

And are to be appraised and how

And delivered to the Plaintiff

If refused, to be kept at the Plaintiffs Risque and Charge.

Who shall have no other Action or exemption but for said Goods.

In case of non-Residence the Sheriff may choof appraisers for the Plaintiff & Defendant or both.

Not to prejudice the Act for better Administration of Justice in Probate of Wills, &c.

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 the Plaintiff or Defendant, Creditor or Debtor, who upon their Oath to be Administred to them by the 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 Goods, as according to such appraisment, will amount unto the Debt or Damages, 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 Appraisment and Value, as aforesaid, in Satisfaction of so much of his Debt, Damage or Cost, as such Goods, according to Appraisment, 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 appraisment, such Sheriff is hereby Authorized and impowered to retain in his Hands at such Plaintiff or Creditor's Proper risque, so much of the said Goods as will satisfie the same Debt or Damage, with Cost, for such Plaintiff 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 Appraisment, shall amount unto, which shall be a sufficient Bar against such Plaintiff or Creditors 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 Appraisment shall amount unto, any Law, statute, Usage or Custom to the contrary notwithstanding.

*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 not left any Attorney at Law, or in fact who is a resident within the County, so that the Sheriff cannot conveniently give him or them Notice within three Days after the serving such Writs, according to the Exigence of this Act, and who shall not be present at such Time and Place of Appraisment, or who on Notice given, shall not think fit to be present at such Time and Place, it shall and may be lawful for the Sheriff to choose two sufficient Free-holders, Qualified as aforesaid, on part and behalf of such absent party, to the ends aforesaid. And in case that both Plaintiff and Defendant are likewise Non-Residents in such County, and cannot conveniently have Notice, as aforesaid, nor shall be present thereat, that then such Sheriff shall be, and is hereby Impowered, on behalf of both Parties to choose four Appraisers, qualified as aforesaid, to make such Appraisment as aforesaid.

*Provided also,* That nothing in this Act contained shall extend or be construed to extend to impower any Sheriff to levy by Virtue of any *Fieri Facias*, for any Debt or Damages recovered against any Executor or Administrator, any Negroe or other Slave, Plate or Jewels reserved in Favour of Orphans by