

SENATE No. 236.

[Senate No. 226 as amended and passed to be engrossed.]

Commonwealth of Massachusetts.

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

AN ACT

To constitute a District Police, and to abolish the 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 SECTION 1. The governor may appoint in each
2 district attorney's district not exceeding two officers,
3 who shall be known as district police. Their term
4 of office shall be three years; but any member
5 thereof may be at any time removed by the gov-
6 ernor. No person shall be appointed as a district-
7 police officer under this act unless first examined as

8 to his character and qualifications for the duties of
9 such office, by or under the direction of some justice
10 of the superior court sitting within the district for
11 which such appointment is especially to be made,
12 and unless a certificate thereof recommending such
13 person for appointment is forwarded to and received
14 by the governor.

1 SECT. 2. Said district police shall have and ex-
2 ercise, not only within the district for which each
3 member thereof shall be especially appointed, but
4 also throughout the Commonwealth, all the common
5 law and statutory powers of constables, except the
6 service of civil process, and also all the statutory
7 powers of police or watchmen, and may be trans-
8 ferred from one district to another; and the governor
9 may at any time command the services of said dis-
10 trict police in suppressing riots and in preserving the
11 peace.

1 SECT. 3. The governor shall designate one of
2 said district police to be and to act as chief thereof,
3 who shall, with the approval of the governor, make
4 all needful rules for their government in the dis-
5 charge of their duties, and the reports to be made
6 by them; and shall have his office in the city of
7 Boston, to be also approved by the governor. He
8 shall have all the powers, and perform all the duties,
9 conferred on the chief of the state detective force
10 by section nine of chapter one hundred and sixty-
11 two of the acts of the year eighteen hundred and
12 seventy-six.

1 SECT. 4. Each member of said district police
2 shall, before entering upon the discharge of his
3 official duties, be sworn to the faithful performance
4 thereof, and shall give to the treasurer of the Com-
5 monwealth such bonds with sureties as the governor
6 shall approve, in the penal sum of three thousand
7 dollars, with condition that he shall faithfully per-
8 form his official duties, and account for all property
9 which *ex officio* may come into his possession; and
10 he may be, from time to time, required by the gov-
11 ernor to renew said bonds; and, unless such oath
12 of office is taken and said bond approved and filed
13 within ten days from date of appointment, such
14 appointment shall, at the expiration of that time, be
15 deemed null.

1 SECT. 5. The said district police shall each be
2 paid out of the treasury of the Commonwealth an
3 annual salary of twelve hundred dollars, in equal
4 monthly payments, together with their actual and
5 necessary travelling expenses when on duty, not ex-
6 ceeding the amounts actually paid out by them; and
7 the officer designated as chief shall receive a sum,
8 to be fixed by the governor, not exceeding five hun-
9 dred dollars additional. All fees which under the
10 laws the said district police would be entitled to
11 receive shall be paid over by them to the treasurer of
12 the Commonwealth, and no salary shall be paid to
13 any officer until he has made oath that he has paid
14 over all such fees. All accounts of said officers
15 shall be verified by oath, and shall be approved
16 by the said chief before being presented to the

17 auditor of the Commonwealth, and, when duly
18 audited, shall be paid out of the treasury.

1 SECT. 6. Any person appointed as a district po-
2 lice under this act, who shall receive, directly or indi-
3 rectly, any share in rewards, gift, or gratuity, on
4 account of his official services, shall be punished by
5 a fine not exceeding one hundred dollars, or im-
6 prisonment in the house of correction not exceeding
7 three months, and shall also be dishonorably dis-
8 charged from his office.

1 SECT. 7. The police commissioners of the city of
2 Boston, and the mayor and aldermen of any city of
3 twenty thousand inhabitants or upwards, may license
4 any citizen of their respective cities to act as a pri-
5 vate detective, for the detection, prevention, and
6 punishment of crime, for the term of one year, un-
7 less his license is sooner revoked for cause. The fee
8 for such license shall be ten dollars, to be paid into
9 the city treasury; and each person so licensed shall
10 give bond with two sureties to the city treasurer, to
11 be approved by the board giving such license, in the
12 sum of three thousand dollars, conditional for the
13 proper discharge of the services which he may per-
14 form by virtue of such license; but nothing herein
15 contained shall be construed to confer, on any per-
16 son licensed as aforesaid, any of the power and
17 authority of constables or police-officers.

1 SECT. 8. Whoever, not being licensed as provided
2 in section seven of this act, shall engage in the gen-

3 eral business of a private detective, or advertise, or
4 hold himself out as a private detective for the detec-
5 tion, prevention, and punishment of crime, or for any
6 other purpose, or who shall falsely assume or pretend
7 to be a district policeman, shall be punished by fine
8 not exceeding one hundred dollars, or imprisonment
9 in the house of correction not exceeding six months,
10 or by both such fine and imprisonment; *provided*
11 that nothing herein contained shall be held to apply
12 to any detective of another state coming within this
13 Commonwealth in the performance of his duties.

1 SECT. 9. So much of chapter fifteen of the acts
2 of eighteen hundred seventy-five, and acts in amend-
3 ment thereof, as provides for the establishment and
4 maintenance of a state detective force, is hereby re-
5 pealed, and the offices created thereby are abolished.

1 SECT. 10. All property seized under warrants by
2 state detectives in the execution of any law or pro-
3 cess, and remaining in their custody, or in the cus-
4 tody of the chief of the state detective force, shall
5 be delivered by them to the sheriff of the county in
6 which it was seized; and said sheriff or his deputies
7 shall hold the same subject to the final order of the
8 court, and may complete all proceedings in relation
9 to the same in the same manner as said detectives
10 or said chief would have been authorized to do.

1 SECT. 11. All the property of the Commonwealth
2 now in the keeping of said chief or of said detec-
3 tives, including all books and records, shall, upon

4 the passage of this act, be transferred to such state
5 officer as the governor shall designate, and shall be
6 disposed of by the governor and council.

1 SECT. 12. The duties, obligations, and powers of
2 the chief of the state detective force, under chapter
3 two hundred and fourteen of the acts of the year
4 eighteen hundred and seventy-seven, shall be con-
5 ferred upon and transferred to the chief of said
6 district police, who shall appoint one or more of said
7 district police to act as inspectors of factories and
8 public buildings. Said members of the district
9 police so appointed shall have the powers conferred
10 upon and perform the duties required of such in-
11 spectors under said chapter.

1 SECT. 13. This act shall take effect upon its pas-
2 sage.