



Sheriffs Act 1887

1887 CHAPTER 55 50 and 51 Vict

Powers, Duties, and Liabilities

8 Powers of sheriff for posse comitatus.

^{F1}(1)

(2) If a sheriff finds any resistance in the execution of a writ he shall take with him the power of the county, and shall go in proper person to do execution, and may arrest the resisters and commit them to prison, and every such resister shall be guilty of a misdemeanor.

Textual Amendments

F1 S. 8(1) repealed by [Criminal Law Act 1967 \(c. 58\)](#), [Sch. 3 Pt. III](#)

^{F2}9

Textual Amendments

F2 S. 9 repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)

10 Duties as to execution of writs.

(1) A sheriff at the request of a person delivering a writ to him for execution shall give a receipt for that writ stating the day of its delivery.

^{F3}(2)

Changes to legislation: There are currently no known outstanding effects for the Sheriffs Act 1887, Cross Heading: Powers, Duties, and Liabilities. (See end of Document for details)

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Textual Amendments
F3 S. 10(2) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

F4 11

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Textual Amendments
F4 S. 11 repealed (19.11.1998) by [1998 c. 43, s. 1\(1\)](#), [Sch. 1 Pt. I](#) Group 1

F5 12

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Textual Amendments
F5 S. 12 repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. I](#)

F6 13

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Textual Amendments
F6 Ss. 13, 14(2)(3) repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)

F7 14

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Textual Amendments
F7 S. 14 repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt. I](#) Group 1

15 Liability for wrongful imprisonment.

A person unlawfully imprisoned by a sheriff or any of his officers shall have an action against such sheriff in like manner as against any other person that should imprison him without warrant.

16 Liability for escape.

(1) If a person in the custody of the sheriff or any of his officers or of any other person, either in execution or for non-performance of a judgment or order of the High Court, or for contempt of that court or otherwise in the course of a civil proceeding, escapes out of legal custody, such sheriff or other person shall be liable to pay the damages sustained by the person at whose suit such prisoner was taken into custody, and all costs of any action or other proceeding to recover the same, but not any further sum.

F8 (2)

Changes to legislation: There are currently no known outstanding effects for the Sheriffs Act 1887, Cross Heading: Powers, Duties, and Liabilities. (See end of Document for details)

Textual Amendments

F8 S. 16(2) repealed (19.11.1998) by 1998 c. 43, s. 1(1), **Sch. 1 Pt. I** Group 1

17 Disability to act as justice of the peace.

A person shall not, while he is sheriff of a county, act as a justice of the peace in any local justice area consisting of or including the whole or a part of that county, and if he does so act, all his acts done as such justice of the peace shall be void.

Textual Amendments

F9 Words in s. 17 substituted (1.4.2005) for words by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 59**; S.I. 2005/910, **art. 3(y)**

Modifications etc. (not altering text)

C1 S. 17 modified by Administration of Justice Act 1964 (c. 42), **s. 19(4)**

^{F10}18

Textual Amendments

F10 S. 18 repealed by Administration of Justice Act 1977 (c. 38), **Sch. 5 Pt. V**

^{F11}19

Textual Amendments

F11 S. 19 repealed by Courts Act 1971 (c. 23), **Sch. 11 Pt. IV**

20 Fees and poundage.

^{F12}(1)

(2) Any sheriff or officer of a sheriff concerned in the execution of process directed to the sheriff, other than process for the recovery of the aforesaid sums due to the Crown, may demand, take, and receive such fees and poundage as may from time to time be fixed by the Lord Chancellor, with the advice and consent of the judges of the Court of Appeal and High Court, or any three of them, and with the concurrence of the Treasury.

^{F13}(2A) Subsection (2) does not apply to the execution of process under a power to use the procedure in Schedule 12 to the Tribunals, Courts and Enforcement Act 2007 (taking control of goods).]

(3) Any sheriff or officer of a sheriff, and any officer arresting or having in custody any person by virtue of any action, writ, or attachment, shall not demand or take any reward to do his office except such remuneration as is given to the sheriffs by the Crown, **^{F14}...**

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and such fees and poundage as are above-mentioned or are allowed by or in pursuance of any other Act, and, save as allowed by this Act, shall not demand or take directly or indirectly any reward for doing his office or duty or for abstaining therefrom, or in respect of the mode in which he does his office or duty.

^{F15}(4)

Textual Amendments

- F12** S. 20(1) repealed (19.11.1998) by 1998 c. 43, s. 1(1), **Sch. 1 Pt. I** Group 1
- F13** S. 20(2A) inserted (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, **Sch. 13 para. 20** (with s. 89); S.I. 2014/768, art. 2(1)(b)
- F14** Words in s. 20(3) repealed (19.11.1998) by 1998 c. 43, s. 1(1), **Sch. 1 Pt. I** Group 1
- F15** S. 20(4) repealed (19.11.1998) by 1998 c. 43, s. 1(1), **Sch. 1 Pt. I** Group 1

Changes to legislation:

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