

T A S M A N I A.

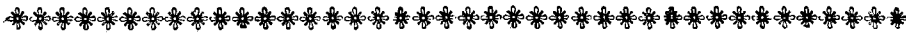


1861.

ANNO VICESIMO-QUINTO

VICTORIÆ REGINÆ,

No. 9.



AN ACT to amend *The Municipal Police Act.*
[30 November, 1861.]

WHEREAS it is expedient to amend *The Municipal Police Act*: PREAMBLE.
Be it therefore enacted by His Excellency the Governor of *Tasmania*, by 21 Vict., No. 13.
and with the advice and consent of the Legislative Council and House of
Assembly, in Parliament assembled, as follows:—

1 Any person in the custody of the Police by virtue of any Warrant, and who, for the purpose of carrying such Warrant into execution, is forwarded to any Police or Escort Station in any Rural Municipality, shall be received therein, and shall be escorted by the Police of such Municipality, either to the destination of such person as indicated by such Warrant, if the same is within such Municipality, or, if beyond the boundaries of such Municipality, then to the next Police or Escort Station in any adjoining Municipality or District on the way towards such destination, and so on from station to station till such person is transmitted to the destination so indicated by such Warrant. Prisoners to be escorted through each Municipality by the Police of such Municipality

2 If any Constable or other person having the charge of any such Police or Escort Station, neglects or refuses to receive therein any person forwarded to such Station, in accordance with the provisions of this Act, every such Constable or person shall, for every such offence, forfeit and pay a sum not less than Five Pounds nor more than Twenty Pounds, which may be recovered summarily before any Two or more Justices of the Peace, in the mode prescribed by *The Magistrates Summary Procedure Act.* Penalty for not receiving prisoner at Escort Station. 19 Vict., No. 8.

No charge for
escort of Prisoners

3 No charge, except for the maintenance of any person being so escorted, shall be made by any Rural Municipality performing such Escort duty upon the Rural Municipality for which such Escort duty was performed: Provided, that no such charge shall be made by or against the general Government for the performance of any such duty.

Municipalities to
maintain Escort
Stations.

4 The Municipal Council of every Rural Municipality shall establish, maintain, and keep up, within such Municipality, a sufficient number of Police and Escort Stations, for the purpose of providing for the Escort and transmission of persons in the custody of the Police through such Municipality, or to any place therein, and also for the maintenance of general Police communication throughout the Colony.

Municipalities in
certain cases to
contribute to
maintenance of
Escort Stations.

5 If, after the passing of this Act, any Police or Escort Station is established or maintained in any Rural Municipality within Five miles of the boundary between such Municipality and any adjoining Municipality, then, in case the Police arrangements of such adjoining Municipality would be inefficient for the purpose of escorting persons in custody of the Police unless such station was so maintained, the Municipal Council of such adjoining Municipality shall, from time to time, contribute and pay to the Treasurer of the Municipality maintaining such Station such annual sum as the said Municipal Councils of the said Municipalities agree upon, and in case such Municipalities do not agree thereon, then such sum as the Inspector of Police may from time to time fix: Provided, that such sum shall in no case exceed one-half the annual cost of maintaining such Station: Provided also, that the Inspector of Police shall decide whether the Police of such adjoining Municipality would be inefficient for the purpose of such Escort as aforesaid, if such Station was not maintained.

Mode of recover-
ing sums due for
contribution to
Escort Stations.

6 Whenever the Inspector of Police fixes the sum to be contributed by any Rural Municipality towards the expense of maintaining an Escort Station in any adjoining Municipality, the Inspector shall give a Certificate under his hand of the amount so fixed by him to the Warden of the Rural Municipality maintaining such Station; and in case the adjoining Rural Municipality fails to pay the amount so certified to be due, the same may be sued for and recovered in any Court of competent jurisdiction, and the production of such Certificate shall be conclusive proof of the said sum being so due.

Inspector to visit
Escort Stations
and to report
thereon.

7 In addition to the duties imposed on the Inspector of Police under the 36th Section of *The Municipal Police Act*, such Inspector shall, from time to time, visit and enquire into the number, sufficiency, and distribution of the Police and Escort Stations, and shall include such matters in any report he may make to the Governor under the said Section.

Municipality
compellable to
maintain Escort
Stations.

8 The Municipal Council of every Rural Municipality shall be compellable by the Supreme Court, by *Mandamus*, to maintain in a state of efficiency a sufficient number of Police or Escort Stations, in pursuance of the provisions of this Act, in the same manner as such Council is compellable to maintain a sufficient Police Force in such state of efficiency and sufficiency as is mentioned in the 37th Section of *The Municipal Police Act*.

Police to forward
Reports.

9 It shall be the duty of the Police in every Rural Municipality to forward from Station to Station all Reports of Crimes and Despatches which may be delivered at any such Station for the purpose of transmission.

Council may offer
rewards for
detection of crime.

10 It shall be lawful for the Municipal Council to offer and pay such rewards as it may see fit, out of the Police Fund, for the detection of any

crime committed within the jurisdiction of such Council, or for the apprehension of the offender; and such Council may decide how any reward so offered shall be distributed.

11 This Act, save and except the provisions contained in Section ten, Application of shall apply to all Rural Municipalities only, and not to the City of Act. *Hobart Town* or to the Town of *Launceston*.

12 This Act and *The Municipal Police Act* shall be read and construed as one and the same Act. Acts to be read together.

13 In referring to this Act it shall be sufficient to use the expression, Short Title. *The Municipal Police Act, No. 2.*

