

L. H. J.  
Lib. 41

By the Council in Assembly  
Novem<sup>r</sup> 13<sup>th</sup> 1712

In Answer to your Message this Day by M<sup>r</sup> Tyler and seven others of your House we have debated the same and Resolved we will not recede from our former Resolution already signified to you to reject the Bill you have desired a Conference upon

Signed p Order W. Bladen Cl. Council.

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Genl. We are heartily sorry to hear of such extraordinary Oppressions & ill Practices by you represented to have been committed in Calvert County and thereupon have looked into the Office of Sheriffs and particularly in Relation to Executions made by fieri fac. and Goods sold by Virtue of Writs of Venditioni Exponas, and find that upon such Executions the Sheriff if he does not enquire of the Value of the Goods and Chattels by him taken by a Jury yet he ought to do it by the Oaths of good Men and take Care the Goods are not undervalued, for it's instanced in Dalton's Sheriff's Office Folio 526 the Under Sheriff took Goods upon a fieri facias and did not sell them to half the Worth of them and upon Motion it appeared to the Court that he had persuaded the Jury to undervalue the Goods and according to his Persuasions the Jury appraised them and then the Sheriff sold them for the same Money for which they were appraised. The Court held it was a grand Oppression and thereupon ordered an Indictment against the Under Sheriff. Again in the same Authority folio 246 the Sheriff makes Return of a Venditioni Exponas in these Words. As yet those Goods and Chattels which I lately took into the Hands "of our Lord the King of " the Goods and Chattels of the ffarm Possession and Tene- " ment of the Manor of W—— to the Value of ten Pounds " remain unsold for Want of Buyers but from Day to Day I " expose them to sale and as soon as I can will answer unto " you for the Pence thereupon arising" Which shews that the Sheriff ought not to sell the Goods and Chattels levied under the Value appraised or that he is confined to sell them before or at the Return of the Writ to any Bidder under the Value of the Appraisalment nor ought he to levy any more Goods and Chattels than what by the Appraisalment of indifferent Men or a Jury as aforesaid are sufficient to answer the Debt and Cost in the Execution commanded to be levied Wherefore we cannot but think the Sheriff that has mistaken such Rules in his Office and thereby occasioned the Oppres-