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# REGULATIONS

FOR THE GOVERNANCE OF

THE POLICE FORCE,

RURAL AND CITY.

PROVINCE OF CANADA.

WITH

## INSTRUCTIONS

AS TO THE LEGAL AUTHORITIES AND DUTIES

OF

POLICE CONSTABLES.



MONTREAL:

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1841.

1841  
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DIVISION OF POLICE FORCE,  
OFFICERS, &c.

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The Police Force comprises Two Divisions,—  
the RURAL POLICE and the CITY POLICE.

The Officers are :

INSPECTORS—CITY POLICE.

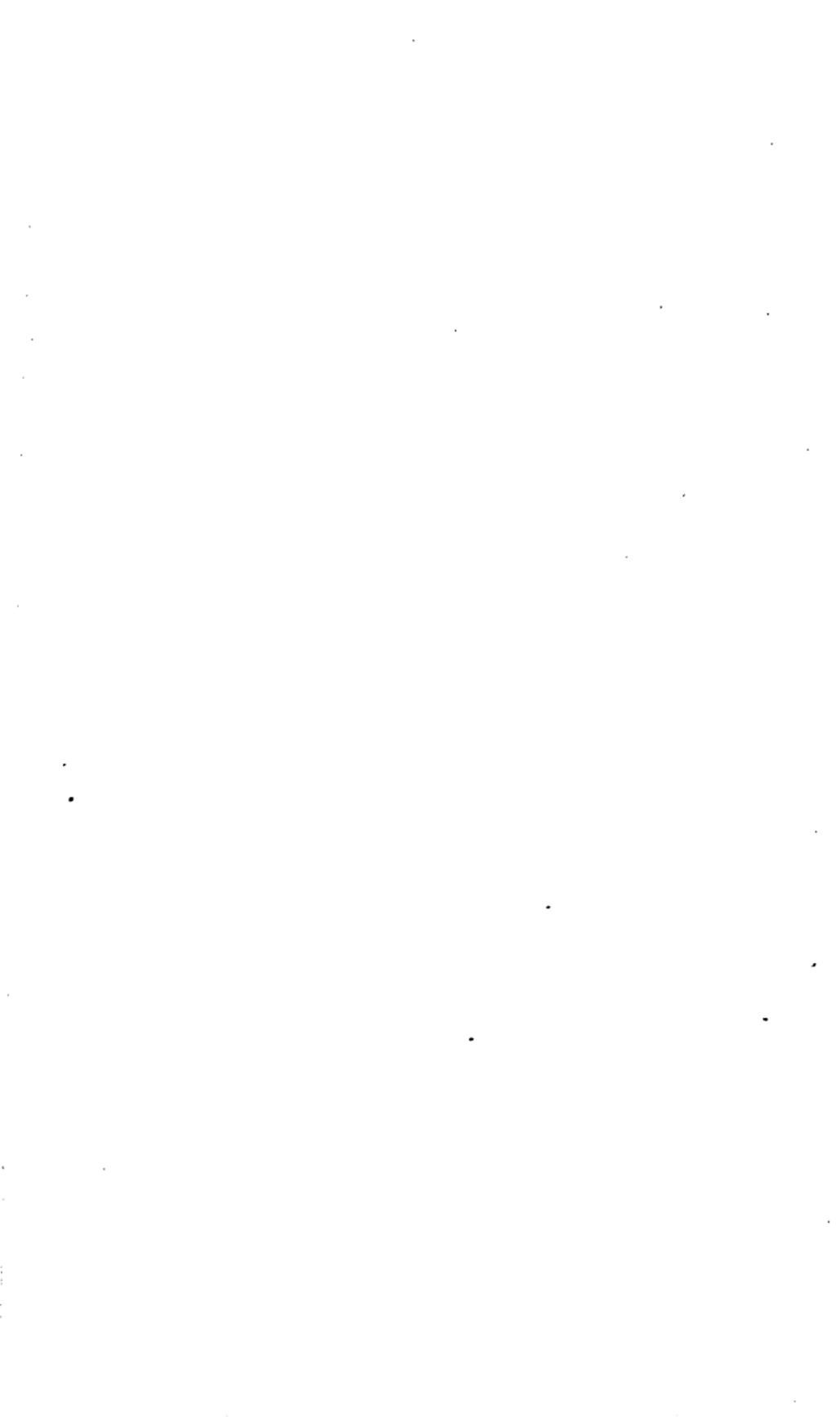
CHIEF CONSTABLES—RURAL POLICE.

CONSTABLES—RURAL POLICE.

CHIEF CONSTABLES—CITY POLICE.

CONSTABLES—CITY POLICE.

SUB-CONSTABLES—RURAL AND CITY POLICE.



# REGULATIONS

FOR THE

## GOVERNANCE OF THE POLICE FORCE.

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[As every Member of the Police Force may expect to rise to superior situations by his intelligence, activity, and general good conduct, a careful perusal and study of *all* the following Rules and Regulations is strongly recommended. A knowledge of the French and English languages, combined with reading and writing, and good character, will ensure promotion.]

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## CONDITIONS OF ADMISSION INTO THE POLICE FORCE.

1. The conditions of admission are distinctly stated here, so that no complaint may be made hereafter, when they are enforced.

2. Each man shall devote his whole time and attention to the Police service; he shall follow no other calling. He shall serve and reside wherever directed, and be prepared to move at a moment's notice.

3. He shall submit to all such rules, regulations, orders, and fines, as the Commissioner may from time to time order, for the purpose of preventing neglect, and for rendering the Constables efficient in the discharge of their duties. Each Police Constable, though punished by the Commissioner, is liable to any other punishment to which he may, by law, be subject.

4. He shall obey promptly and cheerfully all orders which he may receive from those in authority over him.

5. Upon no occasion, and under no pretext whatever, shall he receive money or rewards from any person, without the express permission of the Commissioner:

6. In all cases of prosecution under penal Statutes wherein Policemen may be the informers, no part of the informers' share of the penalty levied shall be paid to such Policemen; but such share shall be transferred, under the direction of the Commissioner, to a fund formed for the purpose of defraying the expenses of prosecution, and for the further disposition of Her Majesty's Government.

7. Every member of the Police force must appear at all times in his complete Police dress.

8. A deduction of one shilling per week, or one penny and three farthings per diem, will be made from his pay, to defray the expense of lodging, light, and fuel, as provided for him.

9. He shall pay all debts due by him as the Commissioner shall direct.

10. It must be distinctly understood, that every man who enters into the Police force, enters as a single man. His wife or family, if received at all into the station house, will be liable to removal at any notice. Every benefit derived from being so received must be considered as an indulgence on the part of the Commissioner, to be exercised and limited at his discretion. All extra expenditure of fuel or light required to meet the private arrangements or necessities of any member of the force, must be defrayed out of his own funds.

11. The pay of a Sub-Constable will be two shillings and six pence per diem; and, in addition, the following articles of clothing will be supplied to him, viz:—

- One winter great coat,—to last two years,
- One summer coat,           do.     do.
- One hat,                     do.     do.
- One fur cap,                do.     do.
- One stock,                 do.     do.
- One staff,                  do.     do.
- One pair of trowsers,—to last one year,
- One pair of winter boots, do.     do.
- One pair of summer do. do.     do.

12. Every man of the Police force shall provide himself with the following articles, according to pattern, or they will be procured for him, and the cost deducted from his pay, viz:—

- Two pairs of white trowsers,
- Two pairs of cotton gloves,
- Two shirts,
- Two pairs of worsted socks.

13. The pay of the force will always be ten days in arrear, for the purpose of defraying any expense or damage, or loss of clothing and appointments, at the time of their resignation or dismissal.

14. No man of the Police force can quit without giving a month's notice. In case he quit without such notice or be dismissed the force, all pay then due shall be forfeited.

15. Every man so dismissed, or who shall resign, must deliver up, before he leave the service, every article of dress and appointment supplied to him under Article 11, and in good order.

16. Every man of the Police force will be liable to immediate dismissal for the following offences:—

Disobedience of orders,

Drunkenness,

Insolence in word or manner,

Violent or coarse language or behaviour,

General unfitness,

Neglect of duty.

17. The Commissioner will also, if he shall think fit, dismiss any man of the force without assigning any reason.

18. When absent from duty, by sickness or from any other cause, every man will be subject to be placed under such stoppages of pay as the Commissioner shall think proper.

## INSPECTORS.

19. The Inspectors of Police will superintend the operations of the Police force in the cities of Montreal and Quebec respectively, under the immediate instructions of the Commissioner of Police, to whom also will be submitted all orders for the regulation and government, for the distribution and disposition, and for the internal discipline and economy, of the force on duty and in the station houses.

20. Any alterations in previous arrangements, which circumstances or emergencies may require, may be made on the responsibility of the Inspector, who shall report the same subsequently, but with the least possible delay, to the Commissioner.

21. All reports of individual merit or misconduct, and all recommendations for reward or promotion, shall be submitted by the Inspector to the Commissioner of Police, for his consideration and approval.

22. It is difficult to mark out any precise course for the Inspector, or to say how much of his time is to be passed in the active performance of his duties. He will feel the importance of visiting his several stations at uncertain hours every day and night. It is expected that he will spontaneously furnish the Commissioner with every information within his reach in all matters, and that he will ever keep in mind that the great object of all exertions of the Police is the prevention of crime.

23. It is hardly necessary to impress upon an officer in whose activity, intelligence, and zeal, so much confidence will be reposed, that there is no

duty which can be included in a code of instructions for the direction of a Police establishment, which may not incidentally devolve upon him, or which he may not justly be deemed competent to undertake and to execute. He will, therefore, independent of those specially addressed to himself, consider the instructions of all subordinates as intended for his general guidance.

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CHIEF CONSTABLES.—[RURAL POLICE.]

24. There will be one Chief Constable appointed to each Police section. His pay will be seven shillings per diem.

25. He will be allowed sixpence extra for every twenty-four hours' absence from his station on duty within his section, and two shillings and sixpence for every twenty-four hours' absence from his section on duty. Vouchers distinctly showing the cause and period of absence, certified and signed by the Police Magistrate, must accompany the account.

26. The Chief Constable will superintend the discipline and efficiency of the Police force in his section. He will see that all regulations touching the dress, organization, and duties of the men, and the internal economy of the station are strictly conformed to. He will be responsible for the state of the arms, ammunition, barrack furniture, and government stores at the several station houses in his section.

27. He will strictly obey all commands of the Police Magistrate presiding over his section.





28. He will be accommodated with one room for his exclusive use in the station house, and he will participate in the fuel and light allowed to the men.

29. He will receive the same supply of clothing with the men under Article 11, and will provide himself as enjoined by Article 12.

30. Each Chief Constable will furnish himself with a sufficient horse, equally adapted to saddle and draught, and with horse equipments, subject to the approval of the Commissioner. He will provide his own forage, farriery, &c.

31. He will be at all times prepared to execute the orders of the Commissioner or of the Police Magistrate of his section, in obtaining and conveying intelligence—in escorting or conveying prisoners—in serving or executing warrants—and generally in discharging any duty within his competence.

32. Under the instructions of the Police Magistrate, he will periodically visit, inspect, and report upon the condition of each Police Station in the section. He will receive and convey to the Police Magistrate all reports of the Constables, as to the condition of their respective stations and the efficiency of their Sub-Constables.

33. He will report to the Police Magistrate upon the efficiency of the Constables, and of their horses, equipments, &c.—the order and discipline of their stations—the condition of the arms and barrack furniture, government stores, &c. at the same.

34. He will take particular care that all spare government stores at his own and other stations are

neatly folded up and put away in good order, that they may be fit for inspection whenever the Commissioner or Police Magistrate may desire to see them. All perishable stores must be regularly shaken and hung in the open air, twice a-month in summer, and once a-month in winter. The Chief Constable and Constables will be responsible for damage arising from neglect of this rule.

35. He will act as Clerk to the Police Magistrate in all cases wherein his assistance may be required in that capacity,—keeping all records or other documents in proper order and regularity, receiving no remuneration beyond his pay for the same. He will prepare all returns which may be now, or shall hereafter be required for the information of the Commissioner of Police or the Police Magistrate.

36. All returns, reports, and applications whatever to the Commissioner, must be made through the Police Magistrate, except where replies may be required to communications received direct from the Commissioner.

37. In preparing the quarterly contingent accounts, the Chief Constable will observe the following instructions:—On such day as the Police Magistrate shall appoint, previous to the period assigned for the transmission of the contingent accounts to the Commissioner's office, the Chief Constable will collect, or take measures to receive, from each station in his section, and from the respective tradesmen the accounts due; these he will submit to the Police Magistrate for his approval. He will then copy each

approved account separately, and subscribing the words "True copy approved and certified," to each,—have the same certified by the signature of the Police Magistrate. He will then draw an abstract of the whole, and, with the copies annexed, transmit the abstract to the Paymaster of the Police force.

38. The original accounts will remain in the possession of the Police Magistrate for future reference if necessary, to whom the abstract of the accounts will be returned, with the amount due.

39. The Chief Constable will prepare a written receipt, to be attached to each account on payment of the same: payment to be made in the presence of two witnesses, who will sign receipt as such, with the party giving such receipt.

40. The abstract, together with the receipts attached to the copies aforesaid of accounts, will then be returned to the address of the Paymaster of the Police force—Police Department, Montreal.

41. Whenever, from any neglect of the above directions, or from illegibility, or from any other cause originating with the Chief Constable, it shall be necessary to return accounts, or pay lists, or other documents for explanation or alteration; upon every such occasion a stoppage of five shillings will be made from the pay of such Chief Constable, to cover the expense of postage. The same rule will apply to Constables.

42. The Chief Constable will receive from the Constables of his section, weekly reports as per prescribed form, of occurrences and duties performed.

He will lay the same, on receipt, before the Police Magistrate. He will send in a monthly abstract of the above mentioned weekly reports for the information of the Commissioner.

43. All general orders issued by the Commissioner for the government of the Police force, will be transmitted through the Police Magistrate. The Chief Constable will insert the same in a book to be kept for the purpose. He will punctually read the same to the men at his station. He will then communicate the said orders to the several Constables in his section, see that the same are entered by them in similar order books and read to the men at their respective stations.

44. The Chief Constable will see that all such general orders are read to the men in his section once a-month, and that they are strictly obeyed.

45. It will be the duty of the Chief Constable to prepare the monthly pay list of his section, which he will submit for the approbation of the Police Magistrate, and forward the same to the Paymaster of the Police force on the last day of every month or by the first post after that day.

46. The pay of the Rural Police will be sent to the Police Magistrates on or about the twentieth day of each-month, who will take measures, through the Chief Constable and Constables, for the payment of the men, and for the signing of the pay list.

47. The receipted pay list will be returned to the Paymaster on or before the first post after the last day of each month.

CONSTABLES.—[RURAL POLICE.]

48. A Constable (except in special cases) will be appointed at every station in each Rural Police section: his pay will be six shillings per diem. He will receive the same allowances as the Chief Constable.

49. He will be responsible for the discipline of the men, for their governance and direction, and for the internal economy of his station house in accordance with these rules and regulations.

[As the duties of Constables in connection with their respective stations correspond in a great degree with those of the Chief Constable in and over the whole section, the Constables will be governed and guided by the following Articles of the Regulations prescribed for the direction of the Chief Constable, viz:—Nos. 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 41, 42, 43.]

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CHIEF CONSTABLES.—[CITY POLICE.]

50. A Chief Constable will reside at each City Police station house. The discipline of the men quartered in such station house and the internal economy of the same will be confided to him, and, in his absence, to the Constable.

51. These officers will be conjointly responsible for the condition of the houses, for the custody and state of the arms, ammunition, barrack furniture, government stores, and property, and for the general conduct and good appearance of the men, in accordance with these regulations.

52. The pay of the Chief Constable will be five shillings per diem.

53. He will be supplied with clothing in conformity with Article 11, and will provide himself according to Article 12.

54. He will receive his orders and instructions from the Commissioner of Police through the Inspector. To the Inspector also he will make his reports.

55. It is expected that by constant personal intercourse with the men under his particular charge, he will make himself acquainted with the talents and general character of each individual.

56. He will immediately report to the Inspector any remarkable circumstances which he may observe in the conduct of the men.

57. He will take care that all orders and other regulations are promptly and strictly obeyed by all under him.

58. He will, alternately with the Constable at his station, take charge of the station house and visit the men on their respective beats. The Inspector will regulate this division of duties; but one officer must invariably remain *in charge* of the station house while the other attends to the *street duty*.

59. A Sub-Constable will be always on duty in the guard-room of each station house, who will, in the first instance, answer any one who comes there. If the party has business, or otherwise wishes it, he will be immediately shown in to the officer in charge, who will give him any information required or direct





where to apply. No person can be permitted to remain in the station house, except on business or under the express permission of the Chief Constable or Constable in charge.

60. When in charge, he will regularly inspect the several parties going on duty, and make all necessary preparations in silence and good order. He will see them marched off to their several beats.

61. When on street duty, he will see as much of his section as possible. It is desirable that he should see every part of it once at least during his tour of duty.

62. In the event of riot or fire, or upon any sudden emergency, he will immediately assemble and parade all his disposable men—apprize the Inspector of the occurrence, and march his force to the scene of action with all possible expedition.

63. In the absence of the Inspector, he will take upon himself the direction of the Police of his station, and act in accordance with the rules and instructions laid down for the guidance of the Police in such cases respectively. (Vide Articles 144 to 151.)

64. A report of all occurrences at each station will be filled up by the officers in charge during the twenty-four hours, and forwarded to the Inspector's office at eight o'clock every morning, duplicates of the same being preserved.

65. When property is brought to the station house as having been found or as having been taken from persons apprehended, or otherwise, he will make an entry of the same in the "property-book" imme-

diately. He will state the same in his report to the Inspector. All persons apprehended on charges of theft should, if possible, be searched immediately on their arrest, if not they should be searched in the presence of the officer in charge and of the arresting Constable on arrival at the station house. All articles found on the person or in the possession of persons apprehended, should be called out and named by one person and entered by another. In cases of theft they should be so marked when received as to ensure their being recognized on trial. They should be taken by the officer in charge from the person bringing them, and not be allowed out of sight until marked as aforesaid. They should be then locked up in a place kept for that purpose, to which he alone has access, until transferred to the custody of the Clerk of the Peace. If so transferred, a receipt must be taken and filed, as well as for all property found and restored.

66. He will take care that all persons accused of felony or misdemeanour, if arrested between the hours of ten, A. M. and four, P. M. are taken at once to the Police Office. If apprehended before or after these hours, they will be securely confined until they can be brought before the Police Magistrate, in the morning.

67. The officer in charge will never forget that safe custody, and not punishment, is the object of detention; and he will make every person whom it may be necessary to take in charge as comfortable as the limited accommodation will permit.

68. When a party is accused of having committed a felony or misdemeanour, the officer in charge will ascertain from the accuser that the offence committed is felony or misdemeanour, and that there is sufficient ground for the accusation. The party making the complaint (which he does on his own responsibility) must be personally cognizant of the offence. The complainant must sign the charge as made by him, or any Constable who has witnessed the offence may sign the same. The names and residences of all witnesses must be taken. In all cases of doubt or difficulty, the Inspector should be immediately notified of the occurrence, before further proceedings are adopted.

69. When called upon for assistance, he will, to the best of his judgment and to the extent of his power, afford the same; but in extraordinary cases, he will first notify the Inspector; and upon all occasions, he will be careful not to interfere, except where legally authorized.

70. He will pay particular attention to all complaints made against any individual. He will enter every complaint so made in the "Register of Complaints" at his Station, and see that the complainant signs the same, or he will take his name and mark, with his address. Except in cases where some immediate proceeding is necessary, such complaint will be forwarded the following morning to the Inspector for the information of the Commissioner.

71. Prisoners in confinement under charge of the Police must be visited frequently, their cells entered,

and an observation of each individual made. Immediate attention will be given in all cases requiring assistance or medical aid.

72. A sufficient escort for the safety of prisoners will be always given, and a list of their names and of the charges against them will be sent to the Court-House with the person in charge of them.

73. He will at all times obtain such information as the Inspector desires upon matters relating to Police duties.

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CONSTABLES.—[CITY POLICE.]

74. A Constable will reside at each City Police station house. His pay will be three shillings and sixpence per diem.

75. The Constable is subordinate to the Chief Constable. In his absence, he will take charge of the station house, and of the men.

[The duties of Constable correspond so closely to those of the Chief Constable that the regulations laid down for the guidance of the latter, will be sufficient for the direction of both, and will be so followed.]

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SUB-CONSTABLES.—[RURAL POLICE.]

76. The Sub-Constables of the Rural Police will be guided in the discharge of their duties by the directions hereinafter laid down, (page 27,) defining the nature and extent of the authority with which every sworn Constable is legally invested. They will also be governed by the Regulations generally pre-

scribed for the governance of the Police force in their station houses, in matters of discipline, interior economy, organization, &c. As their duties, however, are of a more extensive description than those of the Sub-Constable of the City Police, and must, in a great degree, depend upon circumstances, of which the Police Magistrates can alone be cognizant, the Sub-Constables of the Rural Police will be governed by such orders as they may from time to time receive from the Police Magistrates.

77. When absent from their station houses, on duty, they will be allowed sixpence per night absent.

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SUB-CONSTABLES.—[CITY POLICE.]

78. Each Sub-Constable will reside at the station to which he may from time to time be appointed.

79. He will strictly obey all orders of his superiors, and execute the same with cheerfulness and despatch.

80. Even should he conceive an order to be improper or unjust, he will still remember that his first duty is to obey—obey first, and complain afterwards.

81. The Commissioner will never refuse to receive the complaint of any member of the force, when addressed to him through the channel of his superior officer.

82. Should the superior officer refuse to convey such complaint, the Commissioner will be ready to hear the complainant.

83. Should such complaint be frivolous, or unsupported by sufficient proof, the party preferring the same will be immediately dismissed.

84. When upon duty, the extent of his beat will be clearly pointed out to him by the officer on street duty. He will then be held responsible for the security of life and property within his beat, and for the preservation of the peace and general good order during the time he is on duty.

85. He should distinctly understand what his powers are as Constable. For this purpose, he is strongly recommended to read the instructions defining and explaining the lawful duties and authorities of every sworn Constable. (Page 27.)

86. He must make himself perfectly acquainted with all parts of his beat,—with the streets, thoroughfares, courts, and houses therein.

87. He is expected to acquire such a knowledge of the inhabitants as will enable him to recognize their persons, if required.

88. He is expected to recognize every bad or suspicious character he may have once seen. He will closely observe the proceeding of such persons; arrest them, if just cause arises; and invariably report the character and the circumstances under which they may have been seen, to the officer in charge, on return to his station house.

89. He will follow every such character to the end of his beat, and, if possible, apprise the Sub-Constable to whose beat he may then proceed, of his suspicions, and bid him be equally on his guard.

90. He must see every part of his beat with regularity, and as frequently as possible during his turn of duty, so that any person requiring assistance, by remaining on the same spot a certain time, may be able to meet a Constable.

91. This regularity of moving through his beat, shall not prevent his remaining at any particular place, to observe any suspicious person or remarkable circumstance. He will, however, be required to satisfy the officer on street duty that sufficient cause existed for such apparent irregularity.

92. Whenever he may absolutely require assistance, he will spring his rattle. This is to be done as rarely as possible, as such alarm creates the inconvenience of assembling a crowd. He will report to the officer in charge or on street duty the reason for so using his rattle.

93. When he takes any person into custody, he will convey the party to the station house, and return again to his duty as soon as possible.

94. He will accompany the party arrested to the station house, in order to substantiate the charge, when necessary. When he takes property from any such party, under suspicious circumstances, he should not permit the same to be out of his sight, until delivered to the officer in charge, entered and marked, as hereinbefore directed.

95. He will not quit his beat during his turn of duty, except under the circumstances already mentioned, or that will bear satisfactory explanation.

96. He shall not enter any house, except in the

execution of his duty. He will pay particular attention to all public houses on his beat, reporting the same if open at undue hours, and whether they are orderly or otherwise.

97. On no pretence shall he enter any public house, except in the immediate execution of his duty. Every publican is subject to a severe fine for allowing him to remain in his house when on duty.

98. No assistance can be given in civil cases, such as in the case of distress for rent, or where civil process is executed by bailiffs of any civil Court of Law. Where distress arises under these or similar circumstances, no Constable shall interfere, except to prevent an immediate breach of the peace or to quell disturbance actually commenced. On such occasions, he will merely take the offenders into custody, and convey them to the station.

99. If, during his turn of duty, he perceives any thing in the street likely to cause injury to passers-by, or inconvenience to the public, or any thing irregular, improper, or offensive, he will, if practicable, cause the same to be removed; if not, he will report the same.

100. He is not authorized to interfere with persons for standing or talking together: but he is not to allow such numbers to collect as will obstruct the free passage of the streets. He is to recollect, upon all occasions, that he is required to execute his duty with good temper and discretion. Any instance of unnecessary violence in striking a party in charge will be severely punished. A Constable must not

use his staff because the party in his custody is violent in behaviour or language. A Constable is not to use language to persons in his custody calculated to provoke or offend them. Such conduct creates resistance in the party, and a hostile feeling towards the Constable among bystanders. Every Constable will recollect, that in executing an arrest, he is not justified in doing more than is absolutely necessary for the safe custody of the parties whilst he conveys them to the station house.

101. While on duty, he must not enter into conversation with any one, not even with other Constables, except on matters relating to his duty.

102. He will be cautious never to interfere idly or unnecessarily. When required to act, he will do so with decision and boldness. He will be fully supported in every proper exercise of his authority.

103. No qualification is more indispensable to a Police Officer than a perfect command of temper. A manly forbearance under provocation, and a temperate though firm deportment, will ensure him both sympathy and support in the discharge of his duty; while violence, angry and indiscreet altercation will destroy his individual influence, and draw down public odium on the body to which he belongs.

104. Individual Constables, when walking the street, should not shoulder past passengers, but give way in a mild and civil manner. The more respectful the Police are when off duty, the more respected and supported will they be by the public in the proper execution of the same.

105. In case of a fire taking place, the Sub-Constable or Sub-Constables in the vicinity will give the alarm by springing their rattles. Information should be conveyed without delay to the nearest station. Until the arrival of a superior officer, every useful exertion should be made in keeping the necessary space clear, and in assisting in the removal of property. All engine keepers and firemen should be called up without delay—alarm bells rung—water carriers or turn-cocks summoned. Every Constable should make himself acquainted with the residences of such persons on his beat, and with the manner in which a supply of water could be most readily obtained. (Vide Articles 144 to 151.)

106. For his exertions upon these, or any other extraordinary occasions, he will be rewarded by the Commissioner, who prohibits every member of the force from receiving any sum of money or gratuity from any person for service done in the execution of his duty, without the permission of the Commissioner has been obtained through the Inspector, to whom all the facts of the case must be communicated.

## INSTRUCTIONS

As to the Legal Authorities and Duties of

## POLICE CONSTABLES.

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107. The powers of a Constable, when properly understood and executed, are amply sufficient for their purpose.

108. By the laws of this Province he is authorized and required, in the execution of his office, to arrest a party charged with, or suspected to be guilty of having committed certain offences—to enter a house in pursuit of an offender—to quiet an affray—to search for stolen goods—and to take possession of goods suspected to have been stolen.

109. It is necessary therefore that each Constable should be informed of the cases in which he ought to interfere, and what legal power he possesses, to effect his lawful object, in case of resistance.

110. It will be first shown for what offences of common occurrence a party may be arrested and detained in custody. With this object offences may be divided into felonies and misdemeanours.

## FELONIES.

111. Murder, house-breaking, robbery, stealing, picking pockets, receiving stolen goods knowing them to have been stolen, setting fire to any church, house, or other building, are some of the principal felonies, besides a great many more too numerous to be inserted here. Persons guilty of any of these offences are called felons.

112. As it is more important to prevent and punish the commission of great crimes than of the lesser offences, the Constable has a greater power in cases of felonies than in those of misdemeanour.

113. The first duty of a Constable is to prevent the commission of crime.

114. For this purpose, he has power to arrest a party, whom, from his situation and character, the law judges to be likely to commit some felony, and whom he has just cause to suspect to be about to do so. Thus when a lunatic or a drunken person, or a man in a passion, threatens the life of another, or to burn his house, the Constable should interfere and arrest.

115. He should arrest any person whom he finds under such circumstances as give just cause to suspect that he is about to break into any dwelling house or other building, especially if he has in his possession any implement adapted for that purpose: or any person armed with any gun, pistol, sword, bludgeon, or offensive weapon, with intent therewith to commit any felonious act.

116. In these and similar cases the Constable





must judge from the situation and behaviour of the party what his intention is. In some cases no doubt can exist; as when the party is a notorious thief, or acting with those who are known to be thieves; or when a party is seen to be attempting to pick a pocket, or commit a theft, or to break into a house. The Constable will not act hastily, in case the intention is not clear, but content himself with watching closely the suspected party, that he may discover his design.

117. A Constable must arrest any one he may see in the act of committing a felony, or any one charged, positively, by another with having committed a felony, or even charged, on the suspicion of another, of having committed a felony, if the suspicion appear to the Constable to be well founded, and provided the person so suspecting go with the Constable.

118. Though no charge be made, yet, if the Constable suspect a person to have committed a felony, he should arrest him, and if he have *reasonable ground* for his suspicions, he will be justified, even though it should afterwards appear that no felony was, in fact, committed. But the Constable must be cautious, as his sole defence can rest only on the *reasonableness* of his suspicions.

119. Generally, if the arrest is made discreetly and fairly, in pursuit of an offender, and not from any private malice or ill-will, the Constable need not doubt that the law will protect him.

120. If the Constable shall see any one carrying,

or in any manner conveying any goods or chattles whatsoever, and it shall appear to him that there is probable cause to suspect that they have been stolen, he should apprehend the person, and may detain the goods. Here also he must judge from circumstances, such as the appearance and manner of the party, the account he gives of himself, and the like, whether he has got stolen goods in his possession, before he actually takes him into custody.

121. A Constable must make every exertion to effect an arrest; and the law gives him abundant power for that purpose. If the felon, or party accused with felony fly, he may be immediately followed wherever he goes; and if he take refuge in a house, the Constable may break open the door to get in, first stating who he is, and his business. But the breaking open outer doors is so dangerous a proceeding that the Constable never should resort to it, except in extreme cases, and when an immediate arrest is necessary.

122. There are some cases in which a Constable may, and ought to break into a house, although no felony has been committed;—when the necessity of the case will not admit of delay; as, when persons are fighting furiously in a house, or when a house has been entered by others with a felonious intent, and a felony will probably be committed, unless the Constable interfere, and there is no other means of entering. Except in such cases, it is better, in general, that the Constable should wait till he has a warrant from a Magistrate for the purpose.

123. If a Constable finds his personal efforts insufficient to effect an arrest, he ought to require all persons present to assist him, and they are bound to do so.

124. If a prisoner should escape he may be retaken, and, in immediate pursuit, the Constable may follow him into any place or any house.

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MISDEMEANOURS.

125. Offences, such as common assaults, affrays, and riots, are called misdemeanours.

126. In cases of actual breaches of the peace, as riots, affrays, assaults, and the like, committed within the view of the Constable, he should immediately interfere, (first giving public notice of his office, if he be not already known) separate the combatants, and prevent others from joining in the affray. If the riot be of a serious nature, or if the offenders do not immediately desist, he should take them into custody, securing also the principal instigators of the tumult, and do every thing in his power to restore quiet.

127. A Constable, in cases of assault which have not been committed in his presence, or within his view, is not authorized to arrest, or assist in arresting the party charged; nor is he to receive a party so charged into his custody, unless the party has been arrested by some other Constable who saw the assault committed. But if a person has been cut or wounded, and gives into custody the party charged with

having cut or wounded him, the Constable is authorized to take the party into his custody, and keep him in safe custody until he can be brought before a Magistrate.

128. He may arrest any one assaulting or opposing him in the execution of his duty; but in doing so, he must be able to prove some specific fact, as, if not, the charge will be rejected by the officer in charge at the station house.

129. If a person forcibly enter the house of another, the Constable may, at the request of the owner, turn him out directly; if he have entered peaceably, and the owner request the Constable to turn him out, the Constable should first request him to go out, and, unless he do so, he should turn him out: in either cases using no more force than is necessary for such purpose.

130. When the offence has not yet been committed, but when a breach of the peace is likely to take place; as, when persons are openly preparing to fight, the Constable should take the parties concerned into custody; if they flee into a house, or are making preparations to fight within the house, the Constable should enter the house to prevent them, and likewise take the parties into custody; and, should the doors be closed, he may break them open, if admission be refused after giving notice of his office and object in entering. But the power of Constables to break doors, as before mentioned, should be exercised in extreme cases only, and then with great caution.

131. If any party threaten another with immediate personal violence, or offer to strike, the Constable should interfere, and prevent a breach of the peace : if one draw a weapon upon another, attempting to strike, the Constable should take him into custody. If persons be merely quarrelling or insulting each other, confining themselves to words, a Policeman has no right to take them into custody, but should be ready to prevent a breach of the peace.

132. If a party charged with felony or misdemeanour, escape out of custody, he may be pursued immediately, any where ; and if he take refuge in a house, the door may be broken open, after demand of admission, and after notification by the Policeman of his office and object in coming.

133. After an arrest made, it is in all cases his duty to treat prisoners properly, and impose only such restraint upon him as may be necessary for his safe custody.

134. He is bound to follow the directions contained in his warrant, and execute it with secrecy and despatch : if the warrant cannot be executed immediately, it should be executed as soon as possible.

135. He must execute the warrant himself, or when he calls in assistance must be actually present. Upon all occasions he ought to state his authority, if it be not generally known, and should show his warrant when required to do so ; but he should never part with possession of the warrant, as it may be wanted hereafter for his justification.

136. A Constable may enter a house to search

for stolen goods, having got a search warrant from a Magistrate for that purpose. He should, when it is possible, execute it in the day time. If he finds the goods mentioned, he will take them to the station house, and, when the warrant so directs, he must take the person also in whose possession they are found. To avoid mistakes, the owner of the property ought, if possible, to attend at the search to identify them.

137. The Constable also is authorized, under such warrant from a Magistrate, to break open any dwelling house, shop, warehouse, or other place named in the warrant as shall not be opened on demand, or after due notice of such warrant for the purposes stated therein.

138. He has power to apprehend and carry before a Justice of the Peace, as disorderly persons, all persons, who, being able to work, refuse and neglect to do so—persons exposing themselves indecently—persons maliciously and wilfully obstructing passengers, by standing across foot-paths, obstructing a thoroughfare, using insulting language, causing disturbance, by screaming, swearing, singing in the streets, tearing down or defacing signs, breaking windows, doors, or door plates, or the walls of houses, yards or gardens; destroying fences, being drunk, and impeding or incommoding peaceable passengers; all common prostitutes—all persons in the habit of frequenting houses of ill-fame.

139. A Constable, if authorized by the warrant of a Magistrate, may enter any house of ill-fame,





tavern, or boarding house, and there apprehend and bring before such Magistrate, all or any of the persons described in the foregoing article, as being disorderly persons; also, all persons found tippling after the hour of ten at night, and before the hour of five in the morning, between the twenty-first of March and first of October, and after nine at night, and and before six in the morning, between the first of October and twenty-first of March. And all persons playing at cards, dice, or other chance game, in taverns.

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VIOLENT OR SUDDEN DEATH, ACCIDENTS, &c.

140. In all cases of persons found injured, dead, or dying, the duties of the Police may be confined to the following objects:—

141. In case the party is found dead, to see that the body is decently covered and cared for—to apprise relatives or friends of the event, and inform the coroner of the occurrence. The body should be moved as little as possible from the place where it was found, until the inquest is held.

142. In case the party is dying, or seriously injured, to send immediately for a surgeon, and convey the party with all possible care and speed to his or her own house, to an hospital, or, if nearest and in any way desirable, to the station house.

143. In case the party is dying, evidently or upon his own assertion, in consequence of injuries or violence inflicted by others, it becomes important to

take his dying declaration of the facts, send at once for the Police Magistrate, or, in his absence, for any Magistrate resident in the vicinity.

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FIRES.

144. The principal duties of a Police force at fires strictly speaking, consist in the protection of property saved from the flames—in clearing the streets from crowds or other obstructions—ensuring space for the exertions of the firemen, for the approach of water carts, and for the general maintenance of good order.

145. But, as it is possible that in many cases the organization of other departments may be imperfect or insufficient—and it is the duty of the Police, at all times, to give every possible assistance to the public in every possible way)—the Commissioner thinks it right, in this place, to point out the principal objects to be attained on such emergencies.

146. The Sub-Constable, on his beat, having given the alarm as hereinbefore directed—(Article 105,)—and the officer on street duty having assembled his men, and marched them off as before directed—(Articles 62 and 63)—it will be the duty of the Police, upon such occasions, to direct their efforts,

1st,—To extinguish or subdue the flames.

2ndly,—To protect property saved.

3rdly,—To preserve the surrounding buildings from conflagration.

147. To effect this object, the Police force, disposable at the time, will be divided into three bodies.

148. The first, which will probably be from the station house nearest to the scene of action, will, if they have an engine at their disposal, do their utmost, at once, to check the progress of the flames.

149. To the second will be attached two officers, one of whom will promptly select a proper spot for the accumulation of property saved, and remain there, with one man at least, to receive the same. As the accumulation proceeds he will require more men from the "saving party" to protect it from pilferers. The other officer, with the rest of the "saving party" will do all in their power to preserve property from the flames, and to convey the same to the place selected for security.

150. The third party will, under the direction of an officer, be placed according to the wish of the inhabitants, in surrounding court yards or places filled with combustible matter, or to watch dry shingled roofs, and give immediate alarm in case of necessity. The officer will patrol round his various posts ensuring the vigilance of his men, and keeping a sharp look out himself.

151. When the fire is extinguished, the men belonging to each station will fall in at the command of their officers, and be regularly marched back, a few being left, properly disposed, according to circumstances, to watch the neighbourhood, while any cause for apprehension exists.

## 152. RECAPITULATION

OF

## PAY AND ALLOWANCES OF THE POLICE.

## RURAL POLICE.

P A Y .		s.	d.
Chief Constables, per diem,	. . . . .	7	0
Constables, do.	. . . . .	6	0
Sub-Constables, do.	. . . . .	2	6

## A L L O W A N C E S .

Lodging Money for Men on detached duty, per diem, . . . . .	0	6
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*Travelling :—*

Chief Constable, 24 hours absent from his station on duty within his section, . . .	0	6
Chief Constable, 24 hours absent on duty beyond his section, . . . . .	2	6
Constable—the same as Chief Constable.		
Sub-Constable, 24 hours absent on duty from his station, . . . . .	0	6

*Fuel and Light :—*

Half a cord of Wood per week, for each station house  
from 1st November to 31st May.

1 lb. Candles, do. do. do.

Quarter of a cord of Wood per week for each station  
house, from 1st June to 31st October.

$\frac{1}{2}$  lb. Candles, do. do. do.

Straw for Paillasses once in two months;—Sheet Washing once per month, 3d. per pair;—Rugs and Blankets washed when absolutely necessary.—Charged in contingent account.

## CITY POLICE.

Chief Constables, per diem, . . . . .	5	0
Constables, do. . . . .	3	6
Sub-Constables, do. . . . .	2	6

*CLOTHING for all ranks, both Services.*

One Winter Great Coat,—to last two years,		
One Summer Coat, do. do.		
One Hat, do. do.		
One Fur Cap, do. do.		
One Stock, do. do.		
One Staff.		
One pair of Trowsers,—to last one year.		
One pair of Winter Boots, do. do.		
One pair of Summer do. do. do.		

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*These Orders, Rules, and Regulations, for the good government of the Police Force of this Province, hereinbefore contained, from Art. No. 1 to Art. No. 152, inclusive, made and published by me, under and by virtue of the Ordinances 2 Vict. cap. 2, and 4 Vict. cap. 47, and will be obeyed accordingly.*

**WILLIAM F. COFFIN,**

Commissioner of Police.

POLICE DEPARTMENT, MONTREAL,

7th April, 1841.

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