

SPECIAL MEETING

Thursday, October 27, 1927

The Common Council of the City of Indianapolis met in special session in the Council Chamber at 3 o'clock P. M., Thursday, October 27, 1927, pursuant to the following call which was read:

To the Members of the Common Council, Indianapolis, Indiana:

Gentlemen: You are hereby notified that there will be a Special Meeting of the Common Council held in the Council Chamber on Thursday, October 27, 1927, at 3 o'clock P. M., the purpose of such Special Meeting being to fill the vacancy that now exists in the office of Mayor of the City of Indianapolis, by reason of the disqualification of John L. Duvall, and the resignation of Claude Johnson, City Controller, to act as Mayor Pro Tempore of the City of Indianapolis, Indiana, until a permanent Mayor shall be chosen, as provided for in Section 10276, Burns, 1926.

Respectfully,

CLAUDE E. NEGLEY,

President, Common Council.

I, William A. Boyce, Jr., 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 such Special Meeting, pursuant to the rules.

In Witness Whereof, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

WM. A. BOYCE, JR.,

City Clerk.

By M. Inman, Deputy City Clerk.

[SEAL]

The Clerk called the roll.

Present: Hon. Claude E. Negley, President, and six members, viz: O. Ray Albertson, Otis E. Bartholomew, Walter R. Dorsett, M. W. Ferguson, B. J. Moore, Robert E. Springsteen.

Absent: Edward B. Raub, Dr. A. H. Todd.

The president presented the following written message to the Council:

Gentlemen of the Council: You are called here to this meeting for a purpose, which purpose was made plain in your written notice of this Special Meeting.

We have been informed by competent attorneys and it is undoubtedly the opinion of practically every one that John L. Duvall ceased to be Mayor of the City of Indianapolis from and after the date that a jury in the Marion Criminal Court returned its verdict of "Guilty" against him on September 22, 1927.

In this event it is our duty, as the Common Council of the City of Indianapolis, acting under Section 10276, Burns, 1926, to choose one of our members of this Council to act as temporary Mayor for the next ten or fifteen days, or until such a time as the Council can again meet in special session and choose a permanent Mayor.

It is further advised by attorneys that, from and after the verdict of the jury in the Marion Criminal Court as before stated, the City of Indianapolis has been without a Mayor and also without a City Controller.

We are all familiar with this situation and it seems unnecessary and useless to extensively debate or argue the matter, and I will therefore now ask for nominations for temporary Mayor.

MISCELLANEOUS BUSINESS

Mr. Moore presented the following resolution:

RESOLUTION 27, 1927

RESOLUTION OF APPOINTMENT

WHEREAS, John L. Duvall, on the 22nd day of September, 1927, who was at that time the acting de facto Mayor of Indianapolis, was found guilty by a jury of accepting money and making promises prior to his election, and of appointments and acts which he would perform after his election; that he was found guilty of making such promises and receiving such money in return for support of William H. Armitage, and other persons, to assist him in being elected Mayor of the City of Indianapolis; and

WHEREAS, upon the finding of such jury, was ipso facto disqualified to hold the office of Mayor of the City of Indianapolis, whereby a vacancy was thereby created in the office of Mayor; and

WHEREAS, Claude Johnson had been the fully appointed and acting de factor Controller of the City of Indianapolis, resigned his office on the 23rd day of September, 1927; and

WHEREAS, said Claude Johnson had never qualified as the Mayor of the City of Indianapolis before he resigned; and

WHEREAS, said John L. Duvall was wholly incompetent to appoint any Controller or other City officer after the return of the verdict of the jury into open Court; now

THEREFORE BE IS RESOLVED, that Claude E. Negley is hereby duly elected, chosen and appointed by the Common Council of the City of Indianapolis, to act as Mayor pro tempore, (he being a member of the Common Council of the City of Indianapolis) to act and perform the duties of Mayor until such a time as the Common Council of the City of Indianapolis can choose a permanent Mayor to fill the vacancy now existing; and

IT IS HEREBY RESOLVED, that said City Council shall meet on the 8th day of November, 1927, at 2 o'clock, P. M., at which time the Common Council of the City of Indianapolis, shall select, elect, appoint and choose a citizen of the City of Indianapolis, to serve the unexpired term of John L. Duvall.

The above motion was duly presented by,

BOYNTON J. MOORE.

Mr. Bartholomew made a motion that Resolution 27, 1927, be adopted by the Council. The motion was seconded by Mr. Moore, and passed by the following roll call vote:

Ayes, 7, viz: Mr. Albertson, Mrs. Bartholomew, Mr. Dorsett, Mr. Ferguson, Mr. Moore, Mr. Springsteen, President Negley.

On motion of Mr. Springsteen, seconded by Mr. Moore, the Common Council of the City of Indianapolis adjourned at 5:10 P. M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common council of the City of Indianapolis, Indiana, held on the 27th day of October, 1927.

In witness whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

Claude E. Negley

Attest:

President

William A. Boyce

City Clerk

(SEAL)