

fare thereof, This General Assembly do pray that it may be Enacted,
And be it Enacted by the Right Honourable, the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour and the Upper and Lower Houses of Assembly, and by the Authority of the same, That in case of the Death or Absence of his Lordship's Governour, for the time being, the first Person named by the Right Honourable the Lord Proprietor, and in his Lordship's Commission, to be of his Lordship's Honourable Council, for the time being, then living and Actually residing in this Province, and upon this Death or Absence, the next Person likewise named of his Lordship's said Council, actually living and residing, as aforesaid, Successively, shall Immediately take upon him the Administration of the Government of this Province, and shall, with the Advice and Consent of his Lordship's Council, for the time being, Execute all the Powers and Authorities which were or shall be given to such Governour, in relation to the Government, until the Return of such Governour, if absent, or until his Lordships pleasure shall be further known, or that he otherwise directs therein.

First Councillor
 to Act in the Ad-
 ministration.

b.

An Act to Restrain the ill Practices used by Sheriffs in taking Goods by *Fieri Facias*, and selling them by *Venditioni Exponas*.

WHEREAS many the Good People of this Province have of late been greatly damnified and abused in their Estates by Sheriffs, who upon receipt of any *Fieri Facias* or Attachments Issued out of the Courts of this Province, take by Virtue of such Writs, great Quantities of Goods, more than will satisfy the Debt, Damages and Costs in such Writs mentioned, and keep them a long time in their Custody, under pretence of want of Buyers, whereupon it often happens upon the Return of the said Sheriffs, that Writs of *Venditioni Exponas* are issued, Commanding them to put the said Goods to Sale, which for the most part hath been done privately, and goods of great Value have not been sold for the tenth part of their Value, to the great loss of both the Debtor and Creditor, and to the Ruin of some Families; For the Prevention whereof for the future, and to ascertain a way and Method whereby the Sheriffs of this Province may securely Act in Writs of the like nature, more to the benefit and Advantage of both Debtor or Creditor,

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and by the Authority of the same, That from and after the end of this Present Session of Assembly, if any Writ of *fieri facias* shall be delivered to any Sheriffs of this Province, if the Defendant, where the Judgment is against him for his proper Debt or Cost, will upon Oath shew all his Personal Estate, when thereto required, or where Judgment is rendered against him, as an Executor or Administrator, shew (all the Personal Estate of the deceased's in his Hands unadministred) to the Sheriff or his Deputy, so that such Sheriff may

The Defendant
 to shew his Goods
 upon Oath.

Or the Deceased's
 if an Executor or
 Administrator.

levy