L. S.

BRITISH COLUMBIA.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

****

NO. 4.

An Ordinance to assimilate the Law relating to Sheriffs.

[*5th March*, 1867.]

WHEREAS it is expedient to assimilate the Law relating to Sheriffs in all parts of British Columbia; Preamble.

Be it enacted by the Governor of British Columbia, with the advice and consent of the Legislative Council thereof, as follows:

I. "The Sheriffs' Act, 1860," is hereby repealed. Repeal of Sheriffs' Act, 1860.

II. Whenever any Court of lawful jurisdiction in British Columbia shall order or require to be done any act, matter, or thing, which ought by Law to be done by the High Sheriff of British Columbia, or by some person acting under his authority, and no such Sheriff or person shall be present in readiness to do such act, matter, or thing, it shall be lawful for the Judge of the said Court, by writing under his hand, to appoint such person as he shall think fit to act as Sheriff, taking from the person so appointed such securities for the due performance of his duties as the said Judge shall think proper, and every such appointment shall endure and be in force for the space of One Calendar month and no longer, unless renewed by the said Judge or by some competent authority; and it is hereby declared that it shall be lawful for the said Judge to renew such appointments as he shall deem necessary; and every such appointment and re-appointment, and all things which shall be done under the same, shall, with all convenient speed be made known by the said Judge to the Governor for the time being of the said Colony. Provided, always, that no act or neglect on the part of a person appointed to act as Sheriff under the provisions hereof shall affect the High Sheriff of British Columbia with any personal liability. Court may appoint Sheriff temporarily.

III. All acts hitherto done, or hereafter to be done as a Justice of the Peace, by any person who while a High Sheriff of British Columbia, had or may have any authority or jurisdiction as a Justice of the Peace or Stipendiary Magistrate in the same Colony shall be and be deemed to have been well and lawfully done. Sheriff may act as J. P.

IV. The Office of High Sheriff shall be tenable during the pleasure of the Governor of the said Colony; and it shall be lawful for every High Sheriff, and also for every person holding any appointment to act as for or under a High Sheriff, to continue until supersession or resignation to hold such office or appointment, and to do and exercise all acts and authority which ought to be done or exercised by a Sheriff or Deputy Sheriff. Continuance of Office.

V. It shall be lawful for the Governor of the Colony before the appointment of any such person to act as High Sheriff aforesaid, to require the person so appointed to give good and sufficient security for the due performance of his duties as such High Sheriff, and such security Governor may require security for discharge of duty by High Sheriff.

security shall be in the nature of a Bond in the usual form, for such amount as may by the Governor be decided upon, and signed by the person so to be appointed, and two or more sufficient sureties.

Saves rights of existing High Sheriff and Officers.

VI. Nothing in this Ordinance contained shall be held to invalidate the appointment of any High Sheriff, Deputy Sheriff, or Sheriff's Officer already made, or make any re-appointment to such Offices or any of them, necessary; but all acts, deeds, matters, and things, permitted or required to be done by any such High Sheriff, Deputy Sheriff, or Sheriff's Officer, shall, until any fresh appointment, be good and valid as if the said Act were not hereby repealed.

Short Title.

VII. This Ordinance may be cited for all purposes as the "Sheriffs' Ordinance, 1867."

Passed the Legislative Council the 10th day of February, A. D. 1867.

CHARLES GOOD, *Clerk.* ARTHUR N. BIRCH, *Presiding Member.*

Assented to, in Her Majesty's name, this 5th day of March, 1867.

FREDERICK SEYMOUR, *Governor.*

NEW WESTMINSTER:
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