

Laws of His Majesty's Province of Upper Canada, passed in the year 1822. York: R. C. Horne, 1822.

2 George IV – Chapter 9

An act to continue an Act passed in the forty-sixth year of His late Majesty's reign, entitled "An act to make provision for certain Sheriffs in this Province, and certain other Act of the Parliament of this Province" passed in the fifty seventh year of His late Majesty's Reign, entitled 'An Act further to continue an Act passed in the forty-sixth year of His Majesty's Reign, entitled, 'An Act to make provision for certain Sheriffs in this Province' and also to extend the provisions of the said Act" and to protect the interest of Suitors in certain cases. Passed 17th January 1822.

Whereas an Act passed in the forty-sixth year of the Reign of His late Majesty King George the Third, entitled "*An Act to make provision for certain Sheriffs in this Province*" and also a certain other Act passed in the fifty-seventh year of His said Majesty's Reign, entitled "*An Act further to continue an Act passed in the forty-sixth year of His Majesty's Reign, entitled 'An Act to make provision for certain Sheriffs in this Province,'*" and also to extend the provisions of the said Act, will shortly expire, and it is expedient to continue the same, Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "*An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'*" and by the authority of the same. That the said Act passed in the forty-sixth year of His late Majesty's Reign, and also the said Act passed in the fifty-seventh year of His late Majesty's Reign, shall be and the same is hereby continued.

II. And Whereas, it is expedient that suitors should be protected against any losses which may happen from such Sheriffs continuing in office when they are no longer possessed of substance sufficient to answer for any damages which may be occasioned by their defaults, Be it therefore enacted by the authority aforesaid, That from and after the passing of this Act, a Writ of Capias ad Satisfaciendum may issue upon any Judgement which has been or may hereafter be obtained against any person now holding or who may hereafter hold the Office of Sheriff in any District of this Province for any default in not paying over monies levied or collected by him in the execution of his said office without any Affidavit for that purpose, and that whenever it shall happen, that any Sheriff shall remain committed in Execution upon any such Writ or upon any attachment issued from His Majesty's Court of King's Bench in this Province, for default in payment of monies levied and collected by him beyond the period of three months, it shall upon being certified to the Governor or Person Administering the Government, by the next ensuing Court of Quarter Sessions of the said District, be deemed a forfeiture of his Office.

III. Provided always nevertheless, That nothing herein contained shall in any manner interfere with, or prevent recourse to any other remedy against such Sheriffs, and that the same shall remain as if this had never been passed.

IV. And be it further enacted by the authority aforesaid, That this Act shall continue and be in force four years and from thence to the end of the then next ensuing Session of Parliament.