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REPORT

OF THE

JOINT SPECIAL COMMITTEE

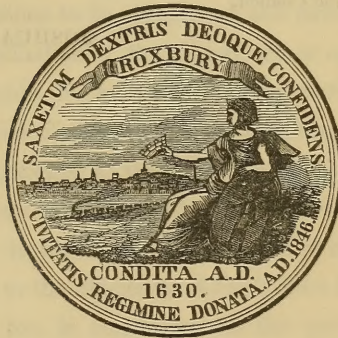
IN THE

MATTER OF CITY MARSHAL,

AND

ORDINANCE

“AUTHORIZING THE APPOINTMENT AND PRESCRIBING THE
DUTIES OF A CITY MARSHAL.”



ROXBURY:

PRINTED FOR THE CITY COUNCIL.

1855.

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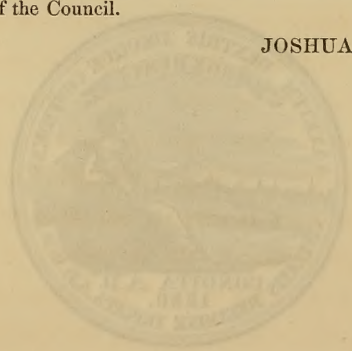
City of Roxbury.

IN COMMON COUNCIL, FEBRUARY 5, 1855.

MR. CUSHING, from the Joint Special Committee, to whom was referred the Order to consider the expediency of establishing the office of City Marshal, submitted the Report of that Committee, recommending the adoption of the accompanying Ordinance.

Read, and on motion of Mr. Wolcott, laid on the table and ordered to be printed for the use of the Council.

JOSHUA SEAVER, *Clerk.*



R E P O R T .

THE Committee to whom was referred the subject of the appointment of a City Marshal, have attended to the business entrusted to them, and respectfully submit the following

R E P O R T .

The Committee regarded the matter as one of no slight importance, and very intimately connected with our municipal interests. There were objections to be considered and doubts to be removed. It was the determination of the Committee to make a full examination, and to decide the question upon its merits. Letters were sent to all the cities of New England, soliciting information as to the police arrangements in their respective places. To most of these, answers have been received ; and all, with the exception of Cambridge, bear testimony to the importance of a City Marshal, or a single chief, to the efficiency of the Police Department.

The evidence, too, is conclusive on the point that this chief should be an active police officer, devoting himself exclusively to the business of his office. Your Committee coincide with this view. They cannot recommend the establishment of an office which can be made a sinecure, or the appointment of an officer whose duties shall be merely nominal. An active police officer at

the head of the Department exercising control, and at the same time doing his share of the duty, is altogether a different affair. Such an officer will add dignity to the executive power, and infuse energy and directness into all police enforcements of city ordinances. He will moreover relieve the Mayor of much unpleasant service not really belonging to his office, and in many particulars conflicting with his duties.

Your Committee also feel that it is important that the Chief Magistrate should have confidence in the police system, as through its action he must expect to accomplish what he deems important for the peace and good order of the city. To *this point* your Committee are inclined to award its due weight. And finding that the desired officer can be appointed without adding to the number of the police, or materially to the expenses of the Department, they are of opinion that the City Council should establish the office, and they do accordingly report the following Ordinance.

For the Committee,

JAMES W. CUSHING.

AN ORDINANCE

AUTHORIZING THE APPOINTMENT AND PRESCRIBING THE DUTIES
OF A CITY MARSHAL.

Be it ordained by the City Council of the City of Roxbury, as follows:—

SECT. 1. The Mayor and Aldermen shall forthwith, and hereafter, in the month of April, annually, appoint a City Marshal, and such number of assistants as they may deem necessary for day and night police, with the powers and duties of Constables, who shall remain in office until the next annual election, unless removed as hereinafter provided.

SECT. 2. Said Marshal shall have precedence and command over his assistants, and the other Constables, whenever engaged in the same service, or when directed thereto by the Mayor and Aldermen, and before entering upon the duties of his office, shall be sworn to the faithful performance of its duties by the Mayor, and shall also, if required, give bonds to the Treasurer of the City of Roxbury, in the sum of *five hundred dollars*, with sufficient sureties, to be approved by the Mayor and Aldermen, for the faithful performance of the duties of said office.

SECT. 3. It shall be the duty of the City Marshal, from time to time, to pass through the streets, lanes, alleys and courts of the City, to observe all nuisances, obstructions and impediments therein, to the end that the same be removed or prosecuted, according to law; to notice all offences against the laws, and against the ordinances of the City, taking the names of the offenders, to the end that the same may be prosecuted. It shall also be his duty to receive all complaints of the inhabitants, made for any breach of the laws or ordinances of the City. It shall also be his duty to enforce and carry into effect, to the utmost of his power, all and every of the City ordinances and by-laws. It shall also be his duty to attend all fires by day and by night, and report himself to the Chief Engineer or his successors, and exert himself to the utmost of his powers to keep good order, to remove all suspected persons from the vicinity of the fire, and to protect the property of the citizens from loss or damage. He shall, also, whenever requested by the Chief Engineer, visit and direct his assistants to visit, at all hours of the day or night, each and all of the engine houses, for the purpose of aiding in the enforcement of the City ordinances. It shall also be his duty, and that of his assistants, to act as truant officers in the enforcement of the ordinance in regard to truants and absentees from school. It shall be his duty to execute all orders and commands of the Mayor and of the Board of Aldermen, in relation to any matter or thing in which the City shall be in anywise concerned or interested. He shall be vigilant to detect the breach of any law, by-law or ordinance. It shall also be his duty to prosecute all offenders as soon as may be, and attend, in behalf of the City, the trials of all offences which may be prosecuted; and to use all lawful means for the effectual prosecution and final conviction of offenders, and to lay before the Mayor and Aldermen a correct statement of all

prosecutions by him instituted in behalf of the City, or in which the city is any way concerned, within one week after their final determination respectively, and once a month furnish the Mayor with a detailed report, in writing, of such offences against the laws of the City ordinances, or any of them, as he may have detected. It shall also be his duty to collect, receive, and pay over to the Treasurer of the City, all fines and penalties incurred for the violations of the by-laws and ordinances of the City, and all fees received by himself or his assistants, as witnesses, or for service of criminal processes, or for services in behalf of the City; and further to perform all such other and additional duties, and to comply with all such regulations as may at any time be prescribed to him by the Mayor and Aldermen.

SECT. 4. The Mayor and Aldermen may, at any time, by vote, remove from office the said City Marshal and his assistants, or any or either of them; and thereupon, or in case of the death or resignation of any or either of them, proceed to appoint a successor or successors for the residue of the year.

SECT. 5. The Assistant Marshals shall act under the direction of the City Marshal, and the Mayor and Aldermen, in the performance of their duties, and of any and all such duties as are prescribed in this ordinance for the City Marshal.

SECT. 6. The City Marshal and Assistants shall receive in full for all their services, respectively, such compensation per diem as the City Council may from time to time determine; together with all necessary charges for travel, offices, warming and lighting the same, and for all necessary implements for carrying out the purposes of a police organization.

SECT. 7. The Mayor and Aldermen may appoint special police, in such numbers, and at such times as they shall deem necessary, and shall fix their compensation; and said special police shall be under the direction of the City Marshal and his Assistants.

SECT. 8. This ordinance will go into operation and take effect from and after its passage.

