

## LAWS OF PRINCE EDWARD ISLAND.



**An Act to amend the Laws relating to the office of Sheriff, and to repeal a certain Act and parts of an Act therein mentioned.**

[Passed April 19, 1869.]

**B**E it enacted by the Administrator of the Government, Council and Assembly, as follows:—

I. The second, third, and seventh Sections of the Act of the eighteenth Victoria, Chapter seven, intituled “An Act to consolidate and amend the laws now in force, relating to the office of Sheriff, in this Island;” and the Act of the twenty-third Victoria, Chapter forty-one, intituled “An Act to amend an Act made and passed in the eighteenth year of the reign of Her present Majesty Queen Victoria, intituled “An Act to consolidate and amend the laws now in force, relating to the office of Sheriff, in this Island,” be and the same are hereby respectively repealed.

II. From and after the passing of this Act, the Chief Justice and Assistant Justice, and if a third Justice be hereafter appointed, the Chief Justice and Assistant Justices of the Supreme Court of this Island, or in the event of the absence or incapacity of the Chief Justice, or in the event of his being at the time, Administrator of the Government of the Island, the Assistant Justice, or if there be more than one Assistant Justice, the Assistant Justices of the said Court, shall, once in every year, that is to say, on the third Monday in April, annually, nominate, in writing, three fit and proper persons, in each County, in this Island, to be made Sheriffs of the several Counties thereof, a copy of which nomination being signed by the Justice or Justices so nominating as aforesaid, shall immediately thereupon be presented by the said Justice or Justices so signing the same as aforesaid, to the Lieutenant Governor, or other the Administrator of the Government, for the time being, who is hereby empowered immediately to prick one Sheriff out of the said number, for each of the several Counties of this Island, to serve as Sheriffs for the ensuing year, each residing within the County for which he shall be appointed Sheriff, and who, upon giving security by Bond, as hereinafter mentioned, and taking the usual oaths of office, shall receive their commissions, and be invested

with all the powers, privileges, and authorities of High Sheriffs, in each of their respective Counties.

III. Any person nominated and appointed under this or any other Act, to the office of Sheriff, after eight days' notice of such his appointment, refusing to accept the same, shall be liable to a penalty of twenty pounds.

IV. Any member of the Legislature, if appointed, may refuse to accept the office of Sheriff without being liable to any penalty; provided that such member of the Legislature shall, within eight days after receiving notice of his appointment, signify to the Lieutenant Governor, or other the Administrator of the Government, for the time being, his refusal to serve in the said office of Sheriff.

V. Upon each and every such refusal, another list of proper and fit persons to serve the office of Sheriff, as aforesaid, shall be made by the Justice or Justices, as above mentioned, and the same shall be by him or them delivered, as aforesaid, to the Lieutenant Governor, or other the Administrator of the Government, as aforesaid, who is hereby empowered to prick one nominated person thereout, who, upon refusal, after having received notice, as aforesaid, shall be liable to the said fine, and so to continue by new returns and appointments, until a person shall be nominated and appointed who will consent to receive, and actually serve the office of Sheriff, respectively, for each of the said Counties.

VI. Every Sheriff shall remain in office until another be appointed and serve in his stead.

VII. If the Sheriff of any County die whilst in office, another Sheriff shall immediately be appointed in his stead for the remainder of the year, in the manner as hereinbefore directed, who shall give the same security, and be liable to the same penalties and provisions as other Sheriffs appointed under this Act; but the Deputy of the deceased Sheriff shall continue in office, and the sureties of the Sheriff so dying, shall be liable for such Deputy until such new appointment be made.

VIII. Every Sheriff shall, before taking the usual oaths of office, deposit in the Colonial Secretary's office, a bond for the due discharge of the duties of office, to be made to Her Majesty Herself, in one thousand pounds, with two sureties, each in five hundred pounds, each of which sureties shall justify on oath for their respective amounts, before one of the Judges