

portation, which were the most direct, and, under ordinary circumstances, the least expensive. So help me God.

And I have signed.

A. B.

Sworn before me

at.....on the.....

day of.....19..... .

Justice of the peace (or
notary, or as the case may
be).

CHAP. 68

An Act concerning the pension of certain coroners

[Assented to, 21st of March, 1922]

HIS MAJESTY, with the advice and consent of the
Legislative Council and of the Legislative Assembly
of Quebec, enacts as follows:

1. Articles 3278, 3279, 3280, 3280*a*, and 3281, of the Provisions Revised Statutes, 1909, shall apply, *mutatis mutandis*, to applicable the coroners who receive a fixed salary in accordance with to certain the provisions of articles 3483, 3483*a*, and 3484 of the coroners. said statutes, as enacted by the act 12 George V, chapter 67, section 1.

2. This act shall come into force on the day of its Coming into sanction. force.

CHAP. 69

An Act to amend the Revised Statutes, 1909, respecting
the Provincial Police

[Assented to, 21st of March, 1922]

HIS MAJESTY, with the advice and consent of the
Legislative Council and of the Legislative Assembly
of Quebec, enacts as follows:

1. Section third of chapter first of title seventh of the R. S., 3616

to 3660,
replaced.

Revised Statutes, 1909, comprising articles 3616 to 3660, inclusively, is replaced by the following:

“SECTION III

“PROVINCIAL POLICE FORCE

“§ 1.—*Constitution of Police Force*

Organiza-
tion of a
police force.

“**3616.** There may be established a police force, composed and organized, as hereinafter provided, and called: “The Provincial Police.”

Composition
of the police
force.

“**3617.** Such police force shall consist of:

1. A chief and sub-chief of detectives, with residence at Quebec, and a chief and sub-chief of detectives, with residence at Montreal, appointed by the Lieutenant-Governor in Council;

2. Such detectives, sergeants and constables, not exceeding one hundred, as determined by the Lieutenant-Governor in Council, and who shall be appointed by writing by the Attorney-General, in accordance with the provisions hereinafter made.

Qualifica-
tions for
constables.

“**3618.** 1. No person shall be appointed a constable unless he be a British subject, of sound constitution, active and able-bodied, at least five feet and seven inches in height, of good character and sound morality, of at least eighteen and not more than forty years of age, unless he have a fair knowledge of the French and English languages, know how to read in English and in French and have passed satisfactorily a medical examination on his physical fitness before a physician selected by the Attorney-General;

For de-
tectives.

2. Except such as relate to age and height, the qualifications mentioned in paragraph 1 of this article shall be required of persons desiring to be appointed detectives.

Two classes
of constables.

“**3619.** 1. There shall be two classes of constables:

The first class shall comprise the sergeants and constables charged with all the services pertaining to the Provincial police;

The second class shall comprise the constables more specially charged with the guarding of Government buildings and properties, but who may, upon the order of the Attorney-General, be assigned to all other services pertaining to the Provincial police.

Transfer
from one

2. The Attorney-General may, in appointing a member of the provincial police, assign to him the class he deems

proper and transfer him from time to time from one class ^{class to} to another. ^{another.}

“§ 2.—*Duties and Obligations of Police Officers*

“**3620.** 1. The members of the police force, hereinafter ^{Ranks of} called “police officers”, shall rank among themselves and ^{the police} exercise their authority in the following order: ^{officers.}

The chiefs of detectives at Quebec and at Montreal,—the chief of detectives at Quebec shall command the section of the police force having its headquarters in the city of Quebec, and the chief of detectives at Montreal, the other section of the police force having its headquarters in city of Montreal; both shall have the same powers and authority as was formerly possessed by the chief of the Provincial police force, the superintendent of the Provincial police force and the chief of detectives;

The sub-chiefs of detectives at Quebec and at Montreal,—they shall be under the control of their respective chiefs and they shall replace them in case of their absence or inability to act;

The sergeants;

The constables;

The detectives,—their service is distinct from that of the sergeants and constables; such detectives shall not, without special instructions, have any relation of authority with sergeants and constables.

2. Officers of the same grade, employed together upon ^{Precedence.} the same service, shall, except under special instructions, command according to seniority, and constables of the first class take precedence over those of the second class:

“**3621.** 1. Subject to the provisions of paragraph 2 of ^{Duties of} this article the duties of the police officers are: ^{the police} ^{officers.}

a. To perform all duties which are assigned to constables in relation to the preservation of the peace, the prevention of crime, and offences against the laws of the Dominion, or of the Province, and against the by-laws of the municipality in which they may be ordered by the Attorney-General to act, and the apprehension of criminals, offenders or others, who may be lawfully taken into custody, otherwise than on merely civil process;

b. To execute, in compliance with the orders of the Attorney-General, all warrants and perform all duties and services in relation thereto which may be lawfully performed by constables;

c. To perform all duties which may be lawfully performed by constables in relation to the escort and conveyance of

convicts and other prisoners or lunatics to or from gaols, courts, lunatic asylums and other places;

d. To attend and maintain peace at any hearing before the several courts, under the orders of such courts, in the various districts in which they may be ordered by the Attorney-General to act;

e. To watch over and guard the Government buildings and properties.

Duties of
the de-
tectives.

2. The detectives are more especially entrusted with the prevention of crimes and with the investigation and arrest of criminals, but, if need be, they may be assigned the same duties as other police officers by the Attorney-General.

Police
officers have
same powers
as peace
officers.

"3622. The police officers are constables or peace officers for the whole Province and have all the powers, attributions and privileges, with which constables or peace officers are endowed by the written law as by the common law. They likewise possess the same powers, attributions and privileges as the constables of the cities, towns and other municipalities, in which they perform their duties.

Oath of
office.

"3623. No person shall perform the duties of any office in the police force until he shall have taken the following oath of office:

"I, A. B., solemnly swear that I will faithfully, diligently and impartially perform the duties of
in the police force of the Province of Quebec, and
will well and truly obey all lawful orders or instructions
which I shall receive as such , without
fear, favour or affection. So help me God."

Before
whom taken

"3624. Such oath shall be taken before the clerk of the peace of the district of Quebec or of the district of Montreal, as the case may be.

By whom
subscribed.

It shall be subscribed by the person taking the same and shall be kept by the clerk of the peace, who has administered it, to form part of the records of his office; and such clerk shall deliver to the person taking the oath a certificate of his having so taken the same.

Engage-
ment.

"3625. Every police officer, shall, on being appointed, sign the engagement prescribed by the regulations.

Conditions
of said
engagement.

It shall always be a condition of the said engagement that such police officer shall not leave the force, or withdraw from his duties, unless he shall be dismissed or discharged therefrom, or shall have previously given at least thirty days' notice in writing to the Attorney-General.

"3626. No police officer need, on taking any other office in the police force, sign a new engagement, the engagement first signed continuing to apply.

Engagement on taking another office.

Nevertheless, any person taking a new office or charge shall take the oath of office applicable to the same.

Proviso, as to oath.

"3627. No police officer shall serve as a juror or in any municipal office, or as a member of any municipal council, or shall vote at any election of a municipal councillor or municipal officer.

Police officer disqualified from serving in certain offices, etc.

"§ 3.—Headquarters

"3628. The headquarters of one section of the police force, as determined by the Attorney-General, shall be in the city of Montreal, in the building selected by him, and the headquarters of the other section shall be in the Legislative Buildings, or in any other building in the city of Quebec chosen by the Attorney-General.

Headquarters.

"§ 4.—Management of the Police Force

"3629. The police force shall be under the control of the Attorney-General.

Control of the Attorney-General.

"§ 5.—Rules concerning the Administration of the Police Force

"3630. The Lieutenant-Governor in Council may, from time to time, make rules and regulations, not inconsistent with this section, for the government and guidance of the police force.

Rules and regulations.

Such rules and regulations may allow of the imposition of penalties, consisting of dismissal, suspension, reduction, or loss of pay for a period not exceeding eight days, for each contravention.

Penalties.

Such regulations may also determine what officers shall have the power to impose such penalty.

By whom imposed.

"§ 6.—Interior Economy of the Police Force

"3631. The Attorney-General may, as far as practicable, reward merit and faithful service by promotion, and punish negligence or misconduct by fine, reduction, suspension or dismissal.

Promotions and punishments.

"3632. The chiefs and sub-chiefs of detectives cannot be dismissed except by the Lieutenant-Governor in Council.

Dismissal of chiefs, etc.

Suspension by the chief. **"3633.** Any detective, sergeant or constable may be suspended by the chief of detectives, until the matter is adjudicated upon by the Attorney-General.

When effective. Every such suspension shall take effect from the time it is made known, either orally or in writing, to the party suspended.

Handing over of arms, etc., in case of suspension. **"3634.** The chief and sub-chief of detectives, when so suspended or dismissed, shall forthwith hand over to the person indicated by the Attorney-General, and the detective, sergeant, or constable, suspended or dismissed, shall forthwith deliver up to any officer of the force, demanding the same, his arms and accoutrements, and all property used for police purposes.

Penalty. In case of his refusing or neglecting so to do, he shall be liable to a fine of fifty dollars, and costs, and upon his failure to pay such fine and costs, to imprisonment for two months.

Inquiries by the Attorney-General. **"3635.** Whenever the Attorney-General deems it advisable to cause to be made any inquiry into the conduct of any police officer, he may under his hand appoint some person to hold such inquiry, and for that purpose such person may examine any witness under oath or affirmation on any matter relative to such inquiry, and may administer such oath or affirmation.

Tavern keepers cannot receive police officers. **"3636.** No keeper of a tavern shall knowingly harbour or entertain any police officer, or permit him to remain in such tavern, except for the purpose of affording him the occasion for fulfilling the duty assigned to him.

Penalty. Every person convicted of any infraction of this article shall be liable to a fine not exceeding one hundred dollars and costs, and upon his failure to pay such fine and costs, to imprisonment for not more than three months.

"§ 7.—Management of the Property of the Police Force

Moveable property, by whom controlled. **"3637.** All moveable property, purchased or acquired for police purposes shall be the property of the Government of the Province of Quebec, and shall, subject to the instructions of the Attorney-General, be under the control of the chiefs of detectives.

Penalty for receiving arms, etc., belonging to police. **"3638.** Any person unlawfully disposing of, buying or selling, or having in his possession, without lawful cause, or refusing to deliver up, when thereunto lawfully required, any arms, accoutrements, uniform or other thing used for

police purposes, shall incur a fine of not more than one hundred dollars, and, on default of payment, imprisonment for not more than three months.

“§ 8.—*Security to be given for Moneys received by the Officers*

“**3639.** The police officers, who are to receive moneys for the purposes of this section, shall give security in the manner provided by law with regard to other public officers; and in case of any refusal or neglect to pay over or deliver, when thereunto lawfully required, such moneys and all books, papers, accounts and documents of or relating to his office, such officers shall be liable to the same penalties and process to which a revenue officer is liable in like case.

Account-ability of officers receiving money for police.

The chiefs of detectives shall keep their books and accounts in such form, and make such returns, at such times and with such vouchers, as the Attorney-General directs and requires, and such accounts are in all respects subject to audit in like manner as those of any other public accountant.

Books and accounts.

“§ 9 — *Pay and Expenses of the Police Force*

“**3640.** The Lieutenant-Governor in Council may fix the pay of the police officers.

Salaries.

“**3641.** All moneys required for the pay, uniforms and equipment of police officers, the rent and maintenance of headquarters, the officers' travelling expenses incurred in the discharge of their duties, the contingent expenses of headquarters, the payment of such things and services as are absolutely necessary for the full performance of police duties, and the advance moneys required for such purposes, shall be paid by warrants from the Lieutenant-Governor out of the consolidated revenue fund on an account or requisition approved by the Attorney-General.

Expenses, how paid.

The moneys required to defray all the other expenses authorized by this section shall be provided in like manner.

Idem.

“**3642.** The Lieutenant-Governor in Council may authorize the payment, to any police officer appointed under article 3617, of the whole or part of the pay he was receiving, if such officer become unable to fulfill his duties because of wounds received or illness contracted in the performance of such duties.

Provision for disabled men.

“**3643.** The chiefs of detectives or such persons as they

Fees pay-

able for
certain
services.

may appoint, may receive the fees and emoluments for the performance of any duty performed by any police officer, payable by any party thereto obliged by law, which shall be remitted to the Provincial Treasurer to form part of the consolidated revenue fund of the Province.

Accounting.

"3644. The Provincial Treasurer shall keep a separate account of all moneys received and expended under this section, and a detailed statement thereof shall be laid before the Legislature at each session thereof.

"§ 10.—Provisions in Cases of Urgency

Police force
may be sent
to quell dis-
turbances.

"3645. In order that a sufficient force may be at all times obtainable to prevent or quell any riot or serious disturbance of the peace in any place, the Attorney-General, may, at any time, order such of the police officers as he may deem necessary, to proceed to any place in this Province where such riot or disturbance may exist or be apprehended, whether or not there be a police force at such place.

Additional
officers in
certain
cases.

"3646. In the cases referred to in article 3647, the Attorney-General may appoint, in addition to any number appointed under any other provision of this section, the number of police officers he deems necessary.

Their
powers.

Such officers shall, after taking the oath of office, have the same powers, attributions and privileges as other police officers appointed under this section and shall remain in office for the time determined by the Attorney-General.

Police force
may be sent
to any mu-
nicipality on
certain con-
ditions.

"3647. On the application of any municipal council, the Attorney-General may, if the council applying undertakes to defray the expenses incurred and the pay of the additional police officers required, if any, send into the municipality under the control of such council the number of police officers he deems necessary.

Police may
be sent to
maintain
the peace in
any locality.

"3648. The Attorney-General may, whenever he thinks necessary, send into any locality the number of police officers he deems requisite to ensure the maintenance of the peace and the prevention of crime and to search for offenders.

Protection
of railways,
etc., by the
police force.

"3649. If the directors of any company then constructing any railway or other important work, apply in writing to have police officers stationed near such railway or work,

and make satisfactory provision for the payment of the necessary expenses occasioned by the sending of such officers, the Lieutenant-Governor in Council may, in his discretion and subject to the conditions he imposes, authorise the Attorney-General to appoint the number of police officers required, who shall thereupon be stationed at such places and in such manner as the latter shall direct.

"3650. Nothing in this section shall prevent the ap- Section not
pointment of special constables in any case in which they to prevent
may by law be appointed; but, whenever such special appoint-
constables are appointed in any place, in which there are ment of
or to which have been sent officers of the Provincial police special
force, if one of the chiefs or sub-chiefs of detectives or constables.
any sergeant of such police is present, such special con-
stables shall act under and obey the orders of such officer
or sergeant, and assist the Provincial police force in the
execution of their duties.

"§ 11.—*Special Provisions*

"I.—POLICE FURNISHED BY MUNICIPALITIES

"3651. Any municipality in which a police force is Certain mu-
maintained, otherwise than under the provisions of this nicipalities
section, shall, whenever required so to do by the Lieutenant- to furnish
Governor in Council, place a certain number, not exceeding police for
thirty, of the men of such force, under the control of the courts.
sheriff of the district, during each term of the Court of
King's Bench, Crown side, held in such district, and each
term of general sessions of the peace held therein, and
during eight days before, and eight days after, each such
term.

"3652. Such men shall:

1. Attend upon the court and execute all warrants and Duties of
perform all the duties and services in relation thereto which such men:
may lawfully be performed by constables; To attend
court, etc.;
2. Perform all duties which may lawfully be performed To perform
by constables in relation to the escort and conveyance all duties of
of convicts and other prisoners or lunatics, to or from gaols, constables.
courts, or lunatic asylums and other places.

"3653. If a municipality refuses or neglects to com- How sheriff
ply with the provisions of article 3651, the sheriff may shall act if
employ and pay such other men as may be required, and such men
recover the expenses so incurred by him from such municipi- not fur-
pality, by action before any court of competent jurisdic- nished.
tion.

Levying of
the sums.

In default of payment within fifteen days after the judgment, he shall proceed to levy the same in accordance with the provisions of article 3660.

“II.—PAYMENT BY MUNICIPALITIES

Municipal-
ity to which
police
officers are
sent to pay
amount
required.

“**3654.** Each municipality, into which any police officers are sent at the request of its council, shall pay, without delay, to the Provincial Treasurer, the amount representing the expenses incurred and the pay of the additional police officers, whenever any have been appointed.

“§ 12.—*Suits and Prosecutions*

Limitation
of actions.

“**3655.** Every action or prosecution against any police officer, for anything done by him as such, shall be brought in the district where the act complained of was done, and shall not be commenced after six months from the doing of such act, or until one month's notice in writing of the action and of the cause thereof shall have been given to the defendant.

Notice of
action.

Plea and
proof.

In any such action the defendant may plead the general issue and give the special matter in evidence at the trial.

Prosecution
before two
justices of
the peace,
etc.

“**3656.** All prosecutions for penalties imposed under the authority of this section, are, save in cases otherwise provided for, brought before two justices of the peace, a judge of the sessions, a police magistrate, a district magistrate, or any other officer having the powers of two justices of the peace, under the provisions of the Quebec Summary Convictions Act.

Fines form
part of con-
solidated re-
venue fund.

“**3657.** All fines recovered under article 3656 shall form part of the consolidated revenue fund.

Evidence of
appoint-
ment of
police
officer.

“**3658.** Common reputation is held to be sufficient evidence of the due appointment of any police officer, and of his right to act as such, without producing any appointment or other matter in proof of such right.

Municipal
councils may
levy sums
required.

“**3659.** Every municipal council shall have power to raise and levy all sums which the municipality must pay under this section.

How sums
to be paid
shall be re-
coverable.

“**3660.** The sums to be paid to the Provincial Treasurer under the provisions of this section, shall be recovered in His Majesty's name, before any competent court, upon

the certificate of the Attorney-General, and when paid or recovered, shall form part of the consolidated revenue fund."

2. The members of the Provincial police force and the Provincial detectives, now in function, shall continue to perform their duties, without new appointment, until they are replaced, under the provisions of this act. Present members of the police force, etc.

3. This act shall come into force on the day of its sanction. Coming into force.

C H A P. 70

An Act respecting the recovery of costs incurred and occasioned by the placing of certain children in the reformatory schools

[Assented to, the 8th of March, 1922]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Article 3696 of the Revised Statutes, 1909, is amended R. S., 3696, by inserting therein, after paragraph 9 thereof, the following paragraphs: am.

"Any law to the contrary notwithstanding, such municipality may obtain repayment by execution on the immoveables of the child, or of those who are obliged by law to support or provide for him, whatever may be the amount of the judgment it has obtained, or the municipality may, when the child was not domiciled within its territory at the time of his entry into the reformatory school, exercise its recourse for repayment against the municipality in which the confined child then had his domicile; but such recourse by any municipality is prescribed after three years from the date of the payment to the Government. Recourse by municipality. Prescription.

"10. Any county municipality which has paid a sum of money to the Government for the custody or maintenance of a child in a reformatory school or for his transport to or from such school may, instead of being reimbursed in the manner prescribed by paragraph 9, recover the sum, which it has so paid, from the local municipality whence the patient was sent to the reformatory school. Recourse by county municipality.

The local municipality may afterwards be reimbursed, in conformity with the rules prescribed by paragraph 9, the amount which it has so paid to the county municipality. Local municipality may be reimbursed.