

to the City Hall for trial, before the said Recorder's Court, if then sitting, or if the said Recorder's Court can be soon thereafter assembled, or if not, that bail or recognizance may be taken by the said Recorder, by the said Mayor, or any Alderman or Councillor of the said City appointed to act in his stead, that the said parties shall appear at the next sitting of the said Recorder's Court, to answer the charge or plaint preferred against them, and for which they may have been so arrested as aforesaid; and every recognizance so taken shall be of equal obligation on the parties entering into the same, and liable to the same proceedings for the estreating thereof before the said Recorder's Court as recognizances taken before a Justice of the Peace, and estreated before the General or Quarter Sessions of the Peace for the said District of Montreal; Provided that nothing herein contained shall prevent the persons so summarily arrested as aforesaid from being at once examined and tried, when taken to the City Hall as aforesaid, before the said Recorder, or in his absence before the said Mayor, or any Alderman or Councillor appointed to act in his stead, if the offence for which the said parties have been so arrested as aforesaid may legally be tried by the said Recorder, or in his absence before the said Mayor, Alderman or Councillor as aforesaid, being a Justice of the Peace in the said City of Montreal, under the provisions of the said last mentioned Ordinance, or any other Ordinance or Act now in force in the said Province.

XCI. And be it enacted, That when any person charged with any petty misdemeanour, shall be brought, without the warrant of a Justice of the Peace, into the custody of any officer or constable appointed under this Act, during his attendance in the night time, at any watch-house, within the said City as aforesaid, it shall be lawful for such officer or constable, if he shall think fit, to take bail by recognizance, without any fee or reward from such person, conditioned that such person shall appear for examination within two days before the said Recorder's Court, the said Recorder, or the said Mayor, Alderman or Councillor, within the said City of Montreal, at some time and place to be specified in the recognizance, and every recognizance so taken, shall be of equal obligation on the parties entering into the same, and liable to the same proceedings for the estreating thereof before the said Recorder's Court, as recognizances taken before a Justice of the Peace, and estreated before the General or Quarter Sessions of the Peace for the said District of Montreal; and if the party not appearing shall apply by any person on his behalf, to postpone the hearing of the charge against him, and the said Recorder's Court, the said Recorder, or the said Mayor, Alderman or Councillor shall think fit to consent thereto the said Recorder's Court, the said Recorder, or the said Mayor or Alderman shall be at liberty to enlarge the recognizance to such further time as he shall appoint; and when the matter shall be heard and determined; either by the dismissal of the complaint or by binding the party over to answer the matter thereof at the Session, or otherwise, the recognizance for the appearance of the party before the said Recorder's Court, the said Recorder, or the said Mayor, Alderman or Councillor shall be discharged without fee or reward.

*Bail to be taken in certain cases.*

XCI. And be it enacted, That if any officer or constable, to be appointed as aforesaid, shall be guilty of any neglect of duty, or of any disobedience of any lawful order, every such offender, being convicted thereof, before the Recorder's Court

*Officer or Constable punishable for neglect of duty.*