

the execution of civil process: for example—the bailiff of a Division Court to whom a warrant of commitment or execution is directed

bottom of the Inventory, subscribe the following notice to the tenant, according as the case may be:—

Mr. \_\_\_\_\_,

TAKE NOTICE, that I have this day distrained [or “that I, as bailiff to \_\_\_\_\_, your landlord, have this day distrained”] on the premises above mentioned, the several goods and chattels specified in the above Inventory, for the sum of \_\_\_\_\_ pounds, being one year’s rent due to me [or “to the said \_\_\_\_\_”] on the \_\_\_\_\_ day of \_\_\_\_\_ last, for the said premises;§ and that unless you pay the said arrears of rent, with the charges of distraining for the same, or replevy the said goods and chattels within five days from the date hereof, the said goods and chattels will be appraised and sold according to law.

Given under my hand, the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand, eight hundred and \_\_\_\_\_.

The notice of distress of growing crops, under Stat. 2 Geo. II., chap. 19, sec. 8, is as follows:

Mr. \_\_\_\_\_,

TAKE NOTICE, that I have this day taken and distrained [or “that as bailiff to \_\_\_\_\_, your landlord, I have taken and distrained,”] on the lands and premises above mentioned, the several growing crops specified in the Inventory, for the sum of \_\_\_\_\_ pounds, being two quarters’ rent due to me [or “to the said \_\_\_\_\_”] on the \_\_\_\_\_ day of \_\_\_\_\_ last, for the said lands and premises, and unless you previously pay the said rent, with the charges of distraining for the same, I shall proceed to cut, gather, make, cure, carry, and lay-up the crops when ripe, in the barn or other proper place on the said premises, and in convenient time sell and dispose of the same towards satisfaction of the said rent, and of the charges of such distress, appraisement and sale, according to the form of the Statute in such case made and provided.

Given under my hand, the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand, eight hundred, and \_\_\_\_\_.

Upon such notice and immediately following the above should be made a memorandum to the effect that a true copy had been delivered to the tenant.

A true copy of the above Inventory and notice must either be given to the tenant himself, or to the owner of the goods, or left at the tenant’s house, with any person dwelling therein; or, if there be no person in the house, on some notorious part of it, or, if there be no house, on the most notorious place on the premises. And it is proper to have a person with you when you make the distress, and also when you serve the Inventory and notice, to examine the same, and to attest the regularity of the proceedings, if there should be occasion.

The goods may be removed immediately, and in the notice the tenant may be

§ If the goods are secured on the premises, under the authority of the Statute 11 Geo. II., ch. 19, sec. 10, insert the following: “And having secured the said goods and chattels in the Stable, &c., on the said premises.”—1 Doug., 444.