

4. So much of the Charter of the City of Saint John, and of any Act or Acts of Assembly, and of any bye laws of the said Corporation, as is inconsistent with or contrary to the provisions of this Act, shall be and the same is hereby repealed and annulled.

5. That so much of the second Section of an Act made and passed in the thirteenth year of the Reign of Her present Majesty, intituled *An Act for the better extinguishing of Fires which may happen in the City of Saint John*, as relates to the appointment of one Chief Engineer, be and the same is hereby repealed; and in lieu thereof, that the Mayor, Aldermen, and Commonalty of the City of Saint John, in Common Council convened, may appoint one Chief Engineer of the Fire Department for the City of Saint John on the eastern side of the harbour, and one Chief Engineer for the said City on the western side of the harbour.

CAP. LII.

An Act relating to the Police of the City of Saint John.

Section.

1. Governor in Council to appoint the Chief of Police.
2. Chief of Police to appoint the policemen; oath of office; authority; obedience;
3. Chief of Police may, subject to approval, establish regulations for the force.
4. Resignation by policemen, or withdrawal from duties.
5. Salary of Police Magistrate and Clerk; and wages of Chief and men of the Police force.
6. Obstructions by groups near sidewalks.
7. Powers, &c. of Police Magistrate to continue except as altered.

Section.

8. Certain parts of Act 12 V. c. 68, repealed.
9. Police Record Books to be submitted quarterly to the Common Council.
10. Chief of Police may in certain cases take recognizance.
11. Chief of Police may exact recognizance from persons making a charge, and on refusal discharge the person in custody.
12. Recognizance, conditions of; entry and return of by Chief of Police.
13. No Alderman or Justice other than the Police Magistrate to hold a Court in the City for certain trials.

Passed 1st May 1856.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Governor in Council shall from time to time appoint a fit and proper person to be Chief of Police of the City, who shall hold his office during pleasure, and shall be invested with all the duties and powers as are hereinafter specified.

2. The Chief of Police shall from time to time appoint such a number of fit and able men as the Common Council may designate, to be a Police Force for that part of the City lying on the east side of the harbour, who, as well as the Chief, shall be severally sworn in before a Justice of the Peace to act as day and night policemen, watchmen, and constables, for the preserving of the peace, and the preventing of all felonies, and apprehending of offenders against the peace; and the Chief and men so sworn shall, not only within the whole City of Saint John, but also generally within the City and County of Saint John, have all such powers, authorities, privileges, advantages, and exemptions, and be liable to all such duties and responsibilities as any constable duly appointed now has, or hereafter may have, or is or may be liable to within his constablewick, by virtue of the Common Law, or any Statute or Act of Assembly, or bye law of the said City, made or to be made; and the said policemen shall obey all such lawful commands as they or any of them may from time to time receive from the Chief, for conducting themselves in the execution of their office; and all the provisions, enactments, powers, and authority relating to policemen in and by an Act passed in the twelfth year of Her present Majesty's Reign, intituled *An Act in further amendment of the Charter of the City of Saint John*, or any other Act or bye law relating thereto, shall be vested in and apply to the Chief, and to all and every the said Police force

so to be appointed as aforesaid, except so far as the same may be inconsistent with the provisions of this Act.

3. The Chief of Police may from time to time, subject to the approval of the Common Council of the City, frame and establish such orders and regulations as he shall deem expedient relative to the general government of the men so to be appointed members of the Police force, the place of their residence, the classification, rank, and particular service of the several men, their distribution and inspection, the description of arms and accoutrements, and other necessities to be furnished to them, and all such orders and regulations relative to the said Police force as the Chief shall from time to time deem expedient for preventing neglect or abuse, and for rendering such force efficient in the performance of all its duties; and the Chief may at any time dismiss or suspend from his employment any man belonging to the Police force whom he shall think remiss or negligent in the discharge of his duty, or otherwise unfit for the same; and when any man shall be so dismissed or cease to belong to the Police force, all powers and privileges vested in him as a constable of the said force or otherwise by virtue of this Act, shall immediately cease and determine.

4. No policeman or constable belonging to the Police force shall be at liberty to resign his office or withdraw himself from the duties thereof, unless expressly allowed to do so in writing from the Chief, or unless he shall give to the Chief one calendar month's notice in writing of such his intention; and every policeman and constable who shall so resign or withdraw himself without such leave or notice, shall be liable to forfeit all arrears of pay then due to him, or to a penalty of not more than five pounds, to be recovered as any other penalties under the said Act.

5. The salary of the Police Magistrate, and of the Clerk to the Police Office, to be appointed by the said Police Magistrate, shall be determined by the Governor in Council; the salary of the Police Magistrate not to exceed three hundred pounds, and of the Clerk not to exceed two hundred pounds; and the wages and pay of the Chief and policemen shall from time to time be determined and settled by the Common Council; and all the said salaries, wages, and pay, and the other expenses attending the Police establishment, shall be paid monthly, by order of the Common Council upon the Chamberlain, out of the funds in his hands applicable to the support and maintenance of the Police establishment.

6. Three or more persons shall not stand in a group or near to each other on or near any sidewalk of any street, in such a manner as to obstruct a free passage for foot passengers, for a longer time than twenty minutes, under a penalty of forty shillings, nor more than five minutes after a request to move on made by the Mayor or Recorder, or any Alderman, Councillor, or policeman, under a like penalty.

7. The authority, powers, rights, privileges, and duties of the Police Magistrate shall continue and remain as the same now are by law, except so far as they are altered by or are inconsistent with the provisions of this Act.

8. The eighth, ninth, tenth, and eighteenth Sections of the said Act, and also so much of the eleventh section of the said Act as is inconsistent with the provisions of this Act, are hereby repealed.

9. The Police Magistrate shall at the first Common Council holden after the first days of January, April, July, and October in each year, on notice to him given of the holding of such