

his Death or Removal. And if any Minister or Incumbent, that shall at any Time hereafter be admitted or inducted into any Parish within this Province, shall die or remove again out of the same, before any Levy be laid in that County, where the said Parish lies, then the Vestry of the said Parish shall, at the Time of the laying the next Levy in their County, pay to such Minister, if he be alive, to his Executors or Administrators, if he be dead, so much of the Forty Pounds of Tobacco, *per Poll*, as shall be due to him, computing the same from the Time of his Admission or Induction, to the Time of his Death or Removal, and no more; Any Law, Statute, or Custom to the contrary notwithstanding.

Pass'd November 14th, 1713.

Revis'd May 30th, 1715.



12^o 46. *An Act to restrain the ill Practice 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 Attachment 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 Cost 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 and Creditor, Be it Enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the President, Council, and Assembly of this Province, and 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 Sheriff 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, or (where Judgment is rendered against him as an Executor or Administrator) shew all the Personal Estate of the Deceased, in his Hands unadministred, to the Sheriff or his Deputy, so that the 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 farthest, cause such Goods so taken to be appraised by Four substantial Freeholders 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 Oaths to be administred to them by the said Sheriff, shall indifferently and justly value and appraise the said Goods and Chattels so taken in Execution: And the Sheriff thereupon shall give Notice to the Creditor, or his Attorney at Law or in Fact, of the Value of the said Goods; and also at the most publick Places in his County give Notice, That, at a certain Day and Place by him to be appointed, not longer than Ten Days after such Appraisement, such and so many Goods of such Value are

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