

Liber LL, 4 Acts for the more sure and Certain paym<sup>t</sup> of the said s<sup>u</sup>m authorize and Empower the said Robert Smith to sell and dispose of his the said Withers his plantat<sup>n</sup> in Chester with all the land and Stock then thereunto belonging and when so done to satisfie himself out of the purchase mony and to acc<sup>t</sup> for the remainder if any and did thereby Oblidge himself and his heirs to allow and Confirme the Sale thereof in as full large and ample manner as if he himself had done the same, and thirdly for the more sure payment of the said S<sup>u</sup>m and for divers good Causes and Considerations him thereunto more Especially moveing, neither of the above Conditions being performed he did thereby give grant and release unto the said Rob<sup>t</sup> Smith his heirs or assignes all the whole Estate right title and Interest that he then had in the said plantat<sup>n</sup> by Vertue of a deed formerly to him made by the said Robert Smith and Enrolled in Talbot County records To have and to hold unto him the said Robert Smith his heirs or Assignes for Ever in as full large and ample manner as if the s<sup>d</sup> deed from the said Smith to him had never been Sealed nor delivered together with all the Stock of Cattle Sheep and hoggs that were then upon the said plantation to Enter upon take and possess the same at his the said Robert Smiths will and pleasure after the twentyeth day of October then next without the lett trouble or denyall of the said Withers his heirs Ex<sup>rs</sup> or adm<sup>rs</sup> to the only proper use and behoof of him the s<sup>d</sup> Robert Smith his heirs or Assignes for Ever In wittness whereof the s<sup>d</sup> Samu<sup>el</sup> Withers thereunto put his hand and Seale the said third day of March in the year Sixteen hundred ninety and Six af<sup>d</sup> And for that the said bond appears fair without any receipts or memorandums of paym<sup>t</sup> of part of the S<sup>u</sup>m therein menconed and for that it does not appear that Ever the said Robert Smith made Sale of the af<sup>d</sup> land and Stock for the payment of the said debt as in the second part of the Condition thereof is directed and for that it appears to have been the Intent of the said Samu<sup>el</sup> by the third part of the said Condition that neither of the former parts being Complied w<sup>th</sup> the said land should be and remain unto the said Robert Smith his heirs and Assignes as fully firmly and amply as if the same had been duly mortgaged by the said Sam<sup>l</sup> Withers to the said Robert Smith Esq<sup>r</sup> for the paym<sup>t</sup> of the debt in said bond menconed according to the form of the Act of Assembly for quieting p. 87 possessions Enrolling Conveyances and Secureing the Estates of purchasers, that it does not appear that the said Samu<sup>el</sup> Withers ever disposed of or devised the said land to any other person Either by deed or will but left it undisposed of that it might Continue a Security for the said debt, And for that the Clauses in the Condition of said bond does not amount unto a mortgage of said land to said Robert for the security of the debt af<sup>d</sup> nor unto a deed of Sale thereof for the paym<sup>t</sup> of the same debt according to the af<sup>d</sup> Act of Assembly of this province for Quieting possessions enrolling Conveyances and Secureing the Estates of purchasers, and for that the said Sam<sup>l</sup> is