

BILL.

An Act to prevent the unnecessary sacrifice of property sold under execution in Upper Canada.

WHEREAS it is expedient to protect the interests Preamble.
both of the creditor and of the debtor, against any exorbitant sacrifice of property taken in execution, at the sale thereof by any Sheriff or Bailiff:—Be it therefore
5 enacted, &c.

That whenever any Sheriff or Bailiff shall after the Sheriff or Bailiff seizing goods to cause them to be appraised.
estate, and the amount to be levied thereon shall exceed the sum of *ten* pounds, it shall be his duty forthwith to
10 cause the same to be appraised by two disinterested freeholders of the County (or of one of the United Counties) in which the seizure shall be made, which appraisers
shall after making such appraisement take and subscribe Appraisement to be made on oath.
before such Sheriff or Bailiff, or any Justice of the Peace
15 or Commissioner for the receiving affidavits to be used in the Court of Queen's Bench for Upper Canada, an oath in the form of the Schedule to this Act, which oath shall be written at the foot of a schedule or list of the property appraised; and such Sheriff or Bailiff shall on the request
20 of the plaintiff or of the defendant furnish him with a copy of such list or schedule, and of the oath thereunto subjoined, on payment at the rate of *threepence* for every hundred words in such copy.

II. And be it enacted, That the said appraisers shall Allowance to the appraisers.
25 for the services aforesaid, be paid by the Sheriff or Bailiff the sum of *two shillings and sixpence* each; if the schedule or list of the property appraised and the oath aforesaid do not exceed one hundred words, and a further sum at the rate of *threepence* for every hundred words over and above
30 the first hundred; and the amount so paid to the appraisers shall be levied by the Sheriff or Bailiff as part of the costs of execution.

III. And be it enacted, That after due notice given in Goods not to be sold in the first instance for less than three-fourths of their appraised value.
the manner and for the time now by law required, the
35 Sheriff or Bailiff shall offer the property so appraised for sale in the usual manner, but shall not sell the same or any part or parcel thereof separately appraised, for less than *three-fourths* of the sum at which it shall have been appraised; and if no person shall be willing to give *three-*
40 *fourths* of the appraised value or more, then such Sheriff New notice to be given: and second sale.
or Bailiff shall again give notice of the sale thereof in the