

Liber LL, 4 Acts son of Talbott County shall by Virtue of this Act & any deed or deeds to be made to the said Thomas Hicks & John Davis or Either of them & their Heirs duly Executed by the said Comiss<sup>rs</sup> be forever barred from having or recovering any Lands, or Tenements to be sold by the said Comiss<sup>rs</sup> by Virtue of & in Compliance with this Act any Law Statute or usage to the Contrary notwithstanding.

p. 476 Provided also that in Case either of the Comiss<sup>rs</sup> aforesaid shall depart this Life before the Execution and Determination of the trust hereby in them reposed, That then the other two Surviving Com<sup>rs</sup> or Trustees shall be and they hereby are Empowered to make Choice of some other third person as a Comis<sup>r</sup> or trustee in the stead of the said Com<sup>r</sup> or Trustee so Decēd w<sup>ch</sup> said third Comis<sup>r</sup> or trustee so elected shall have Equal Right and Priviledge with the other two Surviving Trustees or Coms<sup>rs</sup> and so as often as need shall require by death of any one Comiss<sup>r</sup> or Trustee as aforesaid the two Surviving Comiss<sup>rs</sup> or Trustees shall proceed Immediately in the Manner above mentioned to the Election of another untill the trust by this Act in them reposed shall be fully determined.

And be it further Enacted by the Authority Advice and Consent aforesaid that in Case the Land devised by the will of the said Thomas Smithson of Talbott County to Mary Wrightson widdow, shall be sold by the Com<sup>rs</sup> or Trustees afores<sup>d</sup> that then it shall & may be lawfull for the said Comissioners and they hereby are Empowered to allow and pay to the said Mary Wrightson so much Tobb<sup>o</sup> or Money as they shall find she has paid for the Quitt Rents of the said Land.

Provided Nevertheless and it is the true intent and meaning of this Act that in Case the psonall Estates & Lands of the said Thomas Smithson of Talbott County & Thomas Smithson of Dorchester County shall be found Sufficient to Satisfie and pay all the Damages that have or shall be Sustained by means of the Warranty aforesaid besides the severall Lands and Negroes in the said Will mentioned given or intended to be given to the use of S<sup>t</sup> Michaels Parish in Talbott County and to his Sister Dorothy the Wife of Michael Fletcher & the heirs of her body & for want of such Issue to the use of the Freeschool that then the said Comiss<sup>rs</sup> shall not in any wise dispose of the same, but that they shall remain to the use of the said Devisees according to the Devises in the Will of the aforesaid Col<sup>t</sup> Thomas Smithson.

Provided also that in Case the heir or heirs, devisee or devisees of the said Col<sup>t</sup> Tho<sup>s</sup> Smithson of Talbott County, and Tho<sup>s</sup> Smithson of Dorchester County after the said Comiss<sup>rs</sup> have valued the Lands & personal Estates as aforesaid & assessed the Damages Costs & Expences by the said Tho<sup>s</sup> Hicks and John Davis Sustained & paid shall be minded or willing to pay and shall pay to the said Thomas