

HOUSE No. 515.

Bill accompanying the petition of Thomas Thompson and others for legislation to provide for the appointment by the governor of a board of police for the city of New Bedford. Cities. January 29.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Four.

AN ACT

To establish a Board of Police for the City of New Bedford.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The governor, with the advice and con-
2 sent of the council, shall appoint from the two principal
3 political parties, three legal voters of the city of New
4 Bedford who shall have been residents therein two years
5 immediately preceding the date of their appointment,
6 who shall constitute a board of police for said city, and
7 who shall be sworn before entering upon the duties of
8 their office. One member of said board shall be desig-
9 nated by the governor as chairman, and two shall con-
10 stitute a quorum. Their terms of office shall be so
11 arranged and designated at the time of appointment that
12 the term of one member shall expire on the first Monday
13 of December in the year nineteen hundred and five, one
14 on the first Monday of December in the year nineteen

15 hundred and six, and one on the first Monday of Decem-
16 ber in the year nineteen hundred and seven. The full
17 term of office, after these dates shall be three years, and
18 all vacancies occurring after the passage of this act shall
19 be filled by the governor with the advice and consent of
20 the council. The members of said board may be removed
21 by the governor, with the advice and consent of the
22 council, for such cause as he shall deem sufficient and
23 shall express in the order of removal. The board shall
24 appoint a clerk who shall be sworn, who shall keep a
25 record of all proceedings, issue all notices and attest all
26 such papers and orders as said board shall direct, whose
27 term of office shall be three years, but who may be
28 removed by said board for such cause as it shall deem
29 sufficient and shall express in its order of removal.

1 SECTION 2. Said board of police shall have authority
2 to appoint, establish and organize the police of said city and
3 make all needful rules and regulations for its efficiency.
4 All the powers as to the appointment, organization
5 and control of said police in said city, now vested in the
6 mayor and in the board of aldermen, except as otherwise
7 herein provided, are hereby conferred upon and vested
8 in said board of police. Said board shall also act as
9 license commissioners for said city, and shall exclusively
10 have and exercise all the powers and perform all the
11 duties conferred and imposed by the statutes of the
12 Commonwealth upon the board of license commissioners
13 of said city relative to the granting and signing of
14 licenses for the sale of intoxicating liquors, and relative
15 to the granting and signing of licenses to persons to be
16 innholders or common victuallers, in said city. It shall
17 be the exclusive right of said board to grant and sign
18 such licenses, but no license granted by said board shall
19 be valid unless signed by a majority of the members of

20 the board, and all licenses so granted and signed shall be
21 recorded in the office of said board.

1 SECTION 3. The members of the New Bedford police
2 force in office when said board of police are first
3 appointed shall continue to hold their several offices until
4 removed by said board; and the present rules and regu-
5 lations of the board of aldermen for the government of
6 the police shall continue in force until otherwise ordered
7 by said board. All police officers appointed by the
8 board hereby created shall have and exercise within the
9 limits of said city all the common law and statutory
10 powers of constables, except the service of civil process,
11 and shall have all the powers given to the police as
12 watchmen by the statutes of the Commonwealth, the
13 laws relating to said city, or by any ordinances thereof.

1 SECTION 4. The annual salary of the chairman of the
2 board of police shall be five hundred dollars, that of each
3 of the other members four hundred dollars, and of the
4 clerk five hundred dollars, which shall be paid monthly
5 from the treasury of said city. Said clerk shall not
6 engage in any other business nor shall any member of
7 the board engage or be interested in any business for
8 which said board is authorized to grant licenses. Said
9 board, with the approval of the governor and council,
10 shall be provided with such rooms as shall be convenient
11 and suitable for the performance of its duties, the rent of
12 which shall be paid by said city. Said city shall provide
13 all such suitable accommodations for the police as said
14 board shall require, and all buildings and property used
15 by said police shall be under the control of said board.
16 All expense for the maintenance of buildings, the pay of
17 the police, and all incidental expenses incurred in the
18 administration of the said police shall be paid by said
19 city upon the requisition of said board.

1 SECTION 5. Said board of police shall not increase
2 the present number of patrolmen except as authorized
3 by said city, nor shall the pay of the police be increased
4 or decreased except by the concurrent action of said city
5 and said board.

1 SECTION 6. In case of tumult, riot or violent distur-
2 bance of public order, the mayor of said city shall have,
3 as the exigency in his judgment may require, the right
4 to assume control for the time being of the police of said
5 city; but before assuming such control he shall issue his
6 proclamation to that effect, and it shall be the duty of
7 said board of police to execute all orders promulgated by
8 him for the suppression of such tumult, riot or distur-
9 bance, and the restoration of public order.

1 SECTION 7. Said board of police shall make a detailed
2 report of its doings quarterly to the mayor of said city,
3 and annually to the governor of the Commonwealth in
4 the month of December. The records of said board shall
5 at all times be open to the inspection of the governor of
6 the Commonwealth and to the mayor of said city or to
7 such persons as may be designated by them.

1 SECTION 8. Nothing herein shall affect the enforce-
2 ment of the provisions of chapter nineteen of the Revised
3 Laws relating to the civil service of the Commonwealth
4 and the cities thereof, or of the rules made by the com-
5 missioners appointed thereunder.

1 SECTION 9. This act shall take effect from the date of
2 its acceptance by a majority of the legal voters of the
3 city of New Bedford, voting at the next annual municipi-
4 pal election.