

sent 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 Lordship's Pleasure shall be further known, or that he otherwise directs therein.

An ACT to restrain the ill Practices used by Sheriffs in taking Good 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 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 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 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 Appraisement, will amount unto the Debt or Damages, and Cost, in such Execution mentioned, to the Plaintiff or his Attorney at Law,

The Defendant to shew his Goods upon Oath.

Or the Deceased's if an Executor or Administrator,

And are to be appraised and how,

And delivered to the Plaintiff,