

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1864. Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1864.

27 Victoria – Chapter 55

An Act for establishing and maintaining a Police Force in the Parish of Saint Stephen, in the County of Charlotte. Passed 13th April, 1864.

Section.	Section.
1. Police Force, how appointed; number of.	4. Power of Justices.
2. Compensation to and powers of, by whom fixed.	5. Assessment, by whom made and collected.
3. Disorderly persons, &c. may be taken into custody without warrant.	6. Fines, to whom paid.
	7. Fines, how applied.
	8. Fees, to whom paid.

Whereas offences against the peace, as well as injuries to property, have become frequent in the Parish of Saint Stephen, it is expedient to establish an effective system of Police in the following district, to-wit:—Beginning at the dwelling house of Joel Hill, near Milltown, and extending to Porter's mill bridge, so called, and back from the River Saint Croix [St. Croix River] one mile;—

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

1. The Justices of the Peace for the said County may at any General Sessions, or at any Special Sessions to be for that purpose called, appoint a sufficient number of fit and able men, not exceeding twelve, to be and act as a Police Force within the before mentioned district, who shall be severally sworn in by any Magistrate of the said County, to act as Constables for preserving the peace, and preventing all felonies, and apprehending offenders against the peace; the men so sworn in shall, within the district, have all such powers, privileges, and advantages, and so be liable to all duties and responsibilities as any Constable appointed by law now has, or may hereafter have, or is or may be liable to, within his constablewick, by virtue of the common law or Act of Assembly made or to be made, and shall obey all such lawful commands as they or any of them may receive from time to time from any Justice of the Peace within said district, for conducting themselves in the execution of their office.
2. The Justices of the Peace at any General Sessions, or at any Special Sessions for that purpose called, shall have powers, by regulations to be by them made, to fix the salaries and allowances of the persons to be employed under this Act, and to define the powers and duties of the said Policemen or Constables.
3. That it shall be lawful for any Constable belonging to the said Police Force, during the time of his being on duty, to take into his custody without warrant any loose, idle or disorderly person which he shall find disturbing the public peace, or whom he shall have just cause to suspect of

having committed or being about to commit any felony or misdemeanor, or breach of the peace; and all persons whom he shall find, during the months of March, April, May, June, July, August, September, and October, between the hours of seven o'clock P.M. and six o'clock A.M., or during the months of November, December, January, and February, between the hours of seven o'clock P.M. and six o'clock A.M., lying or lurking in any highway, yard, or other place, and not giving a satisfactory account of himself or themselves; and also to take into custody, without warrant as aforesaid, any person who shall, within the limits of the aforesaid district, be charged by any other person with committing any aggravated assault, in every case in which the said Constable shall have good reason to believe that such assault has been committed, although not in view of the said Constable, and that by reason of the recent commission of the offence a warrant could not have been obtained for the apprehension of the offender, in order that such person may be secured till he can be brought before a Justice of the Peace within the said district, to be dealt with according to law.

4. The Justices of the Peace residing within the said district shall, in addition to the powers they now possess, be invested with and shall exercise and execute all other duties and powers as shall be in this Act specified, or in any regulations now or may hereafter be made by the General Sessions, as provided for in this Act.

5. The Justices of the Peace for the said County, at their General Sessions in April in each and every year hereafter, are hereby authorized to make a rate and assessment for a sum not exceeding one hundred dollars for any one year, to defray the expenses of supporting and maintaining said Police establishment, such assessment to be levied and collected on the inhabitants and property residing and being within the limits of said district; such sum shall be assessed, levied and paid agreeably to any Act now or which may be in force for assessing, levying and collecting County rates, and when recovered or collected, shall be paid over to the County Treasurer of said County, to be held and applied under the direction of the Justices of the Peace for the said County for the purposes of this Act.

6. The sums of money recovered or Received for fines, penalties and forfeitures incurred and paid under and by virtue of any of the provisions of this Act, committed within the limits of the said district of the Parish of Saint Stephen, shall be paid on the first Monday of each month to the County Treasurer.

7. The County Treasurer shall receive all sums of money received by assessment, and all fines, penalties and forfeitures incurred and paid from every Collector, Magistrate, Constable, or other person paying the same, for the purposes of this Act, and he shall keep and hold the same as a separate fund for the purposes of this Act, to be paid over by him from time to time under the order of the General Sessions of the Peace for the said County.

8. All fees recovered by any of the Police for performing the duties of Constables, shall be paid over as received to the Magistrate by whose directions he has performed the duty, to be paid to the County Treasurer in the same manner as fines and forfeitures are directed to be paid over.