

8. Before entering upon his duty, every sheriff shall subscribe the following oath :

Form of oath to be taken before entering upon duty.

"I, A B, do solemnly swear that I will truly serve the Queen in the office of sheriff for the county of \_\_\_\_\_, and promote Her Majesty's profit in all things which belong to my office as far as I legally can. I will truly, to the best of my skill and judgment, execute the laws and statutes of the province, and will in all things act uprightly in my office for the honor of the Queen, and the good of her subjects."

9. If any sheriff delay more than two months after his year of office expire, to render an account on oath to the Provincial Secretary of all forfeitures and debts of the Crown, levied by him with the name of parties paying, he shall forfeit twenty pounds to the use of the Crown.

Penalty for not rendering account of forfeiture, &c.

10. Any person injured by any act or omission of a sheriff, may sue on his bond in the name of the Queen, and be entitled to the proceeds with costs. The defendant shall be entitled to costs if judgment be given in his favor, but no action shall be brought upon the bond until judgment shall first have been recovered against the sheriff.

May be sued on bond.

Costs.

Proviso.

11. In an action brought against a sheriff, jailor, or other officer for an escape under an execution in a civil suit, the jury shall not be bound to find for the whole amount for which the prisoner was committed, but they shall find a verdict for the plaintiff for such sum only as they shall think right and proper under all the circumstances of the case, unless it shall appear on the trial that the escape was connived at, or the officer guilty of gross negligence, and in no case shall they find for more than the amount for which the prisoner was committed.

In action for escape jury not bound to find for whole amount of debt.

12. Sheriffs shall return all writs to them directed with the amount of their fees thereon endorsed, and the several items thereof specifically set forth, otherwise the same shall not be taxed or recoverable. Sheriffs shall indorse upon every writ returned by them an account of their doings thereon, and when and how executed, and the amount collected on all writs of execution.

Writs, how returned.

13. All actions against sheriffs must be brought within three years from the accruing thereof.

Limitation of actions.

14. Chapter 20 of the Revised Statutes, "Of Sheriffs," is repealed.

Cap. 20 rev. stat. repealed.

#### CHAP. 18, ACTS 1860.

*An Act in addition to the Acts concerning Sheriffs.*—[Passed the 12th of May, 1860.]

Be it enacted by the Governor, Council, and Assembly, as follows :

1. From and after the 1st day of June next, no sheriff or deputy sheriff shall hold a commission as Justice of the Peace ;

No Sheriff or Deputy to be