

and securing the Estates of purchasers, that it does not appear that the said Samuel 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 Covenants in the Condition of said bond does not amount unto a mortgage of said land to the said Robert for the security of the debt aforesaid nor unto a deed of sale thereof for the payment of the same debt according to the act of Assembly of this province for Quoting possessions enrolling Conveyances and securing the Estates of purchasers, and for that the said sam<sup>l</sup> is dead and has not left personal Estate sufficient to pay said debt nor hath left any person as his heir allow to represent him that may be liable to an action on said bond within this province. It is therefore humbly prayed that it may be enacted

And be it Enacted by the Queen's most Excellent Majesty by and with the advice and Consent of her Majesty's President Council and Assembly of this province and the authority of the same that the said land be deemed taken and adjudged to be as effectually mortgaged by the said sam<sup>l</sup> Withers to the said Robert Smith his heirs Executors and adm<sup>rs</sup> for the security of the debt aforesaid to all intents and purposes whatsoever as if the same had been mortgaged to the said Robert Smith by his heirs and assigns for the debt aforesaid by a firm deed thereof duly Executed acknowledged and recorded according to the direction of the aforementioned act, and that the said Bond by virtue of this act be deemed taken and reputed to be an effectual mortgage thereof accordingly subject nevertheless to the allowance of any payments that shall appear to have been made in satisfaction of the said debt and subject also to the redemption of any that right have to redeem the same and that the same bond be in all respects deemed to be an effectual Mortgage as aforesaid any Law Statute Usage or Custom to the contrary notwithstanding

9<sup>o</sup> Novemb 1713 Read and Assented to by the howe of Delegates & signed of ad<sup>rs</sup> John Dalton (S<sup>r</sup> Sec<sup>y</sup>)  
 Read and Assented to by the howe of Delegates & signed of ad<sup>rs</sup> Wm. Mendenhall

Nov<sup>r</sup> 14<sup>th</sup> 1713.  
 On the behalf of our Sovereign Lady Queen Anne of Great Britain  
 We will this be a Law - Edw<sup>d</sup> Lloyd Prind

