

all the Personal Estate of the Deceased's in his Hands unad-^{Bacon.}ministered, to the Sheriff or his Deputy, so that such Sheriff may levy such Part thereof as the Creditor or Plaintiff, or his Attorney in Fact, or in Law shall direct, such Sheriff shall within Three Days at furthest, cause such Goods, so taken, to be appraised by Four substantial Free-holders of his County, Two of them to be named by the Plaintiff, or his Attorney at Law or in Fact, and Two by the Defendant, and who are neither of Kin to Plaintiff or Defendant, Creditor or Debtor, who upon their Oaths to be administered to them by the said Sheriff, shall within Three Days, indifferently and justly Value and Appraise the said Goods and Chattels, so taken in Execution; and the Sheriff shall thereupon give Notice to the Creditor, or his Attorney at Law or in Fact, of the Value of the said Goods, and shall deliver so much of the said Goods, as according to such Appraisement, will amount unto the Debt or Damage, and Cost in such Execution mentioned, to the Plaintiff, or his Attorney at Law or in Fact, in Discharge of such Debt and Cost; and the said Plaintiff or Creditor is hereby obliged to take and accept the same at such Appraisement and Value as aforesaid, in Satisfaction of so much of his Debt, Damage or Cost, as such Goods according to Appraisement, will amount unto. And if any Creditor or Plaintiff, or his Attorney in Fact, or Law, shall refuse or deny to take and accept the same, according to such Appraisement, such Sheriff is hereby authorized and empowered to retain in his Hands, at such Plaintiff's or Creditor's proper Risque, so much of the said Goods as will satisfy the same Debt or Damage, with Costs, for such Plaintiff's or Creditor's Use, who shall pay to such Sheriff all Costs and Charges he shall be at in keeping and securing such Goods and Chattels; and the said Plaintiff or Creditor shall have no other Action against such Sheriff than only for such Goods and Chattels, so taken and retained as aforesaid, and such Sheriff shall give a full and sufficient Discharge to such Debtor for so much of the Debt and Cost, as such Goods, by such Appraisement, shall amount unto; which shall be a sufficient Bar against such Plaintiff or Creditor, and perpetually bar and hinder him from taking out any other Execution against the Body, Goods or Chattels, Lands or Tenements of such Debtor, whose Goods and Chattels as aforesaid, have been taken in Execution as aforesaid, for so much as such Goods, by Appraisement, shall amount unto; any Law, Statute, Usage or Custom to the contrary notwithstanding.

III. Provided always, That in case the Plaintiff or Defendant are Non-Residents within the respective Counties wherein such Writs shall be executed as aforesaid, or have