. Reardon, late of said District, at the District aforesaid, on the third day of November, in the year of our Lord one thousand eight hundred and eighty-six, unlawfully, knowingly and feloniously did then and there conspire, confederate, combine and agree together and with one Samuel E. Perkins, to commit an offense against the United States in this, to-wit: The grand jurors aforesaid impaneled and sworn as aforesaid, do charge and present that on the second day of November, in the year of our Lord one thousand eight hundred and eighty-six, an election for a Representative in the Congress of the United States from the Seventh Congressional District of the State of Indiana was lawfully had and held in and for said Seventh Congressional District of Indiana; that the County of Marion, in said State, and the City of Indianapolis, situate in said county, are and on said second day of November, in the year of our Lord one thousand eight hundred and eighty-six, were in and constituted parts of said Congressional District, and that at said election for Representative in Congress so held in said District and in said county and city, a Representative in Congress was lawfully voted for at each and every voting precinct of said District, and of said county and city, including the precincts hereinafter particularly named: That at said election one Allen Hisey served as and was the lawful Inspector of election at and for the second precinct of the thirteenth Ward of said City of Indianapolis, and at said election said John H. Councilman served as and was the lawful Inspector of election at and for the second precinct of the fourth Ward of said City of Indianapolis, and that at said election said Stephen Matler served as and was the lawful Inspector of the election at and for the third precinct of the thirteenth Ward of said City of Indianapolis, and that at said election one Lorenz Schmidt served as and was the lawful Inspector of election at and for the first precinct of the twenty-third Ward of said City of Indianapolis, and one Joel A. Baker served as and was the lawful Inspector of election at and for the sixth precinct of Center township, in said county of Marion, and one Joseph Becker served as and was the lawful Inspector of election at and for the second precinct of the eleventh Ward of the City of Indianapolis, aforesaid, and one Andrew Oehler served as and was the lawful Inspector of election at and for the first precinct of the seventeenth Ward of said City of Indianapolis, and one John Edwards served as and was the lawful Inspector of election at and for the second precinct of the eighteenth Ward of said City of Indianapolis; That at and after the close of the election aforesaid, and until delivery was made to the Clerk of said county and to the Board of Canvassers of said county, each of said Inspectors had in his lawful possession, the ballots, tally-papers, poll lists and certificates of the Board of Judges of election of and for the precinct of which he was and had been Inspector as aforesaid; said ballots, poll-lists, tally-papers and certificates each contained evidence in respect to said election of Representative to Congress, and said grand jurors aforesaid do charge and present that at said District, and on said third day of November, in the year of our Lord one thousand eight hundred and eighty six, said defendants, Simeon Coy, Henry Spann, John H. Councilman, Charles N. Metcalf, John E. Sullivan, Albert T. Beck, George W. Budd, Stephen Matler, William F. A. Bernhamer and John L. Reardon, intending to obtain unlawful possession of said papers and election returns so in the custody of said Inspectors, and feloniously to mutilate, alter, forge and change the said poll-lists, tally-papers and certificates of the Judges of election, did unlawfully and feloniously, conspire, confederate, com-

bine and agree together and with said Samuel E. Perkins, unlawfully and by false and deceitful speeches, statements, assertions and promises, and by other unlawful means to the grand jury unknown, to counsel, assist, aid, procure and induce said Allen Hisey, Lorenz Schmidt, John H. Councilman, Stephen Matler, Joel H. Baker, Joseph Becker, Andrew Oehler and John Edwards, Inspectors as aforesaid, and each of them, unlawfully to omit, neglect, fail and refuse to perform the duties imposed by the laws of the State of Indiana upon them and each of them, safely to guard, keep and preserve from harm and danger, the papers, poll-lists, tally-papers and certificates of the Judges of election so deposited with them, the said Inspectors and each of them respectively, until lawfully delivered to the Board of Canvassers of said county of Marion, and to the Clerk of said county; and that to effect the object of said conspiracy, the said Samuel E. Perkins unlawfully advised, persuaded and procured the said Allen Hisey, Inspector as aforesaid, unlawfully and negligently to deliver to him, the said Samuel E. Perkins, the poll-lists, tally-papers and certificates of the Judges of election deposited with him, the said Allen Hisey, for return to the Board of Canvassers of said county, before the same had been returned in said Board of Canvassers; and said Samuel E. Perkins and Simeon Coy unlawfully persuaded, advised and procured the said Stephen Matler unlawfully and negligently to deliver, and he, the said Stephen Matler, consented to and did then and there unlawfully and negligently deliver to said Perkins and Coy the poll-list, tally-paper and certificate of the Board of Judges of the election deposited with him, the said Stephen Matler, for return to the Board of Canvassers of said county, before the same had been returned to and canvassed by said Board of Canvassers; and the said John E. Sullivan and George W. Budd unlawfully received and took from Lorenz Schmidt the poll-list, tally paper and certificate of the board of election deposited with Lorenz Schmidt as aforesaid, for return to the Board of Canvassers aforesaid; and the said John H. Councilman unlawfully, negligently, and in disregard of his duty, parted with and surrendered to a person or persons to the grand jurors unknown, the poll-list, tally-paper and certificate of the Judges of election deposited with him, the said John H. Councilman, for return to the Board of Canvassers; and said Simeon Coy unlawfully received, procured and took from Andrew Oehler, Inspector as aforesaid, the poll-list, tally-paper and certificate of Judges of election deposited with him, the said Andrew Oehler, as aforesaid, to be returned to the said Board of Canvassers of said county; and the said defendants, Simeon Coy, Henry Spann, John E. Sullivan, and others of the defendants to the grand jurors unknown, advised, persuaded and procured the said Joel A. Baker unlawfully and negligently to surrender and deliver to some person or persons to the grand jurors unknown, the poll-list, tally-paper and certificate of the Judges of election deposited with him for return to said Board of Canvassers; and said defendants, Simeon Coy, Henry Spann, John E. Sullivan, and other defendants to the grand jurors unknown, advised, procured and persuaded said John Edwards, Inspector aforesaid, to unlawfully and negligently to deliver and surrender to some person or persons to the grand jurors aforesaid unknown, the poll-list, tally-paper and certificate of the Judges of election deposited with him, the said John Edwards as aforesaid, to be returned to said Board of Canvassers; and said Simeon Coy, John H. Councilman, Henry Spann, Charles N. Metcalf, John E. Sullivan, Albert T. Beck, George W. Budd, Stephen Matler, William F. A. Bernhamer, and John L. Reardon, procured the election of said William F. A. Bernhamer as Chairman of the Board of Canvassers of said election in and for said county of Marion, in said State and District; and said William F. A. Bernhamer, as such Chairman, refused to accept the poll-list, tally-paper and certificate of the Judges of election deposited with said John H. Councilman as Inspector as aforesaid, when first presented by said John H. Councilman to said Board of Canvassers, and until the said tally-paper and certificate of the Judges of election had been unlawfully altered and forged; and further to effect the object of said conspiracy, said Simeon Coy sent one William H. Eden to said Joseph Becker, Inspector as aforesaid, and to other Inspectors to the grand jurors unknown, with direction, instruction and request to said Joseph Becker and other Inspectors respectively, not forthwith to return and deliver the returns of said election contained in sealed bags, to the Clerk of the Circuit Court of the county of Marion aforesaid, but to unlawfully bring the same to him, the said Simeon Coy,—the said Simeon Coy, Samuel E. Perkins, Henry

Spann, Charles N. Metcalf, John E. Sullivan, George W. Budd, Albert T. Beck, John L. Reardon, and said persons to the grand jurors unknown, to whom said tally papers, poll-lists and certificates of the Judges of election were so unlawfully surrendered and delivered by said John H. Councilman, John Edwards, Allen Hisey, Lorenz Schmidt, Andrew Oehler, Stephen Matler, Joseph Becker and Joel H. Baker respectively, as aforesaid, not being then and there persons authorized by law to have the possession and custody of said poll-lists, tally-papers and certificates of the Judges of election aforesaid, contrary to the form of the Statutes of the United States in such cases made and provided, and against the peace and dignity of the United States of America.

EMORY B. SELLERS, Attorney  
for the U. S. for the District of Indiana.

DISTRICT OF INDIANA:

I, Noble C. Butler, Clerk of the District Court of the United States for the District of Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of the Indictment in the cause of the United States vs. Simeon Coy and others, filed in said Court on the 18th day of October, 1887, as fully as the same appears on file in my office.

Witness my hand and the Seal of said Court, this 30th day of April, A. D. 1888.

[Seal.]

NOBLE C. BUTLER, Clerk.

DISTRICT OF INDIANA:

I, William A. Woods, Judge of the District Court of the United States for said District, do certify that at the date of the foregoing certificate, Noble C. Butler was, and now is, the Clerk of the District Court of the United States for said District, and that his attestation aforesaid is in due form of law.

Witness my hand, this 30th day of April, 1888.

WM. A. WOODS, Judge.

In the District Court of the United States for the District of Indiana. November Term, 1887—Friday, February 3d, 1888.

Before Honorable William A. Woods, Judge.

United States	}	Conspiracy. No. 3,782.
vs. Simeon Coy and William F. A. Bernhamer.		

Comes now Emory B. Sellers, Attorney for the United States, and Solomon Claypool, Assistant to the Attorney for the United States, and at the same time also come the defendants, Simeon Coy and William F. A. Bernhamer, in person, and by their respective attorneys, and thereupon the Attorney for the United States moves the Court to reject and strike from the files each and all affidavits filed by the defendants, and each of them, in support of their motion for a new trial herein, and especially all that part of such affidavits relating to the statements of jurors; which motions are now by the Court severally overruled, to which ruling of the Court the Attorney for the United States now excepts. And thereupon said Attorney for the United States and Assistant to the Attorney for the United States now file counter affidavits of John L. Davis and Albert Messick, in the words following, to-wit: And thereupon said defendants, Coy and Bernhamer, by their respective attorneys, severally move the Court to reject and strike from the files the said counter affidavits of John L. Davis and Albert Messick; which said motions are now by the Court overruled, to which ruling of the Court the defendants severally except.

And thereupon the separate motions and reasons of said defendants, Simeon Coy and William F. A. Bernhamer, for a new trial herein, being argued and submitted to the Court, and the Court being sufficiently advised, doth find that the facts alleged in support of said motion, are not true, and doth now overrule the same,—to which ruling of the Court said defendants now severally except. And thereupon said defendants, Coy and Bernhamer, now submit their separate motions in arrest of judgment; which motions are now by the Court overruled, to which ruling of the Court said defendants now severally except.

And upon motion of said defendants, the Court doth grant them thirty days in which to prepare and file a bill of exceptions herein.

And thereupon said Attorney for the United States and Assistant to the Attorney for the United States, moves the Court for judgment upon the verdict of the jury heretofore rendered herein.

It is therefore considered and adjudged by the Court that the defendants, Simeon Coy and William F. A. Bernhamer, are each guilty as charged in the indictment herein, and it is further considered by the Court that said defendant, Simeon Coy, for the offense charged in said indictment, be imprisoned and confined in the Northern Prison of the State of Indiana for the term of eighteen month, and that he do pay unto the United States a fine of one hundred dollars (\$100.00), together with the costs of this prosecution, taxed at \$.....; and that he do stand committed until said fine and costs are paid.

And it is further considered by the Court that said defendant, William F. A. Bernhamer, for the offense charged in said indictment, be imprisoned and confined in the Northern Prison of the State of Indiana for the term of one year, and that he do pay unto the United States a fine of one thousand dollars (\$1,000.00), together with the costs of this prosecution, taxed at \$.....; and that he do stand committed until said fine and costs are paid.

And the defendants now severally except to the judgment of the Court herein.

UNITED STATES OF AMERICA, }  
DISTRICT OF INDIANA. } ss:

I, Noble C. Butler, Clerk of the District Court of the United States within and for the District aforesaid, do hereby certify that the above and foregoing is a full and true copy of the judgment of the Court in the case of The United States against Simeon Coy and William F. A. Bernhamer, made and entered in the above entitled cause on the 3d day of February, 1888, as fully as the same remains upon the records now in my office; and I further certify that the indictment in the above entitled cause against Simeon Coy and others, for an offense against the election laws of the United States, was returned into said Court on the 18th day of October, 1887; that said defendant, Simeon Coy, was arraigned upon said indictment and entered a plea thereto on the 14th day of January, 1888; that the jury empaneled to try said cause, returned a verdict of guilty as to Simeon Coy on the 28th day of January, 1888; and that a warrant for the commitment of said Simeon Coy to the Northern Prison of Indiana to undergo the sentence of said Court, was duly issued by said Clerk on the 3d day of February, 1888, and placed in the hands of the Marshall of said Court.

Witness my hand and the Seal of said Court, at Indianapolis, in said District, this 28th day of April, 1888.

[Seal.]

NOBLE C. BUTLER, Clerk.

Councilman Markey presented the following affidavit in support of his minority report:

STATE OF INDIANA, Sullivan County, ss:

William G. Jamison, William Joyce and Hervey E. Dutton, being each duly sworn, on their oath say that they are residents of Sullivan county, in the State of Indiana, and are each over the age of twenty-one years; that on the 3d day of February, 1888, they were present at the law office of John C. Briggs, in the town of Sullivan, in said county, and heard one Robert J. Denton, who was a juror in the trial of the cause of the United States against Simeon Coy, William F. A. Bernhamer and Stephen J. Matler, in the United States District Court in and for the District of Indiana, charged with conspiracy, say that one Simon Dickenson, also a juror in said cause, complained of not feeling well, and the bailiff brought a half pint of whisky to the jury room where said jury was confined; that said Dickenson took two drinks of said whisky, and three other members of said jury drank of said whisky; that said Denton also stated at said time in said law office, that after the Judge of said Court had instructed said jury, and before said jury had returned their verdict in said cause, and while said jury was at the hotel attended by their bailiff, one of said jurors and the said bailiff each took a drink of whisky; that said whisky so drunk at the jury room as aforesaid, and at the hotel as aforesaid, was drunk while said jury were under the charge of said bailiff, and considering their

verdict in said cause, and before said jury agreed upon the verdict returned therein; that said whisky was offered to said Denton in said jury room, but he, said Denton, refused to drink of said whisky, and stated to his fellow jurors that it was improper for said jurors to drink intoxicating liquors while so considering of their verdict.

WILLIAM C. JAMISON,  
WILLIAM JOYCE,  
HENRY E. DUTTON.

Subscribed and sworn to before me by Wm. C. Jamison, William Joyce and Hervey E. Dutton, this 3d day of February, 1888.

[Seal.]

JNO. C. BRIGGS, Notary Public of Sullivan Co., Ind.

Mr. Coy being present in person, made a statement in his own behalf.

Speeches were made by Councilmen Swain, Darnell, Cummings and Thalman, in support of the majority report, and by Councilmen Hicklin, Markey, Kelley and Stuckmeyer, in support of the minority report.

The Chair then announced that the question was, "Has the charge submitted by the majority of the Committee been sustained?"

Those who voted to sustain the charge, are as follows:

Councilmen Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Long, McClelland, Pearson, Smith, Swain, Thalman, Trusler, and Wilson—15.

Those who voted that the charge be not sustained, are as follows:

Councilmen Burns, Gaul, Hicklin, Johnston, Kelley, Markey, O'Connor, Parkinson, and Stuckmeyer—9.

The charges having been sustained, the Chair then put the question as to the expulsion of Councilman Coy.

Those voting for his expulsion, are as follows:

Councilmen Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Long, McClelland, Pearson, Smith, Swain, Thalman, Trusler, and Wilson—15.

Those voting against his expulsion, are as follows:

Councilmen Burns, Gaul, Hicklin, Johnston, Kelley, Markey, O'Connor, Parkinson, and Stuckmeyer—9.

The Statute requiring *that any member of the Common Council may be expelled or removed from office by a two thirds vote*, the Chair declared the accused as not expelled, not having received the necessary number of votes.

On motion the Common Council then adjourned, at 10 o'clock, P. M.

*C. S. King*

....., Mayor,

President of the Common Council.

Attest:

*John H. Bowler*

....., City Clerk.



# PROCEEDINGS OF BOARD OF ALDERMEN.

SPECIAL SESSION—APRIL 30, 1888.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, April 30th, A. D. 1888, at eight o'clock, in special session, pursuant to the following call :

To the Members of the Board of Aldermen of the City of Indianapolis :

*Gentlemen:*—You are hereby requested to meet in special session in the Aldermanic Chamber, on Monday evening, April 30th, 1888, at eight o'clock, for the transaction of such business as may come before the body.

G. S. WRIGHT, Pres't. of Bd. of Aldermen.

M. M. REYNOLDS, Vice Pres' of Bd. of Aldermen.

H. W. Laut,

Julius F. Reinecke,

J. H. Taylor,

H. B. Smith,

Jno. Rail,

M. F. Connett,

Tim. Clark,

Will. E. Tousey.

Said call being signed by all the members of the Board of Aldermen, and it appearing that all of said members were duly and properly notified of the time and place of said meeting, the Board of Aldermen was called to order at the hour designated in said call.

**PRESENT**—Hon. Granville S. Wright, President of the Board of Aldermen, in the Chair, and Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, and Tousey—10.

**ABSENT**—None.

The following entitled ordinances (passed by the Common Council) were severally read the first time :

S. O. 38, 1887—An ordinance to provide for grading and bowldering the first alley north of McCarty street, from Alabama street to Harmon street.

S. O. 65, 1887—An ordinance to provide for grading, bowldering and curbing the gutters of Lockerbie street, and widening the sidewalks thereof, from Liberty street to Noble street.

S. O. 104, 1887—An ordinance to provide for grading and graveling Ann street and sidewalks, from Reaume street to Ray street.

S. O. 110, 1887—An ordinance to provide for grading and graveling the roadway of Oriole street, widening, paving with brick, and curbing with stone the sidewalks thereof, from Nebraska street to the second alley south of Nebraska street.

S. O. 129, 1887—An ordinance to provide for curbing with stone the sidewalks of Alabama street, from Seventh street to the State Ditch.

- S. O. 151, 1887—An ordinance to provide for grading, bowldering and curbing the gutters, and paving with brick the sidewalks of Yeiser street, from East street to Madison avenue.
- S. O. 152, 1887—An ordinance to provide for the repeal of an ordinance entitled "Special Ordinance number 166, 1886—An ordinance to provide for the grading and graveling of the first alley east of Meridian street, from Fifth street to the first alley north of Fifth street."
- S. O. 153, 1887—An ordinance to provide for grading and bowldering the first alley north of Ohio street, from Delaware street to the first alley east of Delaware street.
- S. O. 155, 1887—An ordinance to provide for grading and paving with brick, the sidewalks of Kennington street, from Yeiser street to its southern terminus.
- S. O. 1, 1888—An ordinance to provide for grading and paving with brick, the south sidewalk of Seventh street, from Bellefontaine avenue to Columbia avenue, where not already properly paved.
- S. O. 2, 1888—An ordinance to provide for grading, bowldering and curbing the gutters of Davidson street, from Washington street to North street.
- S. O. 3, 1888—An ordinance to provide for grading and paving with brick, the sidewalks of West street, from Ray street to Morris street.
- S. O. 6, 1888—An ordinance to provide for grading and paving with brick, the north sidewalk of Michigan street, from Blackford street to Blake street.
- S. O. 7, 1888—An ordinance to provide for grading and graveling Sheldon street and sidewalks, and laying a sewer pipe therein, from Hill avenue to Ninth or Bolton street.
- S. O. 8, 1888—An ordinance to provide for grading and bowldering the first alley west of Meridian street, running north and west from Georgia street to the second alley east of Illinois street.
- S. O. 10, 1888—An ordinance to provide for grading and paving with brick, the sidewalks of St. Clair street, from West street to Indiana avenue.
- S. O. 11, 1888—An ordinance to provide for grading and graveling Eighth street and sidewalks, being the first thirty-foot street north of Seventh street, running from Illinois street to Meridian street.
- S. O. 13, 1888—An ordinance to provide for grading, bowldering and curbing the gutters, and paving with brick the sidewalks of North street, from Massachusetts avenue to Noble street, where not already properly paved.
- S. O. 14, 1888—An ordinance to provide for grading and paving with brick, the east sidewalk of Peru street, from Davidson street to Massachusetts avenue.
- S. O. 15, 1888—An ordinance to provide for grading and paving with brick, the east sidewalk of Davidson street, from North street to Peru street.
- S. O. 18, 1888—An ordinance to provide for grading and paving with brick, the sidewalks of Douglass street, from North street to Indiana avenue.
- S. O. 19, 1888—An ordinance to provide for grading and bowldering the gutters of Hall Place street, and paving with brick and curbing with stone the sidewalks thereof, from Seventh street to Eighth street.
- S. O. 20, 1888—An ordinance to provide for grading and paving with brick, where not already paved, the East sidewalk of School street, from South street to Huron street.

- S. O. 21, 1888—An ordinance to provide for grading and paving with brick, where not already paved, the east sidewalks of School street, from South street to Huron street.
- S. O. 22, 1888—An ordinance to provide for grading and bowldering the first alley east of New Jersey street, from South street to Virginia avenue.
- S. O. 25, 1888—An ordinance to provide for grading and graveling Second street and sidewalks, from West street to the Canal.
- S. O. 26, 1888—An ordinance to provide for grading and graveling Yandes street and sidewalks, from Eighth street to the Belt Railway.
- S. O. 27, 1888—An ordinance to provide for grading and paving with brick, the south sidewalk of McCarty street, from West street to Pogue's Run.
- S. O. 28, 1888—An ordinance to provide for grading and paving with brick, the east sidewalk of Chadwick street, from Ray street to McCarty street.
- S. O. 29, 1888—An ordinance to provide for grading and paving with brick, the sidewalks of Wisconsin street, from Meridian street to the Canal bank.
- S. O. 30, 1888—An ordinance to provide for grading and paving with brick, the south sidewalk of Pratt street, from Pennsylvania street to Meridian street.
- G. O. 27, 1887—An ordinance to provide for the construction of a brick sewer in and along Broadway street and the first alley west of the intersection of St. Clair street and Massachusetts avenue, from Massachusetts avenue to the north line of Cherry street.

On motion, S. O.'s 38, 104, 110 and 152, 1887, and S. O.'s 11, 14, 15, 25 and 29, 1888, of the foregoing entitled ordinances, were referred to the Committee on Streets and Alleys, and G. O. 27, 1887, to the Committee on Sewers and Drainage.

On motion by Alderman Smith, the Rules were suspended for the purpose of placing S. O.'s 65, 129, 151, 153 and 155, 1887, and S. O.'s 1, 2, 3, 6, 7, 8, 10, 13, 18, 19, 20, 21, 22, 26, 27, 28 and 30, 1888, on their final passage, by the following vote:

**AYES**, 9—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Tousey, and President Wright.

**NAYS**—None.

S. O. 65, 1887, was then read the second and third times and passed, by the following vote:

**AYES**, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

**NAYS**—None.

S. O. 129, 1887, was then read the second and third times and passed, by the following vote:

**AYES**, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

**NAYS**—None.

S. O. 151, 1887, was then read the second and third times and passed, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 155, 1887, was then read the second and third times and passed, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 155, 1887, was then read the second and third times and passed, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 1, 1888, was then read the second and third times and passed, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 2, 1888, was then read the second and third times and passed, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 3, 1888, was then read the second and third times and passed, by the following vote :

AYES, 9—viz: Aldermen Clark, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 6, 1888, was then read the second and third times and passed, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 7, 1888, was then read the second and third times and passed, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 8, 1888, was then read the second and third times and passed, by the following vote:

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 10, 1888, was then read the second and third times and passed, by the following vote:

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 13, 1888, was then read the second and third times and passed, by the following vote:

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 18, 1888, was then read the second and third times and passed, by the following vote:

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith; Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 19, 1888, was then read the second and third times and passed, by the following vote:

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 20, 1888, was then read the second and third times and passed, by the following vote:

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 21, 1888, was then read the second and third times and passed, by the following vote:

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 22, 1888, was then read the second and third times and passed, by the following vote:

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 26, 1888, was then read the second and third times and passed, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 27, 1888, was then read the second and third times and passed, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 28, 1888, was then read the second and third times and passed, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

S. O. 30, 1888, was then read the second and third times and passed, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

On motion, the Board of Aldermen then adjourned.

*G. S. Wright*, President.

Attest: *W. W. Tousey*, Clerk.