



## LAW OF PRINCE EDWARD ISLAND.

An Act to revise, continue and amend the Act relating to the Limits and Rules of Jails in this Island.

[Passed May 17, 1867.]

WHEREAS the Act of the Twelfth Victoria, Chapter one, intituled "An Act relating to the Limits and Rules of Jails in this Island," expired at the end of the last Session of the General Assembly, contrary to the expressed intention of the said General Assembly, in consequence whereof parties confined in Jail, under process of the Supreme Court of Judicature, obtained the limits of the several Jails in this Island, the Sheriffs of the respective Counties in the said Island not being aware that the said Act had expired: For remedy whereof, Be it enacted by the Lieutenant Governor, Council and Assembly, as follows:—

I. That the said recited Act of the Twelfth Victoria, Chapter one, intituled "An Act relating to the Limits and Rules of Jails in this Island," and every clause, matter and thing therein contained, shall be and the same is hereby revived from the last day of the last Session of the said General Assembly, and shall be and continue in force for the period hereinafter mentioned in all its force and effect, save and except as hereby amended, as if the said recited Act, and every clause, matter and thing therein contained had been re-enacted by this Act, and as if the same had never expired.

II. All Bonds entered into by any person or persons whomsoever, to any Sheriff of this Island, under or in supposed relation to the provisions of the said recited Act, either before or since the expiration of the same as aforesaid, shall be as good, valid and effectual, and as fully binding on the parties thereto, as if the said recited Act had never expired.

III. No action for an escape or any other suit or proceeding, whether brought or commenced before or after the passing of this Act, shall be maintained or maintainable in any Court in this Island, against any person now being or heretofore having been Sheriff for any County in this Island, for or by reason of such Sheriff having, before or since the expiration of

the said recited Act, permitted any person or persons whomsoever confined as in the said recited Act mentioned to have his liberty, within the Limits and Rule of the several Jails in manner or form, and according to the regulations in the said recited Act mentioned and described: Provided always, nevertheless, that such Sheriff, and the person or persons so obtaining such limits, and his or their sureties, have complied with the provisions of the said recited Act.

IV. In case any action shall be commenced against any person now holding or having heretofore held the Office of Sheriff in this Island, for any thing done by him as if in pursuance, and according to the true intent and meaning of the said recited Act, since the expiration thereof, he may plead the general issue, and give this Act and the matter necessary to his defence in evidence under that plea.

V. And whereas doubts have arisen as to the true construction of the condition of the Bond directed to be given by the said recited and hereby revived Act, and it is expedient that such doubts should be removed: Be it, therefore, further enacted by the Lieutenant Governor, Council and Assembly, as follows:— When any person who has already entered into, or shall hereafter enter into any Bond or Bonds, as in the said recited and hereby revived Act mentioned and prescribed, shall at any time, or for any space of time, go or be at large or escape from the boundaries in the said recited Act set forth and described as the Jail Limits, for any or either of the several County Jails in this Island, no plea or evidence of a return within such limits before or after action brought, shall be admitted as a defence to any such action against himself and sureties, or any or either of them, on the said Bond, it being the intention of this Act that in any case, where a defendant, who shall have given Bond as prescribed by the said recited Act as aforesaid, shall afterwards go beyond the limits referred to in such Bond, for any space of time, or for any distance whatsoever, such defendant, as well as his sureties, shall be liable absolutely for a breach of the said Bond, anything in the said recited and hereby revived Act to the contrary notwithstanding.

VI. The above recited Act of the Twelfth Victoria, Chapter one, as amended by this Act,