

HOUSE No. 451.

[House, No. 414, as amended.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-Four.

AN ACT

To establish a State Detective Force.

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

1 SECT. 1. There shall be appointed by the gov-
2 ernor, with the consent of the council, an officer to
3 be entitled the chief of the state detective force,
4 who shall be commissioned to hold office for three
5 years, unless sooner removed. He shall, with the
6 approval of the governor and council, appoint as
7 many state detectives, not exceeding thirty, as the
8 governor and council may direct.

1 SECT. 2. The said chief and the said state de-
2 tectives shall have and exercise throughout the

3 Commonwealth all the common law and statutory
4 powers of constables, except the service of civil
5 process, and also all the powers given to the police
6 or watchmen by the statutes of the Common-
7 wealth. Said chief and said detectives shall aid
8 the attorney-general, district attorneys and magis-
9 trates in procuring evidence for the detection of
10 crime and in the pursuit of criminals.

1 SECT. 3. The chief of the state detective force
2 shall be paid out of the treasury of the Common-
3 wealth an annual salary of three thousand dollars,
4 in equal monthly payments, and said state detec-
5 tives shall be paid monthly at the rate of fifteen
6 hundred dollars a year, together with their actual
7 and necessary travelling expenses when on duty,
8 not exceeding the amounts actually paid out by
9 them. All fees which, under the laws, the said
10 chief or said detectives would be entitled to re-
11 ceive, and any other compensation, emolument or
12 reward received by them or growing out of the
13 performance of any of their official duties, shall be
14 paid over by them to the treasurer of the Com-
15 monwealth; and no salary shall be paid to any
16 detective until he has made oath that he has paid
17 over all such compensation, emolument and reward.
18 The accounts of said detectives shall be verified
19 by oath, and shall be approved by the said chief
20 before being presented to the auditor of the Com-
21 monwealth, and, when duly audited, shall be paid
22 out of the treasury.

1 SECT. 4. The said chief, with the approval of
2 the governor and council, shall make all needful

3 rules for the regulation of the duties of said de-
4 tectives. He shall have his office in the city of
5 Boston, to be approved by the governor.

1 SECT. 5. The governor shall have power at all
2 times to command the assistance of said chief and
3 said detectives in suppressing riots and in pre-
4 serving the peace.

1 SECT. 6. It shall be the duty of the constables
2 of the several towns and cities, city marshals,
3 chiefs of police and all other police officers, to aid
4 said chiefs and said detectives in the discharge of
5 their duties, whenever seasonably notified and
6 called upon for that purpose.

1 SECT. 7. Whoever falsely assumes or pretends
2 to be the chief of the state detective force or a
3 state detective, and takes upon himself to act as
4 such, or to require any person to aid or assist him
5 in a matter pertaining to the duty of such officer,
6 shall be punished by imprisonment in the jail not
7 exceeding one year, or by fine not exceeding four
8 hundred dollars.

1 SECT. 8. In all actions brought by or on
2 account of alien passengers and state paupers
3 under the provisions of chapters seventy-one and
4 seventy-two of the General Statutes, the civil
5 process may be served by any one of said state
6 detectives.

1 SECT. 9. All intoxicating liquor and other
2 property seized and held by the constables of the

3 Commonwealth under search warrants or other
4 criminal process, and in their custody at the time
5 when the repeal of chapter three hundred and
6 ninety-four of the acts of eighteen hundred and
7 seventy-one takes effect, shall be by them de-
8 livered to the respective sheriffs of the counties in
9 which the same was seized, and said sheriffs or
10 their deputies shall take and hold the same, subject
11 to the final order of the court, and may complete
12 all proceedings in relation to the same in the same
13 manner as said constables would have been
14 authorized to do.

1 SECT. 10. All the property of the Common-
2 wealth now in the keeping of the police commis-
3 sioners, chief and other constables of said Com-
4 monwealth, including all books, records, furniture,
5 badges, hand-cuffs, belts and batons, shall, upon
6 the passage of this act, be transferred and turned
7 over to the said chief detective created by this act,
8 and the final pay accounts of said constables of
9 the Commonwealth shall not be paid unless such
10 pay account is accompanied with a certificate of
11 said chief detective, that all said liquors and other
12 property mentioned in this act have been trans-
13 ferred and turned over as herein provided or other-
14 wise accounted for to the satisfaction and accept-
15 ance of said chief detective.

1 SECT. 11. Chapter three hundred and ninety-
2 four of the acts of the year eighteen hundred and
3 seventy-one is hereby repealed.

1 SECT. 12. This act, so far as it authorizes the
2 appointment of the chief and other detectives,
3 shall take effect on its passage, and as to its other
4 provisions, it shall take effect on the first day of
5 July next.

