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No. 176.

1st Session, 8th Parliament, 27 Victoria, 1863.

BILL.

**An Act respecting the Police in the City
of Three Rivers.**

Received and read 1st time, Friday, 18th
September, 1863.

Second Reading, Monday, 21st September,
1863.

Mr. LAJOIE.

Q U E B E C :

**PRINTED FOR THE CONTRACTORS BY HUNTER,
ROSE & LEMIEUX, ST. URSULE ST.**

An Act respecting Police in the City of Three Rivers.

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

Preamble

1. The Governor may, by a Commission under the Great Seal of this Province, appoint a fit and proper person to be Police Magistrate in the City of Three Rivers, and to fulfil the duties of Justice of the Peace, in the District of Three Rivers at the office of the Peace and of Police already established in the said City, and the person so appointed may, during the period of his holding the said office, fulfil the duties of Justice of the Peace for the said District, although he may not possess the property qualification required by law in the case of other persons discharging the functions of Justice of the Peace.

Appointment of Police Magistrate.

2. Any person so appointed Police Magistrate before entering upon his duties as such shall take the following oath before a Judge of the Superior Court:—

His oath of office.

15 I, A, B, do solemnly swear that I will faithfully, and impartially, and to the best of my ability, perform all the duties, and exercise the powers of a Justice of the Peace, in virtue of chapter one hundred and two of the Consolidated Statutes for Lower Canada.

3. The Police Magistrate for the District of Three Rivers shall in virtue of his office be a Justice of the Peace for the Criminal District of Three Rivers, and shall be invested with all the rights and powers of one or two Justices of the Peace in the said District, according as circumstances may require, and all his judgments, sentences, and decisions shall have the same force and effect as if they had been rendered by two Justices of the Peace regularly commissioned in and for the District of Three Rivers.

Police Magistrate to have powers of two Justices of the Peace.

4. There may from time to time, be appointed by order of the Secretary of the Province, upon the application of the Corporation of the City of Three Rivers, the requisite number of suitable and active men to form a Police Force, who shall be sworn by the said Police Magistrate to act as constables for the preservation of the peace, the prevention of theft and other crimes, and the arresting of breakers of the peace, and they shall enjoy all the powers conferred upon policemen in the Cities of Montreal and Quebec, by the law now in force in this Province.

Formation of a Police force.

35 **5.** An appeal shall lie from any judgment rendered by the said Police Magistrate to the Court of Queen's Bench, in the exercise of its criminal jurisdiction in the District of Three Rivers, provided that the appellant shall have complied with the conditions and requirements provided by law in such cases, and that he shall have given notice of his intention of appeal within three days from the date of the conviction from which he

Appeal from decisions of Police Magistrate.

intends to appeal, and shall have given valid security within the same period for the payment of the amount of the judgment appealed from, and the costs, both of the complaint and of the said appeal.

His salary. **6.** Out of any unappropriated funds of the Province of Canada in the hands of the Receiver General, there shall be paid as salary to the said Police Magistrate an annual sum not exceeding dollars currency. **5**

Appointment of Clerk of Police Court. **7.** The said Police Magistrate shall appoint a Clerk of the Police Court whose duty it shall be to draw up and prepare all complaints, convictions, and other necessary proceedings, with the rights of certifying the copies of all the said complaints, convictions, and proceedings, which being so signed and certified shall be deemed authentic by all Courts of Justice in this Province. **10**
15

Appointment of Crier. **8.** The said Police Magistrate shall appoint a Crier who shall act as Messenger to the said Police Court.

Their salaries. **9.** Out of any unappropriated funds of the Province, there shall be paid to the Clerk to be so appointed a salary of currency, and to the Crier a salary of dollars currency *per annum*. **20**

Account of fines, &c., received. **10.** An account shall be rendered by the said Police Magistrate every three months in the ordinary manner to the Government of this Province, of the amount of fees and penalties recovered in virtue of this Act, and the said amount shall form part of the revenues of the Province. **25**

Qualification of Police Magistrate. **11.** No person shall be appointed Police Magistrate as aforesaid, who shall not have practised as an Advocate in the Civil and Criminal Courts of Lower Canada for a period of at least five years before his appointment.

Certain offices abolished. **12.** The Offices of Clerk of the Peace, Deputy Clerk of the Peace, and Messenger of the Court of Quarter Sessions for the District of Three Rivers, shall be abolished on the day this Act comes into force, the said Court of Quarter Sessions in the said district having been abolished three years ago. **30**

When this Act shall take effect. **13.** This Act shall come into force on the day on which it shall have been sanctioned by the Governor in the ordinary manner. **35**