

REGULAR MEETING

Monday, March 15, 1937

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, March 15, 1937, at 7:30 p. m., in regular session. Vice-President Silas J. Carr in the chair.

The Clerk called the roll.

Present: Silas J. Carr, Vice-President, and seven members, viz: Theodore Cable, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren, John A. Schumacher, Ross H. Wallace.

Absent: Edward B. Raub, President.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Wallace, seconded by Mr. Kealing.

COMMUNICATIONS FROM THE MAYOR

March 4, 1937.

To the Honorable President and
Members of the Common Council of the
City of Indianapolis, Indiana.

Gentlemen:

I have today approved with my signature and delivered to Mr. Daniel J. O'Neill, Jr., the following ordinances:

GENERAL ORDINANCE NO. 14, 1937

AN ORDINANCE dividing the City of Indianapolis into twenty-four (24) wards, defining the boundaries thereof, repealing all ordinances and parts of ordinances in conflict therewith, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 16, 1937

AN ORDINANCE establishing Emerson Avenue, from the south curb line of East New York Street to the north curb line of English Avenue, as a preferential street over intersecting streets, except East Washington Street, supplementing certain other preferential streets heretofore established by General Ordinance No. 78-1932, providing that the operator of a vehicle shall come to a full stop before entering upon said street, providing for the maintenance of appropriate signs at the intersections with cross streets, providing a penalty for the violation thereof, and fixing a time when the same shall take effect.

Respectfully submitted,

JOHN W. KERN,
Mayor.

March 4, 1937.

To the Honorable President and
Members of the Common Council of the
City of Indianapolis, Indiana.

Gentlemen:

I have today signed and delivered to Mr. Daniel J. O'Neill, Jr., the following ordinance:

GENERAL ORDINANCE NO. 15, 1937

AN ORDINANCE ratifying and approving the action of the Board of Public Safety in approving the transfer of and application for a certain taxicab license, and fixing a time when the same shall take effect.

Very truly yours,

JOHN W. KERN,
Mayor.

March 15, 1937]

City of Indianapolis, Ind.

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COMMUNICATIONS FROM CITY OFFICIALS

March 15, 1937.

To the Honorable President and
Members of the Common Council,
City of Indianapolis.

Gentlemen:

In re: G. O. 20, 1937.

We are submitting herewith an ordinance prohibiting parking on the east side of Capitol Avenue between Maryland and Washington streets, and respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
BLYTHE Q. HENDRICKS,
Executive Secretary.

March 6, 1937.

Mr. Daniel J. O'Neill, Jr.,
City Clerk
35 S. Alabama Street
Indianapolis, Indiana.

Dear Sir:

I hand you herewith 14 copies of a resolution, No. 2, 1937, for introduction at the next regular meeting of the City Council, March 15, 1937.

In my opinion the subject with which this resolution is concerned is of such general importance that same should be passed under suspension of the rules at this meeting.

JOHN A. SCHUMACHER.
Councilman.

March 15, 1937.

To the Honorable President and
Members of the Common Council
of the City of Indianapolis.

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 8, 1937, appropriating the sum of Eight Thousand Eighteen Dollars and

Forty-five Cents (\$8,018.45) from the unappropriated and unexpended balance of the General Fund for the year 1936 and allocating the same to certain designated funds in various executive departments of the City of Indianapolis for the payment of unpaid 1936 bills.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

March 15, 1937.

To the Honorable President and
Members of the Common Council
of the City of Indianapolis.

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 9, 1937, appropriating and allocating the sum of Thirteen Dollars and Seventy-six Cents (\$13.76) from the unappropriated and unexpended balance of the 1936 Municipal Airport Fund to certain designated funds of said Municipal Airport for the payment of 1936 bills.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

March 15, 1937.

To the Honorable President and
Members of the Common Council
of the City of Indianapolis.

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 10, 1937, appropriating the sum of Three Hundred and Thirty Dollars (\$330.00) from the unappropriated and unexpended balance of the fund of 1936 derived from Gasoline Tax—Board of Public Works and Sanitation, to the 1937 fund—Board of Public Works and Sanitation—Administration No. 26, for the payment of 1936 bills.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

Mr. Cable asked for a recess. The motion was seconded by Mr. Schumacher and the Council recessed at 7:35 p. m.

The Council reconvened at 8:30 p. m., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., March 15, 1937.

To the President and Members of the Common Council
of the City of Indianapolis, Indiana.

Gentlemen:

We, your Committee on Public Safety, to whom was referred General Ordinance No. 17, 1937, entitled

Loading zones—for Constantine Casket Company and
Indiana National Bank

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

SILAS J. CARR, Chairman
NANNETTE DOWD.
ROSS H. WALLACE.
WM. A. OREN.
JOHN A. SCHUMACHER.

Indianapolis, Ind., March 15, 1937.

To the President and Members of the Common Council
of the City of Indianapolis, Indiana.

Gentlemen:

We, your Committee on Public Health and Charities, to whom was referred General Ordinance No. 19, 1937, entitled

Authorizing purchase of hospital supplies

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ADOLPH J. FRITZ, Chairman.
THEODORE CABLE.
NANNETTE DOWD.
WILLIAM A. OREN.
EDWARD R. KEALING.

Indianapolis, Ind., March 15, 1937.

To the President and Members of the Common Council
of the City of Indianapolis, Indiana.

Gentlemen:

We, your Committee on Law and Judiciary, to whom was referred Special Ordinance No. 2, 1937, entitled

Amending corporate limits of City

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WM. A. OREN, Chairman.
EDWARD R. KEALING.
ROSS H. WALLACE.
THEODORE CABLE.
ADOLPH J. FRITZ.

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 8, 1937

AN ORDINANCE appropriating the sum of Eight Thousand Eighteen Dollars and Forty-five Cents (\$8018.45) from the unappropriated and unexpended balance of the General Fund for the year 1936 and allocating the same to certain designated funds in various executive departments of the City of Indianapolis, Indiana, in certain specified amounts, for the payment of unpaid 1936 bills, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the sum of Eight Thousand Dollars and Forty-five Cents (\$8018.45) of the unappropriated and unexpended balance of the General Fund for the year 1936, be and the same is hereby appropriated therefrom to the following various executive departments for the payment of unpaid 1936 bills, and allocated to the following designated funds thereof in the amounts herein specified:

To Pay Unpaid 1936 Bills

Mayor's Office No. 21 Communication and Transportation	\$ 40.56
City Clerk No. 21 Communication and Transportation	15.00
City Clerk No. 24 Printing and Advertising	145.22
City Clerk No. 36 Office Supplies	1.00
Board of Public Works No. 26—Other Contractual	691.65
Public Building No. 22 Heat, Light, Power and Water	1608.10
Public Building No. 25 Repairs.....	60.73
Public Building No. 32 Fuel and Ice	59.40
Public Building No. 34 Institutional and Medical ..	561.99
Public Building No. 38 Supplies, General	123.64
Public Building No. 41 Building Materials	60.33
Municipal Garage No. 22 Heat, Light, Power and Water	47.25
Municipal Garage No. 33 Garage and Motor	43.80
City Civil Engineer No. 24 Printing and Advertising	31.89
City Civil Engineer No. 25 Repairs.....	52.90
Board of Public Safety No. 36 Office Supplies..	23.75
Dog Pound No. 25 Repairs	1.75
Dog Pound No. 33 Garage and Motor	46.33

Dog Pound No. 34 Institutional-Medical	95.25
Dog Pound No. 38 Supplies, General	20.62
Dog Pound No. 45 Repair Parts	7.26
Gamewell No. 22 Heat, Light, Power and Water	770.96
Gamewell No. 38 Supplies, General	127.12
Gamewell No. 44 Materials, General	20.35
City Market No. 22 Heat, Light, Power and Water	485.47
City Market No. 25 Repairs	457.49
Police Radio No. 22 Heat, Light, Power, and Water	58.31
Police Radio No. 24 Printing and Advertising ..	.38
Police Radio No. 34 Institutional-Medical	4.04
Police Radio No. 38 Supplies, General	41.93
Police Radio No. 46 Radio Parts	120.50
Fire Department No. 21 Communication and Transportation39
Fire Department No. 22 Heat, Light, Power, and Water	637.65
Fire Department No. 25 Repairs	14.25
Fire Department No. 33 Garage and Motor	3.93
Fire Department No. 34 Institutional-Medical ..	17.20
Fire Department No. 36 Office Supplies	7.75
Police Department No. 21 Communication and Transportation	666.91
Police Department No. 22 Heat, Light, Power and Water.....	269.32
Police Department No. 25 Repairs	291.62
Police Department No. 36 Office Supplies	19.93
Police Department No. 38 Supplies, General....	85.45

Police Department No. 41 Building Materials ..	174.58
Police Department No. 45 Repair Parts	4.50
	Total
	\$8018.45

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the mayor.

Which was read the first time and referred to the Committee on Finance.

By the City Controller:

APPROPRIATION ORDINANCE NO. 9, 1937

AN ORDINANCE appropriating and allocating the sum of Thirteen Dollars and Seventy-six Cents (\$13.76) from the unappropriated and unexpended balance of the 1936 Municipal Airport Fund of the Board of Public Works and Sanitation, to certain designated funds of said Municipal Airport in certain specified amounts, for the payment of unpaid 1936 bills, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the sum of Thirteen Dollars and Seventy-six Cents (\$13.76) in the unappropriated and unexpended balance of the Municipal Airport Fund for 1936, be and the same is hereby appropriated to the Board of Public Works and Sanitation and allocated to the following designated funds in the amounts specified for the payment of certain unpaid 1936 bills, to-wit:

Municipal Airport

Fund No. 22—Heat, Light and Power.....\$8.56

Fund No. 34—(hereby established)

General Repairs 5.20

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read the first time and referred to the Committee on Finance.

By the City Controller:

APPROPRIATION ORDINANCE NO. 10, 1937

AN ORDINANCE appropriating the sum of Three Hundred Thirty Dollars (\$330.00) from the unappropriated and unexpended balance of the fund of 1936 derived from Gasoline Tax—Board of Public Works and Sanitation, to 1937 fund, Board of Public Works and Sanitation—Administration No. 26, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That, from the unexpended and unappropriated balance of the fund of 1936 derived from Gasoline Tax—Board of Public Works and Sanitation, there is hereby appropriated and allocated to the following 1937 fund of the following department the sum of Three Hundred Thirty Dollars (\$330.00), for the payment of 1936 bills:

Board of Public Works and Sanitation
Administration

Special Street Fund to be derived from Gasoline Tax and Auto Licenses, etc.

26 For Resurfacing and/or Widening and/or Constructing Streets and Bridges.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read the first time and referred to the Committee on Finance.

INTRODUCTION OF GENERAL ORDINANCES
AND RESOLUTIONS

By the Board of Public Safety:

GENERAL ORDINANCE NO. 20, 1937

AN ORDINANCE prohibiting parking on the east side of Capitol Avenue, between Maryland and Washington Streets, providing a penalty for its violation, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That it shall be unlawful for the operator of any vehicle to park the same at any time at the following designated place, to-wit:

The east side of Capitol Avenue, between Maryland and Washington Streets.

Section 2. Any person violating any provision of this ordinance shall, upon conviction, be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not exceeding one hundred eighty (180) days.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication according to law.

Which was read the first time and referred to the Committee on Public Safety.

By Councilman Schumacher:

RESOLUTION NO. 2, 1937

WHEREAS, there has recently occurred in the corridors of the State House in the City of Indianapolis a most deplorable and disgraceful incident wherein a trusted and respected official of the State of Indiana and the Federal Government was viciously assaulted and brutally beaten, and

WHEREAS, said deplorable and disgraceful incident is reported to have had its inception in and been the culmination of vicious and lawless attempts by certain individuals and public officials to obstruct legislation being considered by the members of the 80th General Assembly of the State of Indiana, and

WHEREAS, it has been reported in the public press and elsewhere that certain members of the police department of the City of Indianapolis were involved in said lawless and vicious efforts to obstruct said legislation pending before said General Assembly, and

WHEREAS, certain members of the police department of the City of Indianapolis have been openly and publicly charged with having intimidated and threatened some of the members of the said General Assembly, and

WHEREAS, said reports and charges have been recognized and on their face substantiated by the action of the Chief of Police of the City of Indianapolis in demoting one police officer alleged to have been involved in such lawless and improper activities and in transferring another police officer from his regular assignment, and

WHEREAS, the duties of the police officers of the City of Indianapolis are supposed to be confined, both by law and tradition, to the protection of citizens of the community and of property and enforcement of the public welfare and safety, and

WHEREAS, the reports of such lawless and improper activities on the part of members of the Indianapolis Police Department and rumors in connection therewith are inimical to the welfare of the City of Indianapolis and its general reputation and prestige and are of such nature as to merit a most searching investigation by the mayor and other executive officials of the City of Indianapolis, now

THEREFORE, BE IT RESOLVED that the Common Council of the City of Indianapolis should and it does now hereby request the Honorable John W. Kern, Mayor of the City of Indianapolis, to investigate in the most complete and thorough manner the alleged lawless and improper activities of police officers of the City of Indianapolis in the obstruction of legislation before the General Assembly of the State of Indiana and make to this Common Council a complete report thereon, and that such report include the names of all police officers engaged or involved in such lawless and improper activities and full particulars in connection therewith, including any reasons given by such police officers for engaging in such activities, and full particulars as to whether said police officers were engaged in said lawless and improper activities during their regular hours of duty.

Which was read the first time and referred to a special committee composed of Ross H. Wallace, Edward R. Kealing and Adolph J. Fritz.

ORDINANCES ON SECOND READING

Mr. Wallace called for General Ordinance No. 17, 1937, for second reading. It was read a second time.

Mr. Wallace presented the following written motion to amend General Ordinance No. 17, 1937:

Indianapolis, Ind., March 15, 1937.

Mr. President:

I move that General Ordinance No. 17, 1937, be amended by striking out lines 16, 17 and 18 in Section 1.

ROSS H. WALLACE,
Councilman.

The motion was seconded by Mr. Kealing and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, Vice-President Carr.

On motion of Mr. Wallace, seconded by Mr. Oren, General Ordinance No. 17, 1937, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 17, 1937, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, Vice-President Carr.

Mr. Fritz called for General Ordinance No. 19, 1937, for second reading. It was read a second time.

On motion of Mr. Fritz, seconded by Mr. Wallace, General Ordinance No. 19, 1937, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 19, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, Vice-President Carr.

Mr. Oren called for Special Ordinance No. 2, 1937, for second reading. It was read a second time.

On motion of Mr. Oren, seconded by Mr. Fritz, Special Ordinance No. 2, 1937, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 2, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, Vice-President Carr.

Mr. Schumacher asked for suspension of the rules for further consideration and passage of Resolution No. 2, 1937. The motion was seconded by Mr. Oren, and passed by the following roll call vote:

Ayes, 6, viz: Mr. Cable, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, Vice-President Carr.

Noes, 2, viz: Mrs. Dowd, Mr. Fritz.

The rules were suspended.

The Council reverted to a previous order of business.

COMMITTEE REPORT

Indianapolis, Ind., March 15, 1937.

To the President and Members of the Common Council
of the City of Indianapolis, Indiana.

Gentlemen:

We, your Special Committee, to whom was referred Resolution No. 2, 1937, entitled

A Resolution concerning the police department.

We, your Committee, recommend that Resolution No. 2, 1937, be approved by this Council and passed under suspension of the rules.

We also approve the report made to this Council by Chief Morrissey and commend the Chief for his prompt action in starting his investigation.

(signed) EDWARD R. KEALING.

" ADOLPH J. FRITZ.

" ROSS H. WALLACE

On motion of Mr. Wallace, seconded by Mr. Kealing, the report of the committee was adopted as read.

ORDINANCES ON SECOND READING

Mr. Wallace called for Resolution No. 2, 1937, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Oren, Resolution No. 2, 1937, was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 2, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, Vice-President Carr.

MISCELLANEOUS BUSINESS

Mr. Wallace made a motion that the report of Chief of Police Morrissey be accepted and that it be spread of record and made a part of the Council Proceedings. The motion was seconded by Mrs. Dowd and passed by a viva voce vote of the Council.

March 11, 1937

To The Honorable Board of
Public Safety Commissioners,
City Hall Building,
Indianapolis, Indiana.

Gentlemen:

I am herewith submitting a detailed report of my investigation in connection with the alleged intimidation of members of the Indiana State Legislature at the Indiana State Capitol Building, during the period of the 1937 Legislature Assembly, by members of the Indianapolis Police Department.

On Friday, February 26, 1937, I received an anonymous telephone call, regarding one of our officers (name not given) who was supposed to be acting in an un-officer-like manner on the second floor of the Indiana State Capitol Building, in the corridors, just outside the Senate Chambers. On Monday, March 1, 1937, I received another anonymous telephone call, calling my attention to the manner in which Detective Sergeant John Dalton (who is assigned to Marion County Criminal Court as Investigator) was conducting himself in the corridors of the Indiana State Capitol Building. On Monday, March 1st at 3 P. M., while I was in the office of the Board of Public Safety, I received additional information as to the manner in which two officers from this Department (in plain clothes) were conducting themselves in the corridors of the Indiana State Capitol Building.

On Tuesday, March 2, 1937, I talked to Detective Sergeant John Dalton in regard to his activities at the Indiana State Legislature in the Indiana State Capitol Building and mentioned to him the complaints that I had received. He acknowledged some of the accusations and did deny some of the accusations. He also admitted that he was not ordered to the Legislature by any authority within our Department and that he had no business there to conduct in connection with his Marion County Criminal Court duties. He further stated that he was in and around the lobbies of the Indiana State Capitol Building on several different occasions.

I, at that time informed him that we had always practiced detailing men from this Department to the Legislature and since that had been done, and that since he was not one of the men detailed there, I ordered him to discontinue his visits to the Legislature lobbies unless it was on official business.

On Tuesday, March 2, 1937, in the P. M. I started my personal investigation of the alleged charges concerning officers of this Depart-

ment at the Indiana State Capitol Building. On my visit to the Indiana State Capitol Building, I talked to State Senators, employees and visitors to the Senate, also to State Representatives, employees and visitors to the House of Representatives.

I learned and am convinced that Detective Sergeant John Dalton was "GUILTY" of "CONDUCT UNBECOMING AN OFFICER" and that he also was "GUILTY" of violating the following Rules of the Indianapolis Police Department:

Rule No. 25.—"Members shall extend respect to superior officers at all times."

Rule No. 26.—"Each member of the Department is required at all time to be polite in his dealings with citizens and respectful and policemanlike in his dealings with other officers: to be prompt and thorough in obedience to orders, alert and keen in his duties, and always endeavoring to learn his duties more thoroughly. Each member is required to restrain himself under annoyance and shall keep his temper under control: to remember that his duty is first of all to protect lives and property and to apprehend criminals. He must refrain from harsh, violent, coarse, profane or insolent language, but shall act with firmness and sufficient authority to preform his duties."

Rule No. 28.—"Officers shall not be guilty of any misconduct or neglect of duty or conduct unbecoming an officer and a gentleman, although such conduct be not specifically mentioned and set forth in these Rules."

Rule No. 42.—"No member of the Department shall partake of intoxicants while on assigned duty or at any time while in uniform. No member of the Department shall report for duty under the influence of intoxicants."

Following are the reason for which I am convinced that Detective Sergeant John Dalton was guilty of "CONDUCT UNBECOMING AN OFFICER" and the violation of the above mentioned Rules of the Department:

That on Friday, February 26, 1937, Detective Sergeant John Dalton appeared in the lobbies of the Indiana State Capitol Building, his condition and manner implying that he had been drinking, he approached Senator Joseph Sexton in connection with a certain Act or Bill, namely; the police and Firemen's Minimum Salary Bill, and in a loud and boisterous manner, swore at, blasphemed and threatened Senator Joseph Sexton politically for his not expressing himself in favor of the Police and Firemen's Minimum Salary Bill

as written. He continued his unofficerlike manner for some time, drawing quite a crowd of Senators, Representatives, employees and visitors to the Legislature to the scene. Others, who became worried that something might happen, cautioned Senator Sexton and Senator Sexton told them that he was alright and that there was nothing to worry about, and at the same time, he called to Detective Sergeant John Dugan, (who is assigned to the Marion County Prosecutor's Office) and who was present in the lobby of the Indiana State Capitol Building, without official permission, to come and take Detective Sergeant John Dalton away, which Detective Sergeant John Dugan did do in a short time, taking him out of the Indiana State Capitol Building.

That on the next day or the day following (I am not positive as to the day) that Detective Sergeant John Dalton approached Senator Martin Cleary in the lobbies of the Indiana State Capitol Building, opposing Senate Bill No. 274—and in a loud and boisterous manner, using profane language and talking in disrespect of his superior officers, thereby acting in an unofficerlike manner.

That on Monday, March 1, 1937, in the P. M. after the Pete Cancilla-Wayne Coy incident, in company with Detective Sergeant John Dugan, Detective Sergeant John Dalton was standing in the corridors of the Indiana State Capitol Building. Senator Martin Cleary passed a remark, that it was terrible thing that that fellow struck Wayne Coy and that Detective Sergeant John Dalton made the remark or words to this effect, that he was not hurt and you had better tend to your own business and lay off the Cancilla matter or you might not be safe going back to the hotel from here.

The above report covers all the important facts of my investigation other than heresay.

On the above information and which I am convinced it is true, I did not prefer charges on Detective Sergeant John Dalton, as I felt that the Police Trial Board and the Board of Public Safety are more or less handicapped by law, being able only to punish by 30 days suspension or 30 days fine of pay, the fine being credited to the Police Pension Fund. I therefore having power as Chief of Police, to demote in rank any officer, (the demoted officer having the right of appeal to the Board of Public Safety Commissioners, to show cause for demotion) I demoted Detective Sergeant John Dalton from the rank of Detective Sergeant to the rank of First Grade Patrolman, effective March 3, 1937. I felt the demotion would be more effective as a disciplinary measure, than any suspension from duty, other than a dismissal from the Department as Detective Sergeant

John Dalton had served more than 22 years as a member of the Department.

I am convinced that Detective Sergeant John Dugan is "GUILTY" of violating the following Rule of the Indianapolis Police Department;

Rule No. 24.—"Every member of the Department shall report violations of orders or Rules and Regulations governing the Department, to the superior officer in command."

My investigation showed that Detective Sergeant John Dugan at no time acted in an officerlike manner, he did not abuse or lobby for any certain Act or Bill nor in any manner try to influence any Senator or Representative. He did have a conversation with Senator Martin Cleary of Ft. Wayne-Allen County, regarding baseball in which both are interested and in which both have mutual friends connected. However, since Detective Sergeant John Dugan had no official business that should have taken him to the Indiana State Capitol Building on either of his visits and since he was not detailed there from this Department and since he did visit the Indiana State Capitol Building in company with Detective Sergeant John Dalton and knew of the actions of Detective Sergeant John Dalton on Friday, February 26, 1937, and also on Monday, March 1st, making no report to his superior officers in this Department of such visits and of the conduct of Detective Sergeant John Dalton, in order for his superior officers to maintain discipline, I felt it was my duty to place Detective Sergeant Dugan back under full jurisdiction of this Department. I, therefore, ordered his removal from his assignment to the Marion County Prosecutor's Office to the Detective Division of this Department.

For your information, there was detailed from this Department, to the Legislature Sessions as an act of courtesy, Detective Sergeant George Hubbard and the Secretary of Our Police Pension Fund, Patrolman Harry Irick, of whom my investigation shows, acted as officers and in an officerlike manner at all time and we have received no complaints. Also my investigation disclosed that other officers of this Department while off duty, visited the House and Senate Chambers and conducted themselves in an officerlike manner and as gentlemen at all time and we have received no complaints.

I therefore, suggest and recommend that your Honorable Board concur in my action as taken, unless some future development grows out of the Legislature Committee's investigation or the investigation of the Marion County Grand Jury, which would prove a felonious act committed by one of our officers, since Detective Sergeant John Dalton has served 22 years as a member of the Department and since

Detective Sergeant John Dugan has served more than 21 years as a member of the Department.

In conclusion may I suggest and recommend that in the future your Honorable Board does not approve the assignment of any member of this Department to any other Department, except in an emergency.

Respectfully submitted.

MICHAEL F. MORRISSEY
Chief of Police.

The motion was made by Mr. Cable and seconded by Mrs. Dowd, commending the Chief of Police for his swift and efficient action in investigating the alleged activities of members of the Indianapolis Police Department during the 1937 session of the Indiana State Legislature.

On motion of Mr. Schumacher, seconded by Mr. Kealing, the Common Council adjourned at 9:00 p. m.

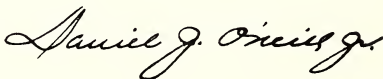
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 15th day of March, 1937, at 7:30 p. m.

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



President.

Attest:



City Clerk.

(SEAL)