



BY AUTHORITY.

ANNO TRICESIMO QUARTO VICTORIÆ REGINÆ.

CAP. I.

An Act relating to the Police Establishment in the City of Fredericton.

Sec.	Sec.
1 Police Magistrate, how appointed.	11 Duties of Police Magistrate.
2 Form of oath to be taken by Magistrate.	12 Fines, &c. how paid and applied and accounted for.
3 Salary of officer.	13 Sitting Magistrates, how appointed; their powers and duties.
4 Policemen, how appointed; their powers and duties.	14 Police Magistrate only to have the power formerly exercised by Mayor, &c. If Mayor &c. infringe provisions of Act; penalty.
5 Rules and Regulations, by whom made.	15 Offences against City Bye-Laws, by whom tried.
6 Harboring a Policeman; penalty.	16 Jurisdiction of Police Magistrate; proviso.
7 Constable guilty of neglect, &c.; penalty.	17 What fees may be taxed.
8 Assaulting or interfering with Policeman; penalty.	18 Counsel fees may be taxed.
9 Wilfully destroying property; penalty.	
10 Compensation to members of Police Force prohibited; proviso.	

Passed 1st May 1871.

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

1. It shall and may be lawful for the Lieutenant Governor, or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, to appoint in and for the City of Fredericton a Police Magistrate, who shall reside in the said City, and shall be *ex-officio* a Justice of the Peace in and for the County of York, and shall also be invested with all such other duties and powers as shall be hereinafter specified.

2. Every person to be appointed as Police Magistrate by virtue of this Act, shall, before he shall begin to execute the duties of his office, take and subscribe the following oath before one of the Judges of the Supreme Court of this Province:—"I, A. B., do swear that I will faithfully, impartially, and honestly, according to the best of my skill and knowledge, execute all the powers and duties of a Police Magistrate and Justice of the Peace, under and by virtue of an Act passed in the thirty fourth year of the Reign of Her present Majesty, intituled *An Act to authorize the appointment of a Police Magistrate in the City of Fredericton.*"

3. An annual salary of a sum not exceeding four hundred dollars shall be paid quarterly to such Police Magistrate out of the funds of the City.

4. A sufficient number of fit and able men, not exceeding three, shall from time to time be appointed by said Police Magistrate as a Police force for the said City of Fredericton, who shall be severally sworn in by such Police Magistrate to act as Constables for the preserving the peace, and the preventing all felonies, and apprehending offenders against the peace; and the men so sworn shall, not only in the said City of Fredericton, but also generally within the County of York, be constables for the said County of York, and have all the powers, authorities, privileges, and advantages, and be liable to all the duties and responsibilities of constables, and shall obey all such lawful commands as they or any of them may from time to time receive from the said Police Magistrate for conducting themselves in the execution of their office.

5. The said Police Magistrate may from time to time, subject to the approval of the City Council, frame and establish

such orders and regulations as he shall deem expedient, relative to the general government of the men to be appointed members of the Police force under 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 Police force as the said Police Magistrate 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 said Magistrate may at any time dismiss or suspend from his employment any man belonging to the said 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 said 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.

6. If any tavern-keeper, victualler, or keeper of any house, shop, room, or other place for the sale of any liquors, whether spirituous or otherwise, shall knowingly harbor or entertain any man belonging to the said Police force, or permit any such man to abide or remain in his house, shop, room, or other place, during any part of the time appointed for his being on duty, every such tavern-keeper, victualler, or keeper as aforesaid, being convicted thereof before the said Police Magistrate, shall, for every such offence, forfeit and pay such sum, not exceeding twenty dollars, as the said Magistrate shall think fit, or that his license be cancelled by the said Police Magistrate, who is hereby authorized to cancel the same.

7. Every constable who shall be guilty of any neglect or violation of his duty, in his office of constable, shall be liable to a penalty of not more than forty dollars, at the discretion of the said Police Magistrate, the amount of which penalty may be deducted from any salary then due to such offender, or in the discretion of the Magistrate such offender may be imprisoned in the common gaol of the County of York for any time not more than one calendar month.

8. If any person shall threaten, assault, or resist, wilfully mislead, give false information, to impede, interrupt, or otherwise attempt to prevent, interfere with, or deter any person belonging to the said Police force, in the execution of his duty, or shall aid or incite any person or persons to assault or resist, impede, prevent, interfere with, or deter as aforesaid, every such offender shall be liable to a penalty of not exceeding forty dollars.

9. Any person who shall wilfully break, or cause to be broken, any lamp or lamps, window or windows, or who shall throw any stone, snow-ball, or other missile, at any lamp or lamps, window or windows, in any public street, thoroughfare, alley, road, or bye road, within the said City of Fredericton, shall be liable to a penalty not exceeding twenty dollars, to be recovered as hereinafter provided.

10. No person belonging to the said Police force shall be at liberty to take or receive any fee, reward, or compensation for doing or for abstaining from doing any act or thing done or performed, or to be done or performed, in his official capacity (whatever it may be) as attached to the said Police force; and any such person convicted of any such offence as aforesaid, shall forfeit any such fee, reward, or compensation so received, and shall be liable to a penalty of not less than twenty dollars, to be recovered as hereinafter provided, and