

No.

PROVINCE OF QUEBEC.

SECRETARY'S OFFICE.

Quebec, March 10 1898

Sir,

I have the honor to inform you, by command of the Lieutenant-Governor, that an Instrument has been transmitted in the Clerk of the Peace for the District of *Montreal* appointing you a Justice of the Peace for that District.

It is incumbent on you, before acting, to take the Oath of Allegiance and the Magistrate's Oath before a Commissioner *per Dedimus Potestatem*, and also the Oath of Qualification prescribed by the Consolidated Statutes of Canada, Chapter 100, and by the 29 Victoria Chapter 12, Section 1, either before any other Justice of the Peace, or before any person assigned by the Governor General, or by the Lieutenant-Governor, to administer Oaths and declarations, or before the Clerk of the Peace of the District for which you intend to act; you will obtain a certificate from the Commissioner and Magistrate before whom you take the Oath, and transmit the same to the Clerk of the Peace for your District, who will report the fact of your having done so to this Department. On receipt of this Report, the Provincial Statutes, passed since your qualification, together with other Documents, relating to the duties of Magistrates, will be sent you.

I have particularly to request that if at any time you should desire to retire from the duties of the Magistracy, you will signify the same to this Department, as also any change in your place of residence.

You will further bear in mind, should you dispose of the property upon which you had qualified, that it would be necessary for you to re-qualify upon some other property.

Whenever you bind over Witnesses to appear before a Court of Justice, you will explain to them that their recognizance will be forfeited on their default so to appear and that no summons or new process will be served. When the case is not to proceed at the term next ensuing, they will be notified to that effect by the Clerk of the Peace or Clerk of the Crown, as the case may be.

I beg to call your attention, for the information of the Clerk of the Magistrates Court, to the schedule or duties imposed, by Order in Council, of 30th November, 1861, on the proceedings at the sittings of the Justices of the Peace and others, printed on the next page. The several amounts of duties so collected shall be accounted for by the persons collecting the same to the Sheriff of the District quarterly, viz: on the first day of the months of January, April, July and October, and shall form part of the Building and Jury Fund of that District.

It is of much importance that Judicial Authorities and Officers should conform themselves strictly to the said Order in Council of the 30th November, as every proceeding or thing done before the payment of the Duties in question, or up to the time when such payment has been made, is declared to be of no legal effect.

Your attention is also drawn to the Provincial Act 33 Victoria Chapter 15, Section 4, which authorizes the payment by the Crown of the costs of arrest, only in cases of felony. (See hereinafter).

I have the honor to be,
Sir,
Your obedient Servant,

Jos. Boivin
Assistant-Secretary of the Province.

Alfred F. Dawson Esq
Par. Lachue Que

DUTIES imposed by Order in Council of the 30th November, 1861, under the authority of the 32nd Section of the Chap. 109 of the Consolidated Statutes for Lower Canada.

On every Summons or Warrant, in any case not amounting to felony, issued by any Justice or Justices of the Peace, at any place other than the <i>Chef-lieu</i> of a District, Ten Cents.....	\$0 10
On every Conviction or Judgment in, or Dismissal, or final Disposal of any case not amounting to felony, before the <i>Judge of the Sessions of the Peace</i> , or any Justice or Justices of the Peace at the <i>City of Quebec</i> , One Dollar.....	1 00
On every Conviction or Judgment in, or Dismissal, or final Disposal of any case not amounting to felony, before the <i>Judge of the Sessions of the Peace</i> , or in any Justice or Justices of the Peace at the <i>City of Montreal</i> or before the <i>Sheriff</i> or any Justice or Justices of the Peace at the <i>Chef-lieu</i> of any District, except Quebec and Montreal, Fifty Cents.....	0 50

EXECUTIVE COUNCIL CHAMBER.

Quebec, 26th December, 1870.

PRESENT :

THE LIEUTENANT-GOVERNOR OF THE PROVINCE.

Pursuant to the provisions of the Acts, 33rd Vict. Chap. 11, and 33rd Vict. Chap. 15, it is ordered by the Lieutenant-Governor in Council, that the fees mentioned in the following tariff may and shall be levied and Collected by the High Constables, bailiffs and constables, for their services, as well before the Justices of the Peace, in the Court of Queen's Bench in the exercise of its original jurisdiction, in the Court of General Quarter Sessions of the Peace, as before the district magistrates, to wit :

1. For every arrest of prisoner.....	\$1 00
2. " <i>recors</i> in localities where there is no police, and where an assistant is required.....	0 75
3. " service of subpoena, notice, &c.....	0 30
4. " " complaint, summons.....	0 30
5. " execution of the bench warrant.....	1 00
6. " guarding and keeping of a prisoner during investigation in places where there is no prison, per day or per night.....	1 00
7. " execution of search warrant when goods are found.....	1 50
8. " execution of a search warrant when goods are not found.....	1 00
9. For an assistant in places where there are no police, and when an assistant is required.....	0 75
10. For every execution of a writ of distress, including return of no goods.....	1 00
11. For every seizure.....	1 00
12. " sale.....	1 50
13. For a <i>recors</i>	0 75
14. For every return of rebellion a justice.....	1 00
15. " copy of <i>procès-verbal</i> of seizure, to the part seized.....	0 25
16. For the distance travelled by the High Constable or Constable, per mille.....	0 20
17. For the distance travelled by the <i>recors</i> or assistant, per mille.....	0 10
18. Actual outlay for prisoners' food and lodgings.....	
19. Actual outlay for ferries and bridges.....	

20. When they are more than one prisoner to be conveyed, there is allowed for his conveyance from the place of arrest to the gaol, or before the Justice of the Peace, or district magistrate, per mile..... \$0 10
21. In the districts of Quebec, Montreal and Three-Rivers, for the conveyance of each prisoner from the gaol to the Court House, and *vice versa*..... 0 50

The High Constable, bailiff or constable serving several orders or subpoenas for the Crown, for the same plaintiff or complainant, at the same time and upon the same road, is entitled to payment for only one trip.

Certified Extract.

FELIX FORTIER,
Clerk Ex. Council.

P. S.—There is a special tariff for cases under the Quebec license act.

ABSTRACT OF THE ACT 33RD VICTORIA CHAPTER 15TH.

4. In the case of felony, any justice of the peace who has ordered the arrest of a person accused, or any justice of the peace for the territorial division, wherein, according to the warrant, the offence has been committed, after having received the certificate of the gaoler establishing that the accused has been committed to gaol, and after having established, according to the tariff in force, the sum which should be paid to the high constable, or to the constable, or other person for having arrested the accused and conveyed him to prison, may address to the Sheriff of the territorial division in which it is alleged that the offence was committed an order in conformity with the following Schedule, commanding such Sheriff to pay to the said high constable, or constable, or other person, the sum so established ; and on production of such order, the Sheriff shall pay the amount thereof.

SCHEDULE.

To (name of the Sheriff.)
Sheriff of the district of

Whereas A.B., (name of the high constable or constable) hath laid before me, of the justices of the peace for the district of _____, the certificate hereunto annexed of C.D., gaoler of the common gaol of the district of _____ and whereas, I have ascertained that, according to the tariff now in force, the said A.B., is entitled to the sum of _____ for having arrested and conveyed E.F., name of the accused) to the said prison ; these presents are therefore to command you as Sheriff of the said district of _____ to pay to the said A.B., the said sum of _____

And for making the said payment this shall be your sufficient warrant.

L. M.
L. P.

