

and obligations aforesaid, shall be and remain as a stock in the treasury, to be applied as the general court of this province shall hereafter order, and to no other purpose whatsoever. [*Passed June 22; \* published July 11.*]

## CHAPTER 5.

### AN ACT ESTABLISHING A WATCH FOR THE SAFETY AND BETTER SECURING THE GOOD ORDER OF THE TOWN OF BOSTON.

Preamble.

WHEREAS the town of Boston have petitioned this court for their aid, by some act, to enable said town by a watch to secure themselves, by night, against disorders and damage from evil-minded persons or otherwise; therefore,—

*Be it enacted by the Governor, Council and House of Representatives,*

Selectmen to appoint watchmen, their number not to exceed thirty.

[SECT. 1.] That the selectmen of the town of Boston, for the time being, be impowered, and they are hereby authorized and impowered, to appoint such a number of their inhabitants to be watchmen, by night, in the town of Boston, as they shall judge convenient, not exceeding thirty; the town of Boston agreeing to defrey the charge. And the selectmen shall appoint one, of each division of the watch, to be head or constable of that part of the watch; which head is hereby required to keep an account of their doings, and how they find the state of the town, and report to the selectmen once every week, and oftner if required; which watchmen shall have the same power, and be obliged to the same service and duty, as given and required to and from the watchmen of the several towns of this province, in general, by the acts of the general court, of 11th of King William, Chap<sup>[3]</sup>[7<sup>th</sup>][VII.], and of the 11th of Queen Anne, Chap<sup>[3]</sup>[6<sup>th</sup>][VI.].

Said watchmen to be accountable for their doings, to the selectmen.

1699-1700, chap. 10.  
1712-13, chap. 4.

And, to render the care and labour of the said watch more effectually conducive to the peace, safety and good order of said town of Boston,—

*Be it further enacted,*

Penalty for opposing or resisting the watch.

[SECT. 2.] That all and every person or persons who shall oppose or resist the said watchmen in the discharge of their service and duty, or strike, abuse or wound them, or any of them, shall severally forfeit and pay for the use of the said town, to be appl<sup>[y]</sup>[i]ed towards discharging the wages of the watch, a sum not exceeding five pounds, nor less than forty shillings, besides being liable to an action for all damages to the person or persons abused or wounded; and any two justices of the peace in the county of Suffolk, *quorum unus*, are hereby authorized to hear and determine the same.

*And, forasmuch* as considerable numbers of dissolute persons have sometimes riotously met and opposed the watch,—

*It is further declared and enacted,*

Watchmen empowered to demand aid, &c., and penalty for refusing.

[SECT. 3.] That the said watchmen shall be authorized and impowered, and they hereby are authorized and impowered, to demand aid and assistance; and all and every person or persons refusing to assist him or them of the watch demanding help, shall forfeit and pay a fine of forty shillings, to and for the use of the said town of Boston, to be applied for the payment of the watch as aforesaid: the several forfeitures to be recovered by plaint or information.

Limitation.

[SECT. 4.] This act to continue and be in force for the space of three years from and after the first day of July [next][*current* †], and no longer. [*Passed June 30; \* published July 11.*]

\* Signed July 11, according to the record.

† So printed in the edition of 1763, but "next" in the printed sessions-acts.