



1852.

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No. 20.

*An Act to enable the Sheriff to appoint a Deputy to perform the Duties of his Office, and to abolish the Poundage now payable on taking the body in execution.*

[Assented to December 2nd, 1852.]

**W**HEREAS, by an Act of the Governor and Legislative Council of the Province of South Australia made and passed in the fifth year of the reign of Her present Majesty, entitled "An Act to regulate the appointment and the Duties of the Sheriff of South Australia," it was amongst other things enacted, that Charles Burton Newenham, Esquire, therein named, should be and continue to be Sheriff of the said Province, until the first day of January then next ensuing and until a new appointment should be made as therein provided: And whereas, by the said Act, provision was made for the appointment of a new Sheriff in the event of the death or departure from the Colony, or suspension from office of the said Sheriff, but no provision was made for the appointment of any deputy to perform the duties of such office in the event of the temporary absence, or illness, or other incapacity of the Sheriff for the time being, and it is expedient to provide for the appointment of such deputy:

Be it therefore Enacted, by the Lieutenant-Governor of South Australia, with the advice and consent of the Legislative Council thereof, That it shall be lawful for the said Charles Burton Newenham, and for any Sheriff from time to time to be appointed under the provisions of the said recited Act, with the consent and approbation of the Governor under his hand thereto first had and obtained, as often as occasion shall arise, by warrant under the hand of such Sheriff and his seal of office, to appoint a deputy to perform the duties of the office of Sheriff for such period as in such warrant shall be named, and the person so appointed as deputy shall, during

the time for which he is so appointed, have and exercise all the powers, and perform and discharge all the duties of the said office in as full a manner as the Sheriff for the time being could or might: Provided that the Sheriff so making the appointment shall be responsible and liable for all the acts, neglects, and defaults of such his deputy, in the same manner as though every such act, neglect, or default were performed, committed, or suffered by such Sheriff.

Poundage not to be payable to the Sheriff on taking the body in execution.

2. And be it Enacted, That, after the passing of this Act, no poundage shall be payable to the Sheriff, his deputies, or bailiffs, for the taking the body of any person in execution.

JOHN MORPHETT, Speaker.

*Passed the Legislative Council this twenty-fifth  
day of November, one thousand eight  
hundred and fifty-two.*

F. C. SINGLETON,  
Clerk of the Legislative Council.

In the name and on the behalf of Her Majesty I assent to this Act.

H. E. F. YOUNG,  
Lieutenant-Governor.

Government House, Adelaide,  
December 2, 1852.