

Under Sheriff took goods upon a fieri facias, and did not sell them to half the worth of them and upon Motion, it appeared to the Court that he had persuaded the Jury to undervalue the goods and according to his persuasions the Jury appraised them and then the Sheriff sold them for the same money for which they were appraised the Court held it was a Grand oppression and thereupon Order an Judgment against the under Sheriff — Again in the same Authority fol 240. The Sheriff makes return of a vendit Exponas in these words — As yet those Goods & Chattels which lately took into the hands of our Lord the King of the Goods & Chattels of the same possession and Tenement of the Mannor of W — to the Value of ten pounds remain unsold for want of buyers but from day to day expose them to sale, and as soon as you will answer unto you for the pence thereupon arising — which shows that the Sheriff ought not to sell the Goods and Chattels bought under the Value appraised or that he is confined to sell them before or at the return of the writ to any bidder under the Value of the appraisment nor ought he to buy any more goods and Chattels than what by the Appraisment of indifferent Men or a Jury as aforesaid are sufficient to answer the Debt and Cost in the Execution Comanded to be bought, Wherefore we cannot but think the Sheriff that has mistaken such Rules in his Office and thereby occasioned the oppression you represent is liable to the Action of the party oppressed for its plain by the aforesaid Authority fol 247. the Sheriff must either appraise the Goods before he sell them or inquire of their Value by a Jury — All which we think is sufficient to remedy the ill practice complained of without compelling the Creditor against his will to take the Goods and Chattels bought by the Sheriff, at any ignorant or unreasonable appraisment — which the wisdom of the Kingdoms of England never thought meet but that the practice is to may accept them if he thinks fitt — And such acceptance will discharge the Sheriffs wherefore we cannot see any necessity for the Bill proposed and therefore reject it —

Signed & ordered
Wholen Council.

Resolved the same be considered to Morrow Morning

Resolved the Bill permitting the Inhabitants to take out writs in their own names to be referred for further consideration next Session of Assembly

The Honble Samuel Young & John Dorsey Esq^{rs} enter the House and deliver Mr Speaker the said Message