

in *Keene v. Deardon* and others, 8 East, 298, cases of several ejectments, thought that, in reason and substance, the Act would be satisfied by the plaintiff in error procuring responsible persons to enter into the obligation required. And the recognizance was there taken in double the improved rent, and the estimated single costs of the ejectment, for they had not been taxed; but the Court refused to allow one of the plaintiffs in error in one of the ejectments, who proposed to enter into the recognizance, to be examined as to his sufficiency, though the sureties in the other cases were so examined.

## STATUTES

Made at OXFORD, *Anno decimo septimo* CAROLI secundi Regis,  
and A. D. 1665.

### CAP. VII.

An Act for a more speedy and effectual Proceeding upon Distresses and Avowries for Rents.

Forasmuch as the ordinary Remedy for Arrearages of Rents, is by Distress upon the Lands chargeable therewith; and yet nevertheless by Reason of the intricate and dilatory Proceedings upon *Replevin*, that Remedy is become ineffectual:

II. For Remedy thereof, It is enacted by the King's most excellent Majesty, with the Advice and Assent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by Authority of the same, That whensoever any Plaintiffs in *Replevin*, shall be Nonsuit, before Issue joined in any Suit of *Replevin*, by Plaintiff or Writ lawfully returned, removed, or depending, in any of the King's Courts at *Westminster*, That the Defendant making a Suggestion in Nature of an Avowry or Cognizance for such Rent, \*to ascertain the Court of the Cause of Distress: The Court 492 upon his Prayer shall award a Writ to the Sheriff of the County where the Distress was taken, to enquire by the Oaths of twelve good and lawful Men in his Bailiwick, touching the Sum in Arrear at the Time of such Distress taken, and the Value of the Goods or Cattle distrained: (2) And thereupon Notice of fifteen Days shall be given to the Plaintiff or his