

CHAP. 13.

**An Act to make provision for the Collection and
Registration of the Criminal Statistics of Canada.**

[Assented to 12th April, 1876.]

WHEREAS it is expedient to make provision by law for the collection and registration of the criminal statistics of Canada: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. The clerk, and where there is no clerk, the officer performing like duties, and where there is no such officer, the judge of every court administering criminal justice, and the warden of every penitentiary or reformatory, and the sheriff of every district, shall, before the end of October in each year, fill up and transmit to the Minister of Agriculture, or in case this branch of the subject of statistics and the registration thereof be, by the Governor in Council, assigned to any other Minister then to such other *Minister*, such schedules for the year ending the thirtieth day of September preceding, relative, in the case of the clerk, officer or judge to the criminal business transacted in the court, and in the cases of the warden or sheriff to the prisoners committed to his penitentiary, reformatory or gaol as he shall receive from time to time from the said Minister.

2. Every officer required by the "*Act respecting the duties of Justices of the Peace out of sessions, in relation to summary convictions and orders*" (being thirty-second and thirty-third Victoria, chapter thirty-one) to transmit to the Minister of Finance true copies of returns made by Justices of the Peace under the said Act, shall, before the end of October in each year, transmit to the Minister of Agriculture, or such other Minister as aforesaid, true copies of all such returns for the year ending the thirtieth day of September preceding, instead of transmitting the same at the times required by the eighty-first section of the said Act.

3. It shall be the duty of every person required under the first section hereof to transmit any schedules, to make from day to day and to keep entries and records of the particulars to be comprised in such schedules.

4. The Minister of Agriculture, or such other Minister as aforesaid, shall cause to be paid out of any moneys which may be provided by Parliament for that purpose, to any clerk, officer, warden of a reformatory or sheriff, filling up and transmitting the schedules required under the first section of this Act, the sum of one dollar, and the further sum of five cents for each case comprised in such schedules; and to any officer transmitting the returns required under the second section of this Act the sum of one dollar: Provided that

(1.) Whenever in any Province a system of collecting statistics relative to the prisoners, committed to the provincial gaols or reformatories is established, the Governor in Council may arrange with the Government of such Province for the collection and transmission through such Government of any part of the information to be embraced in the schedules authorized under this Act; and that

(2.) In case of such arrangements, the Minister of Agriculture, or such other Minister, as aforesaid, may cause to be paid out of any moneys which may be provided by Parliament for that purpose, to the Government of such Province instead of to the sheriffs or wardens, such sum as may be agreed on, not exceeding the amounts which would otherwise be payable for like services, to the sheriffs or wardens.

5. Any person neglecting or refusing to fill up and transmit any schedule, or transmit any return required under the first or second section hereof, or wilfully making a false, partial or incorrect schedule or return under either of the said sections, shall forfeit and pay the sum of eighty dollars together with full costs of suit, to be recovered by any person suing for the same by action of debt or information, in any court of record in the Province in which such return ought to have been made or is made, or in the Exchequer Court of Canada, --- one moiety whereof shall be paid to the party suing, and the other moiety into the hands of Her Majesty's Receiver General, to and for the public uses of Canada.

6. The Secretary of State shall, before the end of October in each year, cause to be filled up and transmitted to the Minister of Agriculture, or such other Minister as aforesaid, such schedules for the year ending the thirtieth day of September preceding, relative to the cases in which the prerogative of mercy has been exercised, as he shall, from time to time, receive from the Minister of Agriculture, or such other Minister as aforesaid.

7. All schedules transmitted under this Act shall be according to forms from time to time approved by the Governor in Council, and published in the *Canada Gazette*.

8. The statistics collected by the Minister of Agriculture, or such other Minister as aforesaid, under this Act shall be abstracted and registered, and the results thereof shall be printed and published in an annual report.

9. The word "Judge" in the first section of this Act includes any Recorder, District, Stipendiary, or other Magistrate, or other functionary presiding over any court or tribunal, administering criminal justice.