

County. and must say the Sheriff of Calvert County is not so great a Stranger to Mr. Daltons Office of Sheriff to act contrary thereto and that the Goods we instance to be sold were sold by a Jury at a greater value than sold for neither would the Sheriff sell until Comanded by a vendit Exponas, and was forced by the Creditors to sell them at less than half what they were valued <sup>by</sup> ~~at~~ <sup>at</sup> the said trial Bill would remove many other Evils - As if Cattle were taken in Execution by A. B. Sheriff by vertue of a fieri facias, and the Sheriff returns they remain in his hands for want of buyers and then dies - A vendit Exponas Issues Commanding his Successor to sell them this last Sheriff cannot Execute the writ for the Goods were never in his Custody and before a new fieri facias can be taken out the Cattle are all lost or Dead, for after they are executed they are out of the Sheriff's Depend<sup>ts</sup> custody, and the Excut. or adm<sup>t</sup> of the first Sheriff can't detain them nor are they answerable - for this is a loss to the Creditor as well as the Debtor.

Again to what purpose is it for the Sheriff to keep the Goods in his hands for many years when no buyers offer this must needs be a great loss to the Creditor and Debtor especially in goods perishable or Chargeable or if Negroes the profit of their labour must be the Sheriff's. And altho' the Wisdoms of the Kingdoms of England never thought meet to make such an Act there being many markets and many buyers, yet we know severall Acts of this like nature tottus in the English Plantations, and why this Province should be denyed the liberty that others are allowed we know not unless it be to satisfy the Covetous desires of a few mercilefs Creditors and mercenary Officers and to bring the Comonality into poverty and slavery, out of which we have and <sup>hope</sup> always shall endeavour to keep them, tho' at present it is not in our power hardly obtaining anything that tends thereto

Signed & ordered R. Dallam Esq<sup>r</sup> J. D. S.

Supplementary Act to the Act for probate of wills &c.

Read the first and second times by speciall order and will pass

Sent up with the aforesaid Messages to the Honble Council by Mr. John Mackall, Mr. James Mackall, Mr. John Broome, Cap<sup>t</sup>. Jones W. Hammond Mr. Sprigg, Mr. Brooks and Mr. Cogatta.

They returns and say they Deliver'd their Messages and Bill Referred the J. Act abt. Sheriffs executing writs of fieri fac be referred for further consideration next Session of a Assembly -