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No. 72.

3rd Session, 6th Parliament, 23 Victoria, 1860.

BILL.

**An Act respecting the Police Force in Cities
and Towns in Upper Canada.**

Received and read, first time, Friday, 16th
March, 1860.

Second reading, Monday, 19th March, 1860.

Mr. WILSON.

QUEBEC:

PRINTED BY THOMPSON & CO., ST. URSULE STREET.

An Act respecting the Police Force in Cities and Towns
in Upper Canada.

WHEREAS it is desirable to confer upon the Municipal Corporations of Cities and Towns in Upper Canada, power to pass By-Laws respecting the Police Force, as herein mentioned :

Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :—

I. The Municipal Corporation of every City and Town in Upper Canada, may pass By-Laws for establishing and maintaining a Fund, for the relief and benefit of the Police Force therein respectively.

Police Fund may be established in any City or Town in Upper Canada.

II. The Fund shall be called "The Police Relief Fund."

Its name.

10 III. The following monies shall be applied for the purpose of establishing and maintaining the Fund :—

Of what to consist.

1.—Such a monthly sum as nearly as may be equal to one sixty-fourth part of the monthly pay and emoluments [clothing excepted,] of each Member of the Force.

15 2.—The Fines imposed on any of the Force for misconduct.

3.—Stoppages which are or may be made in case of sickness from the pay of the men.

4.—The proceeds of the sale of all articles remaining unclaimed in the Police Office, after the period of six months, and after one month's advertisement in a public newspaper published in the place.

5.—The monies paid for the service of Summonses or Orders, and the execution of Warrants by the Police.

6.—The Fees allowed to the Police as witnesses, beyond their actual outlay.

25 7.—All sums paid to the Police as rewards or gratuities, by any body or person, [excepting the Municipal Corporation or Council of the place where they are serving,] for any service connected with, or relating to their office.

8.—All sums payable to the Police as penalties or parts of penalties, where they are prosecutors or informers, arising from their office.

30 9.—The interest and profits upon any investment or loan of any part of the Fund.

10.—And all other monies which the Council may grant to, or appropriate for the purpose.

Separate Accounts of the Fund.

IV. The Fund and the accounts thereof, shall be kept separate from all other Funds and accounts, but the same shall be managed and audited like the other Municipal Funds.

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Investment of Fund.

V. Any surplus of principal or interest shall, if it be expedient so to do, be invested in some safe Fund or Security bearing interest.

Amount of Allowances from Fund how fixed.

VI. In Cities the Board of Police Commissioners, subject to the approval of the Council, and in Towns the Council shall determine the amount of allowance to be made to any of the force, on any account, or for any purpose for which the Fund is established.

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Retiring allowance at 50 years after 15 of service.

VII. After a service of fifteen years in the force, any Member thereof shall be at liberty, if over fifty years of age, to retire, and in case he has served faithfully and obtained a good character to that effect, he shall be entitled to receive a yearly sum of

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Increased pay if he continues to serve

VIII. In case any person so entitled to a retiring yearly allowance desires to, and is capable of continuing, and is continued in the Force, he shall receive the yearly sum of beyond his regular pay.

Allowance during sickness, &c., contracted while on duty.

IX. In case any Member of the Force contracts sickness, or receives injury while on duty, and is compelled and allowed to withdraw from the Force in consequence thereof, and in case he cannot, during such time, earn a livelihood in any other capacity, and is otherwise unable to support himself or his family, he shall receive a superannuation allowance while absent from the Force and unfit for Service.

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Objects of and charges on the Fund.

X. The Fund shall be devoted to the following purposes and objects, and the charges on the Fund shall stand and be paid in the following order,—to provide;

1. For the Medical attendance on the men.

2. For rewards for special good conduct or meritorious service.

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3. For the superannuated allowance on retiring from the Force, or under Section IX, in case of sickness or injury.

4. For pensions or other relief to the destitute widows and children of such of the Force as have behaved well, or served long and faithfully, and

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5. For the increased pay to such of the men, as would have been entitled to the superannuated allowance, if they had retired from the Force, but who continue to serve therein.

Allowances may be increased, or reduced, &c.

XI. The allowances of every kind may be increased or reduced at any time, according to the state of the Fund, if the Council shall think it expedient to make any such alteration; and the Council may also stop entirely any allowance under this Act, in case the necessity for continuing it no longer exists, or in case of misconduct.

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XII. The period of service of the men in the Force before the passing of this Act shall, in the computation of the years for an increased or superannuated allowance, be reckoned from the time they first joined it, if they have served therein continually from that time, without having
 5 been suspended for misconduct—or from such later time from their first entrance into the force, as the Board of Commissioners, subject to the approval of the Council in Cities, and as the Council in Towns shall determine.

Period of service how computed.

XIII. If after a service of five years, any Constable retires from the
 10 Force, he shall, if the Board of Commissioners of Police in Cities, or if the Council in Towns shall so direct, be entitled to receive from the said Fund, not more than one-fourth of the sum he shall have so contributed towards it—and if after a service of ten years or more, a
 15 sum not exceeding one-half of the sum he shall have so contributed—if, in either case, he shall not have received a benefit from the Fund to the extent of the fourth or one-half of such contributions, as the case may be.

Allowance to persons retiring after 5 years service, and after ten years or more.