



BY AUTHORITY.

ANNO DECIMO TERTIO VICTORIÆ REGINÆ.

CAP. L.

An Act to consolidate and amend the Laws relating to the Office of Sheriff.

Passed 26th April 1850.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty William the Fourth, intituled *An Act for the better regulating of the Office of Sheriff in this Province*; also an Act made and passed in the first year of the Reign of Her Majesty Queen Victoria, intituled *An Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads*; also an Act made and passed in the third year of the said last mentioned Reign, intituled *An Act to amend the Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads*; also an Act made and passed in the ninth year of the said last mentioned Reign, intituled *An Act in amendment of the Law relating to the appointment of Sheriffs*; be and the same are hereby repealed: Provided, that the appointment of Sheriffs or Deputy Sheriffs heretofore make, and all bonds heretofore given, and all judgments heretofore recovered, and all other acts, matters and things heretofore done, and all liabilities heretofore incurred under and by virtue of any of the said Acts hereby repealed, shall continue and remain in full force and effect so far as the same are in accordance with the provisions of the said Acts hereby repealed, or any of them, notwithstanding the repeal of the said Acts.

Repeal of
6 W 4, c 1,

1 V c 15,

3 V c 71,

9 V c 26,

Reservations:
Appointments,
Bonds.
Judgments,
Liabilities.

II. And by it enacted, That the Sheriffs of the several Counties in this Province, save and except the Sheriff of the City and County of Saint John, shall be appointed annually by the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, in the month of March in each and every year; provided that nothing in this Act contained shall prevent the appointment of any such Sheriff at any other time when the same may become necessary in consequence of the death or removal from office of any Sheriff.

Appointment of
Sheriffs, save for the
City and County
of Saint John, to
be made annually
in March.Proviso for death or
removal.

III. And be it enacted, That every Sheriff appointed or to be appointed, shall remain in office until another shall be appointed and sworn in his stead; and every such Sheriff, in addition to the Bond (A) required to be given to Her Majesty, shall give a bond (B) with two good and sufficient sureties in the sum of five hundred pounds to the Lieutenant Governor or Administrator of the Government for the time being, to answer for any moneys or damages that may be recovered against the said Sheriff, or by reason of any Act, misdoing or neglect of such Sheriff or any of his Deputies, in the discharge of the duties of his office for the year or portion of a year for which he may be so appointed, and a new bond (B) shall be annually given by every Sheriff, although such Sheriff shall be re-appointed and continued in office; and every such Sheriff shall forthwith after his appointment lodge such bond (B) in the office of the Secretary of the Province, to be by him laid before the Lieutenant Governor or Administrator of the Government for the time being, for his approval of the sureties therein named, and the bond shall not be deemed to be perfected until such approval shall be given and endorsed thereon; and in case of the failure of any Sheriff to give such bond with sureties that shall be so approved of, for the space of one month after his being appointed, another person shall be appointed in his stead for the then current year, to end on and at the same day in March then next ensuing as the appointments of the other Sheriffs, and every such bond when so perfected shall be transmitted by the Secretary of the Province to the office of the Clerk of the Pleas of the Supreme Court, and shall be filed by him and remain on file with the records of the said Court.

Sheriffs to remain
in office till others
appointed and
sworn.To give Bonds
annually with
sureties, in addition
to the Bond to
the Queen.Bonds to be lodged
in the Secretary's
office for the
approval of the
Lieutenant Gover-
nor.To be sent to the
Clerk of the Pleas
when perfected.

IV. And be it enacted, That if any person shall recover a judgment against any Sheriff in any Court of Record in this Province, for any moneys due to or damages sustained by him or them for or by reason of any act, doing, misdoing or neglect of such Sheriff, or any of his Deputies, in the discharge of the duties of his office, during the year or portion of a year for which any such bond may be given

On a return of
nulla bona on a writ
of fieri facias
against a Sheriff,
Bond may be
put in suit.