

Oaths of good Men and take Care the Goods are not undervalued; for its instance  
 in Dutton's Sheriffs Office Folio 526 the 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 <sup>them</sup> for the same Money  
 for which they were appraised. The Court held it was a grand Oppression and  
 thereupon ordered an Indictment against the Under Sheriff. Again in the same  
 Authority folio 246 the Sheriff makes Return of a Vendition Exponas in these  
 Words "As yet those Goods and Chattels which I lately took into the Hands  
 of our Lord the King of the Goods and Chattels of the Farm Possession and  
 Tenement of the Manor 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 I can will answer unto you for the Same thereupon arising" Which shows  
 that the Sheriff ought not to sell the Goods and Chattels levied 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 Appraisalment nor ought he to levy any  
 more Goods and Chattels than what by the Appraisalment of indifferent Men or  
 a Jury as aforesaid are sufficient to answer the Debt and Cost in the Execution  
 commanded to be levied Wherefore we cannot but think the Sheriff that has  
 mistaken such Rules in his Office and thereby occasioned the Oppression you repre-  
 sent is liable to the Action of the Parties oppressed for its plain by the aforesaid  
 Authority folio 117 the Sheriff must either appraise the Goods before he sell  
 them or enquire 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 levied by the Sheriff at any ignorant  
 or unreasonable Appraisalment which the Wisdom of the Kingdom of England  
 never thought meet not but that the Practice is he may accept them if he  
 thinks fit. And such Acceptance will discharge the Sheriff Wherefore we cannot  
 see any Necessity for the Bill proposed and therefore reject it Signed By  
 W Bladen Lt. Council

Resolved the same be considered of to Morrow Morning.

Resolved the Bill permitting the Inhabitants to take out Writs in their own  
 Names <sup>to</sup> be referred for further Consideration next Session of Assembly  
 The Honble Samuel Young and John Dorsy Esq<sup>s</sup> enter the House and deliver  
 Mr. Speaker the following Message:

By the Council in Assembly November 10<sup>th</sup> 1712

In Answer to your Message by Captain Jones and Mr. Corralles of the 10<sup>th</sup> Instant  
 relating to the Naval Office and Customs therein desired to be lodged in the Council  
 Office we cannot be assured that the same Person (tho' now it is so) will always  
 hold both Offices so that it may be unfit the Naval Office should have Recourse to the Council Office  
 but are rather induced that the Office appointed for the Town ~~shall~~ be allotted to the  
 Clerk