

C A P. IV.

An A C T for enabling the Sale of Goods distrained for Rent.

Eng. Stat.. 2. Will.
 & Mar. Stat. 1. c. 5.
 Brit. Stat. 8.
 Ann. c. 14.
 11. Geo, 2. c. 19.

Goods Distrained
 for Rent may be
 appraised and Sold.

W *HEREAS* the most ordinary and ready way for Recovery of Arrears of Rent is by Distress; yet such Distresses not being to be sold, but only detained as Pledges for enforcing the Payment of such Rent, the Persons distraining have little Benefit thereby; For the remedying whereof, Be it Enacted by the Lieutenant Governor, Council and Assembly, That where any Goods or Chattels shall be distrained for any Rent reserved and due upon any Demise, Lease, or Contract whatsoever, and the Tenant or Owner of the Goods so distrained shall not, within Five Days next after such Distress taken, and Notice thereof (with the Cause of such taking) left at the chief Mansion House, or other most notorious Place on the Premises charged with the Rent distrained for, replevy the same with sufficient Security to be given to the Sheriff, according to Law; that then in such Case, after such Distress and Notice as aforesaid, and Expiration of the said Five Days, the Person distraining shall and may with the Provost Marshal or his Deputy, or with the Constable of the Town or Place where such Distress shall be taken (who are hereby required to be aiding and assisting therein) cause the Goods and Chattels so distrained to be appraised by two sworn Appraisers (whom any Justice of the Peace of the County where such Goods shall be distrained, or such Provost Marshal or his Deputy, are hereby impowered to swear) to appraise the same truly according to the best of their Understandings; and after such Appraisement shall and may lawfully sell the Goods and Chattels so distrained, for the best Price can be gotten for the same, towards Satisfaction of the Rent for which the said Goods and Chattels shall be distrained, and of the Charges of such Distress, Appraisement and Sale, leaving the Overplus (if any) in the Hands of the said Provost Marshal, his Deputy, or Constable, for the Owner's use.

II. *And Whereas* no Sheaves or Cocks of Corn loose or in the Straw, or Hay in any Barn, or on any Hovel, Stack, or Rick, can by the Law be distrained, or otherwise secured for Rent, whereby Landlords may be oftentimes coufened and deceived by their Tenants, who may sell their Corn, Grain, and Hay, to Strangers, and remove the same from the Premises chargeable with such Rent, and thereby avoid the Payment of the same, Be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons having Rent Arrear, and due upon any such Demise, Lease, or Contract, as aforesaid, to seize and secure any Sheaves or Cocks of Corn, or Corn loose, or in the Straw, or Hay lying or being in any Barn, or upon any Hovel, Stack, or Rick, or otherwise upon any Part of the Land or ground charged with such Rent, and to lock up or detain the same in the Place where the same shall be found, for or in the Nature of a Distress, until the same shall be replevied up-

Corn loose &c. may
 be Distrained and
 sold.