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person of any one, the Sheriff or other Officer to whom the writt is directed shall cause the said corne cattell or other goods or Chattells to be sold at an outcry or otherwise appraised and valued upon oath in Tobacco (if the recovery be in Tobacco or otherwise in some beaver cattell money Sterk (or otherwise according as the recovery is) by two freemen of the County or hundred indifferently chosen by the Sheriff or other officer to whom the writt is directed and all or so much of the said goods as (at the rates appraised) shall satisfie the summe recovered he shall forthwith deliver in execution to the partie or parties recovering & the overplus shall render again to the owner.

And where there is not sufficient distresse of goods the partie himself or any his Servants attached shall be either sold at an outcry or otherwise his Service valued and appraised by the month as before and delivered in execution to the partie or parties recovering according to the severall proportions of their recoveries to be his or their Servant so long as untill the execution be satisfied according to the rate of the parties or servants labour appraised as before. And the greatest Creditor recovering shall have first execution upon the body of such partie or servant attached and so the rest in order according to the value of the debts recovered.

Provided that any defmdant served with a writt of execution or partition as aforesaid and not having sufficient Tobacco to pay & satisfie all creditors recovering shall or may tender any corne (of English planting) in stead of the Tobacco to be levied by the writt and such corne shall nor maybe refused by the Sheriff or partie recovering for good and lawfull payment reckoning one barrill of such corne for or in stead of thirty weight of Tobacco.

And further provided that after ten days after any Tobacco shall be struck and cashed and
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