

wharves, docks, slips and ways within the said Town, and from time to time report to the Chairman or the Town Council, or to such Committee thereof, all incumbrances thereon, and all places requiring amendment or repair therein; the Supervisor shall also keep accounts of all work performed under his superintendence, and perform all such other duties in relation thereto as the Town Council, or such Committee as aforesaid, shall appoint, and annually at such time as the Town Council shall direct, report in writing to such Council upon the work done upon the roads, and the state thereof, and repairs required therefor, provided that all work in respect of such roads as aforesaid shall, so far as practicable, be let by auction or public tender; and the Chairman of the Town Council, or any Councillor, or the said Supervisor, is hereby empowered to conduct any such auction, without becoming liable to any charge, penalty or duty whatsoever, and without further licence in respect thereof.

#### POLICE.

89. The Police Magistrate for the said Town of Portland, appointed or to be appointed as provided in and by an Act of Assembly made and passed in the eleventh year of the Reign of Her present Majesty, intituled *An Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John*, or any Act or Acts in continuation thereof, shall preside over the Police Court and office mentioned and established in and by the said Act, and also over the Court for trial of Civil causes, hereinafter mentioned in the said Town of Portland; and the Police Magistrate and Sitting Magistrate now holding office shall continue respectively therein, subject to the provisions of this Act, and of the said recited Act; and the said recited Act, and all Acts in amendment thereof, or addition thereto, except so far as the same may be repealed, as hereinafter provided, and except also as to any provisions of the same, or any of them which may be inconsistent with or repugnant or contradictory to the terms of this Act, shall continue in full force and effect, and shall apply to the Police Magistrate, Sitting Magistrates, Police Court, and office of the said Town of Portland herein mentioned, so far as the same may be so continued or applied by Act of the Legislature of this Province.

90. The annual salary of the Police Magistrate mentioned in the said recited Act, shall be fixed at a sum not exceeding fourteen hundred dollars, as may from time to time be determined upon by the Town Council, which shall be in full for all services to be by him performed either in such Police Court and Office, or in the Court for trial of Civil causes in the said Town, or otherwise, and shall be paid monthly to such Police Magistrate from the general revenues of the said Town of Portland.

91. All recognizances mentioned to be taken in the thirty first Section of the said recited Act, in the name of the Commissioners of Police, so far as the same relate to matters within the powers of the Legislature of New Brunswick, shall from henceforth be taken in the name of the said Town of Portland; and all suits, actions and proceedings mentioned to be brought in the fifty third Section thereof, in the name of the Commissioners of the Police therein mentioned, shall from henceforth be brought, commenced, instituted and carried on in the name of the said Town of Portland; and the Lock-up house mentioned in the forty third Section of the said Act, shall be and continue to be a lawful place of committal and confinement for the purposes therein mentioned, and shall from henceforth be under the control and management of the Town Council, or such Committee, officer, person or persons as they shall appoint for the purposes of the said Act; and the said Town Council may make and establish rules and regulations for the government of the said Lock-up house, and for the guidance of the keeper thereof, as in the said Act mentioned; and the said Town Council shall, from and after the first meeting of Councillors elect under this Act, have and exercise all such rights, powers, immunities, privileges, and authorities, as by the said recited Act, or any Act in amendment thereof, were theretofore or are now vested in the Commissioners of Police therein named, in the stead and place of such Commissioners.

92. The books mentioned to be kept by the said Police Magistrate, by the twenty first Section of the said recited Act, shall be submitted to the Town Council at each regular meeting thereof, instead of to the Justices in Sessions of the City and County of Saint John, as in the said Section is provided, and shall at all times be open to the inspection of the Chairman of the Town Council, or of any Councillor.

93. All sums of money levied by the said Police Magistrate, or any Sitting Magistrate, alone or with any other Justice of the Peace, for fees, fines, penalties, forfeitures, or costs, shall be received by the Town Clerk acting as Police Clerk of the said Town of Portland, and by him accounted for and paid over at the close of each day's proceedings, for the use of the said Town, to the Treasurer appointed by the Town Council, who shall, from and after such his appointment, be Treasurer of the Portland Police District mentioned in the said Acts, in lieu and place of the person now holding the said office of Treasurer, who shall thereupon forthwith account to the Town Council for all moneys theretofore received by him for the purposes of the said Acts, and pay over all such moneys as shall be found due by him on such accounting, to the Treasurer so appointed in his place; and all moneys so received by the Treasurer of the said Town, shall be held subject to the orders of the Town Council, for the general purposes of the said Town of Portland.

94. The Town Council, by themselves, or such Committee, officer, person or persons as they shall thereto respectively delegate and appoint, shall exercise a general and efficient supervision, inspection and control of the fiscal and ordinary civil affairs and condition of the said Portland Police establishment; and may from time to time frame and establish such orders and regulations as they shall deem expedient, relative to the general government of the members of the Police Force appointed or to be appointed under the terms of this Act, the place of their residence, the classification, rank and particular service of the several men, their distribution and inspection, the description of arms, accoutrements and other necessities to be furnished to them, and all such other orders and regulations relative to the said Police Force, as they from time to time shall deem expedient for preventing neglect or abuse, and for rendering such force efficient in the performance of all its duties; and shall nominate and appoint, remove and discharge all Constables of the Police Force and Policemen of the said Town of Portland, or belonging to the said Force, and the Keeper of the Lock-up house mentioned in the said recited Act, and all Clerks, servants, keepers and subordinate officers who may be requisite for duly carrying on the business and affairs of the said Police establishment; and in case of removal, nominate and appoint other fit persons in the places aforesaid, and shall provide all such fuel, furniture, provisions, materials and things as in their may judgment be necessary, and control the disbursement and expenditure of all moneys in respect of the said Police Office, Lock-up house, Police establishment, or otherwise connected therewith; and every such Constable of the Police Force and Policeman so to be appointed shall have all such rights, powers, privileges, immunities and authorities as are vested in any Constable or Policeman of the said Force by the provisions of the said recited Act, or any Acts in amendment thereof or addition thereto, or any other Act of Assembly or Law of this Province; and the resignation or notice of resignation of any Constable or Policeman mentioned in the ninth Section of the said recited Act, shall be made to the Town Council, subject to the provisions in the said Section contained, provided that all orders and regulations heretofore made by any Police Magistrate, under the authority of the said recited Act, shall continue in force until rescinded by the said Town Council; and all Policemen or Constables of the said Force now in office, under the provisions of the said recited Act, shall continue therein until displaced, discharged, removed or dismissed by the Town Council, or otherwise as aforesaid; and when any man shall be so dismissed, or cease to belong to the said Police Force, all powers and privileges vested in him as a Constable or Policeman of the said Town, or other-