

May 28, 1937

At a Special Town Council holden in the Town Clerk's Office, Georgiaville on Friday, May 28, 1937 at 8 P. M., present: Frank M. Kane, President; Lloyd J. Applebey and Thomas Whittingslow, members.

Mr. Altieri, representing the State Department of Public Welfare, appears and confers with the Council relative to investigations that have been made by his Department in the case of Anna Maria Clark and further investigations are to be made and he is again to confer with the Council at its next regular meeting when the matter is to be further considered.

Former Director of Public Aid Everett T. Lawton, William Kelley and Director of Public Aid Adelard Aubin are appointed a Committee to further investigate the case of Anna Maria Clark and make a report thereon to the Council at its next regular meeting.

VOTED, that the Appointments and Commissions of N. John Antirose, Napoleon B. Girard, Joseph Pimental and Raymond W. Segee, as Paid Officers be and hereby are revoked, effective May 31, 1937 at midnight.

VOTED, that Section 1 of Chapter X of Ordinances of the Town of Smithfield passed April 3, 1913 be and hereby is repealed.

The following Ordinance is read and adopted:

CHAPTER X

POLICE

It is ordained by the Town Council of the Town of Smithfield, as follows:

Section 1. The Town Council shall appoint a Chief of Police and a Deputy Chief of Police and shall also appoint said Chief of Police and Deputy Chief of Police Police Constables. Said Town Council shall also thereafter upon the recommendation of the Chief of Police appoint such numbers of other Police Constables as in their discretion and judgment may be proper and necessary to the maintenance of good order and prevention of crime within the limits of the Town, upon the following terms and conditions however:

(a) That any person so wishing to be a Police Constable shall in writing make application to the Town Clerk of the Town of Smithfield at any meeting of said Town Council which application shall be presented at that meeting of said Council or any subsequent one, and said applicant shall appear before said Council and state the reason he desires to be such a Police Constable.

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(b) That upon his appointment as such Constable said person shall pay to the Town Clerk of said Town for the use of said Town the sum of Two Dollars and Fifty Cents (\$2.50), and said Town Clerk shall forthwith issue to said duly appointed Police Constable his commission under the seal of the Town and a regulation constable's badge containing a number which shall correspond with the number given by the Town Clerk to the constable and which number shall be inserted on the commission; and at the termination of the term for which said constable be appointed or at an earlier termination thereof, said Town Clerk shall refund to said Constable upon the surrender of said badge the sum of Fifty Cents (\$0.50).

(c) That upon the suspension or revocation of the commission to be a Police Constable, said persons shall forthwith deliver to the Town Clerk, his badge of office and shall receive from said Town Clerk the sum of Fifty Cents (\$0.50).

(d) The following shall be exempt from paying Two Dollars (\$2) of the Two Dollars and Fifty Cents (\$2.50) required in paragraph (b) of this ordinance: regularly employed members of the Police Department; Constables with power to serve civil processes; eight members of each volunteer fire company in Smithfield, and school janitors town officers and such other classes of persons as may be exempted by the Town Council in meeting assembled.

Section 2. Police Constables and the Chief of Police and the Deputy Chief of Police shall remain in office during the pleasure of the Town Council and no longer.

Section 3. No person shall be eligible to the office of Police Constable unless he be a qualified elector of this Town; neither shall any person be eligible to the office who cannot read and write the English language.

Section 4. It shall be the duty of the Chief of Police under the direction of the Town Council to exercise a general superintendence and oversight of all Police Constables in their official capacity; to have authority to direct any Police Constable to any place; and to perform such services as may, in his judgment, be necessary to promote good order, to prevent crime, and generally to protect the persons and property of the citizens of this Town. The Chief of Police and Deputy Chief of Police shall patrol the Town on Saturday nights and at any other times that it may be deemed necessary.

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Section 5. The Chief of Police and the Deputy Chief of Police and every Police Constable shall be a prosecuting officer under all the ordinances of this Town; also a complainant under Section 26 of Chapter 347 of the General Laws of 1909, and Chapter 1881 of the Public Laws of 1920, and all acts in amendment of, and in addition to either of the same.

Section 6. Police Constables shall perform such duties, and in such places, as the nature of their office may warrant under the direction of the Town Council or Chief of Police, agreeable to the provisions of Section 4 of this ordinance; and for such service certified to by the Chief of Police shall receive such compensation as the Town Council may from time to time determine, and in addition to such compensation shall receive all such fees for service of warrants, attendance at court, commitments, etc., as are allowed by law. The Chief of Police and the Deputy Chief of Police shall receive for their services, such different, further or additional compensation as the Town Council may from time to time determine.

Section 7. Police Constables shall at all times be vigilant in the maintenance of good order, the protection of persons and property, the suppression and prevention of crime, and shall take cognizance of all violations of the Town Ordinances and the General Statutes, and make such arrests as may be necessary; and shall receive their fees for such service according to the provisions of Section 6 of this ordinance; and shall report every arrest with its disposition to the Chief of Police.

Section 8. All Police Constables shall be subject to and observe the rules and regulations prescribed by the Town Council and any violations of them will be cause for removal.

Section 9.

(a) The Police Department shall keep a written record in its office in a book provided for that purpose of complaints of every kind and nature, including reports of accidents coming to its attention, which record shall disclose the names of persons involved, of those arrested or complained against, with the date of the occurrence, name of complainant, the offense charged, name of officer serving warrant or precept, the authority by which it was issued, officers' fees thereon and other costs, and the disposition made of said complaints or arrests, and the Chief of Police shall report such information to the Town Council at its monthly meeting next following as the Town Council shall request.

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(b) Each member of the Police Department shall keep a written record in said book of the dates and time spent in investigation of the complaints.

Section 10. Every Police Constable shall report to the Chief of Police all the facts required to be recorded by said Section 9 of this ordinance relative to any case or offence as to which said Police Constable shall take action.

Section 11. Every Police Constable, in his conduct and deportment, must be quiet, civil and orderly. In the performance of his duty he must maintain decorum and attention, command of temper, pertinence and discretion. He must at all times refrain from harsh, violent, coarse, profane and insolent language, and at the same time act with firmness and energy. He must not drink any kind of intoxicating liquor, or frequent any place where strong drink is sold, except in the immediate execution of his duty.

Section 12. No Police Constable shall accept from any person arrested, while in custody or at any time, nor from one of his or her friends, any gratuity, reward or gift, directly or indirectly as a bribe.

Section 13. No Police Constable shall withdraw any complaint or compound or settle any offence against any person without permission from the Chief of Police.

Section 14. Whenever any Police Constable shall arrest any person, said person shall be dealt with as humanely as possible and all harshness and severity shall be avoided, except such as may be necessary to secure and detain such person in safe custody.

Section 15. Every arrested person, locked up by any Police Constable, shall be searched and all articles of whatever description, except clothing, shall be taken from said person and delivered to the Keeper of the Bridewell who shall retain them until the said person is discharged from said Bridewell, when said Keeper shall deliver to said person everything taken except liquor.

Section 16. The Chief of Police shall have power to suspend any Police Constable for violation of this ordinance or any part thereof, pending an investigation by the Town Council.

Section 17. When any Police Constable shall have been suspended by the Chief of Police, said Police Constable shall ^{not} receive compensation for any services rendered during such time of suspension.

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Section 18. The Chief of Police shall report at the Office of the Police Department in Town Hall each day and be on duty from 10:00 A. M. until 12:00 Noon and from 1:00 P. M. until 3:00 P.M., except on his day off, which shall be specified by the Town Council, and shall be subject to call at all times during every day and night.

Section 19. The Deputy Chief of Police shall report at the Office of the Police Department in the Town Hall on the Chief of Police's day off and be on duty from 10:00 A.M. until 12:00 Noon and from 1:00 P.M. until 3:00 P.M. and shall also be subject to call at all other times.

Section 20. The Chief of Police and the Deputy Chief of Police shall wear their badges of office and within their discretion wear regulation police uniforms while on duty.

Section 21. This ordinance shall take effect June 1, 1937 and all ordinances and adopted rules and parts of ordinances and adopted rules inconsistent herewith are hereby repealed.

Chief of Police Alfred Lacroix appears and is directed to take up his duties as a full time Chief of Police on June 1, 1937 pursuant to Police Ordinance adopted by the Town Council at this meeting and also pursuant to any and all further directions of the Town Council.

VOTED, that the annual salary of the Chief of Police shall be \$1450, effective June 1, 1937.

Napoleon B. Girard is appointed Deputy Chief of Police at an annual salary of \$200, effective June 1, 1937.

VOTED, that the Council Clerk be and he hereby is authorized and directed to draw his orders on the Town Treasurer weekly beginning June 3, 1937 in payment of salaries of Chief of Police and Deputy Chief of Police, said orders to be made to the order of the Chief of Police and Deputy Chief of Police, respectively.
Ck. 9074-9078, inc.

VOTED, that the Council Clerk be and he hereby is directed to draw his orders on the Town Treasurer payable to the Chief of Police and to each of the Paid Officers, in payment of their salaries for the month of May, 1937, the Chief of Police to be paid at the rate of \$400 per year for the month of May, 1937 and the Paid Officers to be paid at the rate of \$75 per year for the month of May, 1937.

Bill allowed and ordered paid:

State Department of Public Welfare
Ck. 9079

For Board, care and medical attendance of John Edward
Briggs in State Infirmary. Admitted 6/16/36, Visit
6/26/36, Discharged 10/24/36 \$9.29

The Council Clerk is directed to order the installation of a
telephone for the Police Department, the removal of the extension
of the Town Clerk's Office Telephone and the removal of the
personal telephone in home of Chief of Police Alfred Lacroix.

The Council Clerk is directed to obtain sealed proposals
until 7:30 P. M. In June 8, 1937 for furnishing the Town for the
Police Department a 1934 or 1935 Chevrolet or Ford or Plymouth
Coach or Sedan and said proposals to specify trade in allowance
for Town Police Department's 1930 Ford DeLuxe Cabriolet, Model
A Automobile.

Council President Frank M. Kane is appointed to obtain prices
of a new Police Uniform for the Chief of Police and prices of a
Police Car Radio.

A notification of approval by Washington of a W.P.A. Gravel
Bank Project for the Town of Smithfield to produce gravel for use
on W.P.A. Town of Smithfield Projects is received.

Announcement is made of the proposal of Earl H. Cahoone to
donate to the Town of Smithfield from his gravel bank any gravel
that the Town Highway Department may acquire therefrom for which
no charge will be made and the Council accepts the proposal.

Highway Commissioner Clarence H. Thurber is directed to
have a cannon belonging to the Town transported from the premises
of Vincent J. Johnson and wife, Spragueville to the grounds of the
Veterans' Memorial, Georgiaville and Vincent J. Johnson and Edward
F. Dorgan are appointed a Committee to supervise the installation
of the cannon.

Adjourned.

Witness: *Walter G. Houston*
Council Clerk.