

Attorney in Court, of the Sitting of such Enquiry; (3) and thereupon the Sheriff shall inquire of the Truth of the Matters contained in such Writ, by the Oaths of twelve good and lawful Men of his County: (4) And upon the Return of such Inquisition, the Defendant shall have Judgment to recover against the Plaintiff the Arrearages of such Rent, in case the Goods or Cattle distrained shall amount unto that Value: (5) And in case they shall not amount to that Value, then so much as the Value of the said Goods and Cattle so distrained shall amount unto, together with his full Costs of Suit; (6) and shall have Execution thereupon by *Fieri facias*, or *Elegit*, or otherwise as the Law shall require. (7) And in case such Plaintiff shall be Nonsuit after Cognizance or Avowry made, and issue joined, or if the Verdict shall be given against such Plaintiff; then the Jurors that are impanelled or returned to inquire of such Issue, shall at the Prayer of the Defendant inquire concerning the Sum of the Arrears, and the Value of the Goods or Cattle distrained: (8) And thereupon the Avowant, or he that makes Cognizance shall have Judgment for such Arrearages, or so much thereof as the Goods or Cattle distrained amount unto, together with his full Costs, and shall have Execution for the same by *Fieri facias*, or *Elegit*, or otherwise, as the Law shall require.

III. And be it further enacted by the Authority aforesaid, That if Judgment in any of the Courts aforesaid be given upon Demurrer for the Avowant, or him that maketh Cognizance for any Rent, the Court shall at the Prayer of the Defendant award a Writ to inquire of the Value of such Distress; (2) and upon the Return thereof Judgment shall be given to the Avowant, or him that makes Cognizance, as aforesaid, for the Arrears alledged to be behind in such Avowry or Cognizance, if the Goods or Cattle so distrained shall amount to that Value; And in case they shall not amount to that Value, then for so much as the said Goods or Cattle so distrained amount unto, **493** *together with his full Costs of Suit, and shall have like Execution, as aforesaid.

IV. Provided always, and be it enacted, That in all Cases aforesaid, where the Value of the Cattle distrained, as aforesaid, shall not be found to be to the full Value of the Arrears distrained for, that the Party to whom such Arrears were due, his Executors or Administrators may from Time to Time distrain