

1927

c 18 Sheriffs' Act

Ontario

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CHAPTER 18.

The Sheriffs' Act.

1. The Lieutenant-Governor in Council may, by a com- Appointment of sheriffs.
mission under the Great Seal, appoint a sheriff for each
county and district. R.S.O. 1914, c. 16, s. 2.

2.—(1) The Lieutenant-Governor in Council may, in like Separate Sheriffs for York and City of Toronto.
manner appoint one person to be Sheriff of the County of
York, and another to be Sheriff of the City of Toronto.

(2) Subject to the provisions of section 4 the Lieutenant- Lieutenant-Governor in Council may define duties.
Governor in Council may define what duties with reference
to Courts held jointly for the City and County, including
any duties to be performed under *The Jurors' Act*, shall be
performed by the Sheriffs of the City and County respec- Rev. Stat. c. 96.
tively.

(3) No act done by either of the said Sheriffs shall be held Act of one Sheriff when not to be invalid.
unlawful or invalid on the ground that the same should have
been done by the other. R.S.O. 1914, c. 16, s. 3.

3. The Sheriff of the County of York shall have no juris- Jurisdiction of Sheriff of York in City of Toronto.
diction within the City of Toronto, save as provided by this
Act. R.S.O. 1914, c. 16, s. 4.

4.—(1) The Sheriff of the County of York shall perform Division of duties, with reference to courts—duties of Sheriff of York.
the duties pertaining to the office of sheriff with reference to
the following courts held in the City of Toronto, that is to
say, the Election Courts, the non-jury sittings of the High
Court Division, the County Court of the County of York, the
Court of General Sessions of the Peace, and the County
Judges' Criminal Court.

(2) The Sheriff of the City of Toronto shall perform the Duties of Sheriff of Toronto.
duties pertaining to the office of sheriff with reference to the
Divisional Courts and to the jury sittings of the High Court
Division in Toronto. R.S.O. 1914, c. 16, s. 5.

5. The Sheriff of the County of York in respect of the Fees and allowance in respect of services connected with Courts.
courts assigned to him shall be entitled to all fees and allow-
ances payable to sheriffs in respect of services connected with
such courts, including the removal to the penitentiary of any
prisoners sentenced thereto by such courts; and the Sheriff
of the City of Toronto shall in like manner be entitled, in
respect of the courts assigned to him, to the like fees and
allowances for services connected with such courts. R.S.O.
1914, c. 16, s. 6.

Control of
gaol.

6. So long as there is but one gaol for the City of Toronto and the County of York, the Sheriff of the City of Toronto shall have control of the gaol. R.S.O. 1914, c. 16, s. 7.

Fees of Sheriff
of York in
respect of per-
sons commit-
ted to gaol.

7. The Sheriff of the County of York shall be entitled to the fees and allowances payable to sheriffs for services relating to prisoners and lunatics committed from the County of York outside the City of Toronto who may be confined in such gaol, or relating to any returns required to be made to the Inspector of Prisons and Public Charities in respect of any such prisoners or lunatics. R.S.O. 1914, c. 16, s. 8.

Fees of
Sheriff of
Toronto in
respect of per-
sons commit-
ted to gaol.

8. The Sheriff of the City of Toronto shall be entitled to the fees and allowances payable to sheriffs for services relating to the custody and control of the gaol, and of any city prisoners and lunatics confined therein, and relating to any returns required to be made in respect of such gaol, or of any city prisoners or lunatics confined therein. R.S.O. 1914, c. 16, s. 9.

Provisions as
to executions,
if further
territory
added to City
of Toronto.

9.—(1) When any part of the County of York is annexed to the City of Toronto, the Sheriff of the County of York shall forthwith transmit to the Sheriff of the City of Toronto a list of all writs of execution then in his hands not theretofore so transmitted, and shall in like manner transmit to the Sheriff of the City of Toronto notice of the renewal of any such writ and of any subsequent or supplemental writ in the same cause or matter.

Duty of
Sheriff of
Toronto.

(2) If the Sheriff of the City of Toronto, upon search being made in his office for executions against the property of any person, finds that there is no such execution, but that the name of such person is included in any list so transmitted to him by the Sheriff of the County of York, he shall, upon request and without charge give a certificate stating that fact and that there is no such execution in his office. R.S.O. 1914, c. 16, s. 10.

Oaths to be
taken on
appointment.

10. Every sheriff, before he enters upon the duties of his office, shall take and subscribe the oath of allegiance prescribed by *The Public Officers' Act*, and also the oath of office, Form 1, and shall not be required to take any other oath, except as hereinafter provided; and every such oath shall be filed in the office of the clerk of the peace. R.S.O. 1914, c. 16, s. 11.

Rev. Stat.
c. 17.

Security.

11.—(1) The Lieutenant-Governor in Council may fix and determine the amount of the security to be furnished on behalf of every sheriff, but such amount shall not in any case be less than \$3,000.

(2) The security shall be furnished in accordance with the provisions of *The Public Officers' Act* and of any Order in Council made under the authority thereof, and within one month after the appointment of the sheriff and before he is sworn into office.

How furnished.
Rev. Stat.
c. 17.

(3) In case the security is not furnished within the said period, or within such further period as the Lieutenant-Governor in Council may prescribe, the Lieutenant-Governor in Council may revoke the appointment of the sheriff, and his appointment and commission shall be void from and after the date of such revocation.

Revocation of appointment on failure to furnish.

(4) The security shall not be affected, nor shall the surety be released wholly or in part from the obligation assumed by reason of any change by legislative authority or otherwise in the boundaries of the county, city or district for which the sheriff was appointed, or by reason of any change in his duties.

Changes in boundaries of bailiwick not to affect security.

(5) Any person may examine the security furnished on behalf of a sheriff, and shall be entitled to take a copy thereof.

Right to examine security.

(6) His Majesty, or any person sustaining damage by reason of the default or misconduct of a sheriff, in addition to any right of action against the sheriff, may bring and maintain an action against the surety alone, and the action shall not be barred by reason of a prior recovery by the same person upon the same security or by reason of a judgment rendered for the defendant in a prior action upon the same security or by reason of any other action being then pending upon the security at the suit of the same plaintiff or any other person for any other distinct cause of action; provided that if the plaintiff has recovered damages in an action against the sheriff for any such default or misconduct and the amount recovered or any part thereof has been paid to the plaintiff, no action shall lie against the surety for the same cause, except for any amount so recovered and remaining unpaid.

Action against surety.

Proviso.

(7) If upon the trial of an action brought against a surety it appears that the plaintiff is entitled to recover, and that the amount which the surety has paid or has become liable to pay under a judgment recovered against him is not equal to the full amount of the security, the court, after deducting from the full amount the sum which the surety has paid or become liable to pay as aforesaid, shall render judgment against the surety for any sum not exceeding the balance of the sum for which he became surety.

Judgment for balance of amount of security where surety has already been held liable.

(8) If the surety has actually and *bona fide* paid out of his own moneys or effects, or has become liable by virtue of a judgment recovered upon the security to pay an amount

Discharge of surety on payment of full amount.

equal to the amount specified therein the security shall be deemed to be discharged and satisfied, and no other or further sum shall be recovered thereunder.

Staying of further proceedings against surety.

(9) The court in which an action on the security is pending, upon proof of such payment or liability, and at any stage of the action, may in a summary manner prevent the recovery against the surety of any further sum than that specified in the security.

Security to extend to acts, or omissions of deputy or sheriff *pro tem*.

(10) The security shall extend to the acts and omissions of the deputy of the sheriff, and, in case of a vacancy in the office of sheriff by death, resignation or otherwise, the security shall continue and be enforceable with respect to any act or omission of the deputy sheriff or of a sheriff *pro tempore* acting in pursuance of the provisions of this Act or of any deputy sheriff appointed by such sheriff *pro tempore*, in pursuance of the provisions of this Act. R.S.O. 1914, c. 16, s. 12.

Sheriff, etc., not to trade.

12. A sheriff or deputy sheriff shall not, directly or indirectly, keep a shop, or trade or traffic in goods, wares, or merchandise, either by wholesale or retail. R.S.O. 1914, c. 16, s. 13.

Sheriff, etc., not to purchase at sales under execution.

13. A sheriff, deputy sheriff, coroner, elisor, bailiff or constable shall not, directly or indirectly, purchase any goods or chattels, lands or tenements by him exposed to sale under legal process. R.S.O. 1914, c. 16, s. 14.

Misconduct of coroner, elisor, bailiff or constable.

14. Every coroner, elisor, bailiff or constable entrusted with the execution of any writ, warrant or process who wilfully misconducts himself in the execution of the same, or wilfully makes any false return to such writ, warrant or process, unless by the consent of the party in whose favour the same may have issued, shall incur a penalty not exceeding \$200, recoverable upon summary conviction, and shall be liable to imprisonment for a period not exceeding six months, and shall answer in damages to any person aggrieved by such misconduct or false return. R.S.O. 1914, c. 16, s. 15.

Damages.

Liability of sheriff, etc., for escape.

15. If a debtor in execution escapes out of legal custody the sheriff, bailiff, or other person having the custody of such debtor, shall be liable only to an action for the damages sustained by the person at whose suit the debtor was taken or imprisoned, and shall not be liable to any other action in consequence of his escape. R.S.O. 1914, c. 16, s. 16.

Forfeiture of office for false return.

16. A sheriff who wilfully makes any false return to any process directed to him and placed in his hands for execution, unless by consent of both parties to the same, shall be liable to forfeit his office. R.S.O. 1914, c. 16, s. 17.

17. Where an action is brought against a sheriff and a party thereto requires it to be tried by a jury the trial shall take place in such county or district as the court or a judge may direct. R.S.O. 1914, c. 16, s. 18.

Action against sheriff where jury required.

18. Upon the delivery of a writ of summons at the office of a sheriff, to be served by him, he, or his deputy or clerk, shall endorse thereon the time when it was so delivered; and in case the writ is not fully and completely served within ten days after the delivery, the plaintiff shall be entitled to receive back the same; and the sheriff, deputy sheriff or clerk shall endorse thereon the time of the delivery back; and the cost of the mileage and service of the writ by a literate person afterwards, if the person to be served was at any time during the ten days within the county or district, shall be allowed in the taxation of costs, as if the service had been by the sheriff or his officer. R.S.O. 1914, c. 16, s. 19.

Endorsement of receipt of process; non-service; re-delivery to plaintiff; costs of service.

19. If the sheriff, being applied to, does not return the writ, after the expiration of the ten days, the plaintiff may issue a duplicate or concurrent writ on the *præcipe* already filed, and the costs of the first or other writ not returned may be charged against and recovered from the sheriff by the plaintiff. R.S.O. 1914, c. 16, s. 20.

Failure by sheriff to re-deliver.

20.—(1) Where, for the purpose of investigating or establishing some title to land, a certificate respecting executions against lands is required from a sheriff, the sheriff if so requested, shall include in one certificate any number of names in respect of which the certificates may be required in the same matter or investigation.

Certificate as to executions.

(2) The sheriff shall, in such certificate, include all certificates of proof of claims under *The Creditors Relief Act* which may be in his hands affecting lands.

Sheriff to include certificates under Rev. Stat. c. 113.

(3) The maximum fees payable to a sheriff in respect to such certificate shall be \$4. R.S.O. 1914, c. 16, s. 21.

Fees.

21. Subject to Rules of Court the sheriff shall, except upon legal holidays and during the Long Vacation, keep his office open every day from 10 o'clock in the forenoon until 4 o'clock in the afternoon, and during all that time he or his deputy or some competent person shall be present to transact the business of the office; and during the Long Vacation the sheriff or his deputy or clerk shall be present in his office on every day, legal holidays excepted, from 10 o'clock in the forenoon until 1 o'clock in the afternoon. Provided that the sheriffs or their respective deputies or clerks, shall only be required to be present in their offices, for the transaction of business on every Saturday, not being a holiday, from 10 o'clock in the forenoon until 1 o'clock in the afternoon, and provided also that when the office of a sheriff may be closed

Office hours of sheriffs.

In Long Vacation.

Proviso as to Toronto and York.

under this section at 1 o'clock in the afternoon, the sheriff or his deputy shall nevertheless, upon application made to him, transact all necessary and urgent business of his office in the same manner and to the same extent as on days upon which the office is required to be kept open until 4 o'clock. R.S.O. 1914, c. 13, s. 22; 1914, c. 21, s. 3.

Urgent
business.

Sales under
execution of
lands in
Manitoulin
and Rainy
River.

22. No sheriff, deputy sheriff or other officer shall sell or expose for sale under execution any lands or tenements in the District of Manitoulin, or any lands or tenements in the District of Rainy River, which are situate more than twenty miles from a line of railway, except during the months of July, August, September or October. R.S.O. 1914, c. 16, s. 23.

Certain
books to be
kept in
sheriff's
office.

Process
books.

23. The sheriff shall keep in his office the following books,

(a) Process books—in which shall be entered a memorandum of every process other than writs of execution, or writs in the nature of writs of execution, received by him, the court out of which the same issued, the date of the receipt, the nature of the process, the names of the parties thereto, the solicitor by whom issued, what was done thereunder or therewith and the date and the nature of the return made thereto;

Execution
books.

(b) Execution books—in which shall be entered a memorandum of every writ of execution, or writ in the nature of a writ of execution received by him, the court out of which the same issued, the date of the receipt, the nature of the process, the names of the parties thereto, the solicitor by whom issued, what was done thereunder or therewith and the date and the nature of the return made thereto, or what was done thereunder or therewith;

Cash book.

(c) A cash book—in which shall be entered all moneys received or paid by the sheriff in his official capacity, or in connection with his office, for any service whatever, for fees, poundage, service of process and papers, attendance at courts, moneys levied or collected under execution, or under writs in the nature of writs of execution or otherwise, the date of the receipt or payment and the cause, matter or service in, or on account of which the same was received or paid;

Sheriff to
keep an
account of
his fees.

(d) A separate book—in which shall be entered from day to day all fees and emoluments received by him, by virtue of his office, and the several amounts disbursed by him, in carrying on the work of his office;

- (e) Such other books as the Lieutenant-Governor in Council may require. R.S.O. 1914, c. 16, s. 24. Other books.

24. The sheriff shall, on or before the 15th day of January in every year, make, to the Inspector of Legal Offices, a return, under oath, of the aggregate amount of the fees and emoluments received by him, and of his disbursements, during the previous year, up to and inclusive of the 31st day of December. R.S.O. 1914, c. 16, s. 25. Return of fees to Inspector of Legal Offices.

25. The sheriff shall procure the books mentioned in section 23, and the cost thereof shall be paid by the city or county of which he is sheriff. R.S.O. 1914, c. 16, s. 26. Books to be paid for by county.

26. The sheriff shall quarterly and within twenty days after the expiration of each quarterly period, transmit to the Treasurer of Ontario and to the Inspector of Legal Offices a just, true, and faithful account, verified upon oath, of all fines, penalties, and forfeitures which he has been required to levy and make by any lawful authority, and of the receipt and application of the same, or the reason why the same have not been received and applied; and he shall pay over to the proper officer or to the person lawfully entitled to receive the same, the several sums collected by him, within twenty days next after the period within which the same have been collected; and every sheriff neglecting or refusing to transmit such quarterly account, or to pay over any money so collected by him, within the time hereby prescribed, shall incur the like penalty and may be sued for the same in the same manner, as is provided with regard to justices of the peace neglecting or refusing to make the returns required by Part II of *The Justices of the Peace Act*. R.S.O. 1914, c. 16, s. 27. Sheriff to make quarterly returns of fines, etc., and pay over moneys. Penalty for neglect. Rev. Stat. c. 118.

27. The sheriff shall give his attendance upon the judges for the maintenance of good order in His Majesty's Courts, and for the doing and executing of all other things to the office of sheriff in such case appertaining. R.S.O. 1914, c. 16, s. 28. Duty of Sheriff as regards sittings of High Court.

SHERIFF TO APPOINT CONSTABLES AND CRIER.

28. The sheriff shall have the appointment and control of the court crier and of the constables at the sittings of the High Court Division, the County Court, the Court of General Sessions of the Peace and other Courts at which the attendance of the sheriff is required. R.S.O. 1914, c. 16, s. 29. Appointment of court crier and constables.

PAYMENT OF SHERIFFS' COSTS.

29. Where a sheriff is directed by the court to perform any service or do any act for which no fee is provided the sheriff may be allowed such fee as the court may think fit, and the same shall be payable as the court may direct. R.S.O. 1914, c. 16, s. 30. Fees of sheriff when acting under order of judge.

Demanding fees on executions in advance.

30. The sheriff may at the time of the delivery demand from any person delivering a process or attachment to him to be executed, the fees allowed to him by the tariff for receiving the writ or order and for warrant and return, and a reasonable sum for mileage and the fees and mileage so paid shall, if afterwards collected from the debtor, be repaid by the sheriff to the person who issued such process or attachment. R.S.O. 1914, c. 16, s. 31.

Sheriffs before action for fees may serve notice of application to the court for payment.

31.—(1) After the expiration of one month from the service of his bill of costs, fees and expenses against a solicitor, the sheriff may serve the solicitor with a notice of an application to the Supreme Court or a judge thereof, or to a judge of a county or district court, returnable not earlier than eight days from the day of service, for payment of the amount of the bill; and the amount claimed shall be stated in the notice.

Power of the court or judge and proceedings on return of the notice.

(2) On the return of the notice, the court or judge may, without reference, direct the payment to the sheriff of the amount of his demand, or of any less amount, either without costs, or with costs to be fixed by an order or to be taxed; or the court or judge may order the bill and the demand thereon to be taxed by the proper officer, and may direct that the officer shall tax to the party entitled thereto his costs of the reference, and may also direct that the sheriff and the solicitor shall respectively pay what may be found due to the other upon the conclusion of the reference and taxation; and the court or judge making the reference shall restrain the bringing of any action pending the reference; and in case the order of reference does not make provision in this behalf, the officer named in the order of reference may, in his discretion, having regard to the matters in dispute between the parties and occasioning the costs, tax the costs of the order and reference, or any part thereof, in favour of either party, or may disallow any part thereof.

Execution for amount payable.

(3) At the expiration of eight days from the date of the order or of the certificate of the taxing officer, as the case may be, the party entitled to payment may sue out a writ of execution for the amount ordered or certified to be payable to him. R.S.O. 1914, c. 16, s. 32.

DEATH, ETC., OF SHERIFF.

Deputy sheriff to continue office of sheriff in case of death or resignation.

32.—(1) If the sheriff dies, or his resignation is accepted, or he is removed from office, the deputy sheriff shall continue the office of sheriff and execute the same and all things appertaining thereto in the name of the sheriff so dying, resigning or removed, until another sheriff has been appointed and sworn into office; and the deputy sheriff shall be answerable for the execution of the office during such interval as the sheriff would by law have been, if he had been liv-

ing or had continued in office, and the security given to the sheriff by the deputy sheriff, and his pledges, as well as the security furnished on behalf of the sheriff, shall remain and be a security to His Majesty and to all persons whomsoever for the performance by the deputy sheriff of the duties of the office during such interval.

Obligation of sureties in such cases.

(2) If there is no deputy sheriff, the crown attorney for the city, county or district, as the case may be, shall be the sheriff *pro tempore* until another person is appointed sheriff, and the crown attorney on becoming sheriff *pro tempore* may appoint a deputy sheriff, and shall do and perform every other act, matter or thing necessary for the execution of the office.

Where vacancies occur in office of sheriff and there is no deputy crown attorney to act.

(3) During such interval the sheriff *pro tempore* shall be answerable for the execution of the office, as the sheriff would by law have been if he had been living or had continued in office, and any security given by or furnished on behalf of the sheriff since the 16th day of April, 1895, or hereafter furnished on behalf of a sheriff so afterwards dying, resigning or removed shall be a security to His Majesty, and to all persons whomsoever, for the performance of the duties of the office by the sheriff *pro tempore* and his deputy. R.S.O. 1914, c. 16, s. 33.

Temporary officer to be responsible.

33. All books, accounts, records, papers, writs, warrants, process, moneys and other matters and things in the possession or under the control of a sheriff by virtue of, or appertaining to his office, shall be the property of His Majesty, and the same upon the death, resignation or removal from office of the sheriff shall, by the person in whose possession or control they may happen to be or may come, be immediately handed over to and shall be taken possession of by the successor in office of the sheriff or such person as the Lieutenant-Governor in Council may appoint to receive the same. R.S.O. 1914, c. 16, s. 34.

All books, etc., to be the property of the Government.

34. No person, except the successor in office of the sheriff so dying, resigning or removed, or the person appointed by the Lieutenant-Governor in Council as aforesaid, shall take, have or hold such books, accounts, records, papers, writs, warrants, process, moneys, or other matters or things; and any person having or holding any of them shall forthwith on demand deliver over the same to the succeeding sheriff, or to the person appointed as aforesaid; and, upon default the offender shall incur a penalty of not less than \$10, nor more than \$50, besides costs, for every day's default, recoverable on summary conviction and shall also be liable to imprisonment for a period not exceeding three months, unless the penalty and costs are sooner paid. R.S.O. 1914, c. 16, s. 35.

No one but the succeeding sheriff to hold books, etc., on pain of fine and imprisonment.

Penalty.

Proceedings
on removal,
etc., of sheriff.
Duty of out-
going sheriff.

35.—(1) Upon the removal of a sheriff from office or upon his resignation and the appointment of his successor, the outgoing sheriff, or, in the event of the death of a sheriff, the deputy sheriff or sheriff *pro tempore* shall forthwith make out and deliver to the incoming sheriff a true and correct list and account, under his hand, of all prisoners in his custody, and of all writs and process in his hands not wholly executed by him, with all such particulars as shall be necessary to explain to the incoming sheriff the matters intended to be transferred to him, and shall thereupon hand over and transfer to the care and custody of the incoming sheriff all such prisoners, writs and process, and all records, books and matters appertaining to the office of sheriff.

Duty of
incoming
sheriff.

(2) The incoming sheriff shall thereupon sign and deliver a duplicate of the list and account to the outgoing sheriff, or to the deputy sheriff, or sheriff *pro tempore*, to whom the same shall be a good and sufficient discharge for all the prisoners therein mentioned, and transferred to the incoming sheriff, and from the further charge of the execution of the writs and process mentioned therein, without any writ of discharge or other writ whatsoever, and the incoming sheriff shall thereupon stand and be fully and effectually charged with the prisoners, and with the execution and care of the writs and process mentioned in the list and account.

Penalty.

(3) If the outgoing sheriff or the deputy sheriff or the sheriff *pro tempore* refuses or neglects to make out, sign and deliver the list and account, and to hand over the writs and process in manner aforesaid, he shall be liable to any person aggrieved for the damages and costs sustained by such neglect or refusal. R.S.O. 1914, c. 16, s. 36.

Sheriffs re-
signing, etc.,
may examine
and inspect
books, etc.

36. A sheriff, after resigning or being removed or in case of the death of a sheriff, his heirs, executors or administrators, shall, at all times, have the right, free of charge to have access to, and to search and examine into all accounts, books, papers, writs, warrants and process of whatever kind, and all other matters and things which were in his possession before his death, resignation or removal, and which, at the time of making or requiring to make such search or examination, are in the possession or control of the succeeding sheriff, or the then sheriff of the city, county or district. R.S.O. 1914, c. 16, s. 37.

Conveyances
in case of
death, etc.,
of sheriff who
has sold
lands.

37. In case of the death, resignation or removal from office of a sheriff, or of a deputy sheriff while there is no sheriff, or of a sheriff *pro tempore*, after he has made a sale of lands, but before he has made the deed of conveyance of the same to the purchaser, and whether the sale was under an execution or for arrears of taxes the deed of conveyance shall be made to the purchaser by the sheriff, or by the deputy

sheriff who is in office acting as sheriff, or by the sheriff *pro tempore*, at the time when the deed of conveyance is made. R.S.O. 1914, c. 16, s. 38.

38. In case of the death, resignation or removal from office of a sheriff after action brought by him as sheriff, the action may be continued in the name of his successor, to whom the benefit of all securities given to the sheriff in his official capacity shall enure. R.S.O. 1914, c. 16, s. 39.

Continuation
of actions
after death,
etc., of
sheriff.

39. For attending the sittings of the county court for trials without jury the following fees shall be payable,

Fees for
attendance
on non-jury
sittings of
county court.

(a) to the sheriff, \$5 per diem;

(b) to the crier, \$2 per diem;

and the same shall be chargeable and shall be paid out of the Consolidated Revenue Fund. R.S.O. 1914, c. 16, s. 40; 1918, c. 20, s. 7.

40.—(1) Where it appears by a return to the Lieutenant-Governor or to any department of the Government that in any year a sheriff has derived from the fees and emoluments and the salary, if any, of his office after deducting necessary disbursements, an income which does not exceed \$1,800 there may on the report of the Inspector of Legal Offices be paid to such sheriff out of the Consolidated Revenue Fund an amount sufficient to make up the income for the year to \$1,800, if the Lieutenant-Governor in Council so directs. 1914, c. 21, s. 4; 1918, c. 20, s. 8.

Additional
grant in
certain
cases.

(2) A sheriff may charge as a necessary disbursement such sum for the keep of a horse as the Inspector of Legal Offices certifies to be reasonable. R.S.O. 1914, c. 16, s. 41 (2).

Allowance for
keep of horse.

As to Protection of Sheriff from damages for acts done by virtue of his office, see The Public Authorities Protection Act.

Rev. Stat.
c. 120.

[*Superannuation of Sheriffs, see The Public Service Act, Rev. Stat. c. 16, s. 60.*]

FORM 1.

OATH OF OFFICE.

I, A. B., of _____, in the County (or District) of _____, Esquire, having been appointed Sheriff of _____, swear that I will well, truly and faithfully perform and execute all the duties required of me by law, appertaining to the office of Sheriff, so long as I continue therein, and that I have not given or promised directly or indirectly, or authorized any person to give or promise any money, gratuity or reward whatsoever for procuring the said office for me.

Sworn before me at _____, in the County _____, 19____, }
of _____, the _____ day of _____, 19____, }
C.D., }

A. B.

A Commissioner, etc.

R.S.O. 1914, c. 16, Form 1.