(341) Ex

An Act Impowering Mess.rs William Clayton of Talbot County and Jamr Earle and William Frisbell of Queen Anns County to Sell of the Land of Robert Smyth Esq.r late of Talbot County aforesaid deceased to pay to Richard Cole of Queen Anns County & Mary his Wife the Daughter and heir of Renatus Smyth deceased the Surviving Executor of the Said Robert Smyth deceased what the Said Renatus Smyth paid on Account of the Said Robert Smyth more other Debts came to his hands and for the payment of his other Debts &c &c &c

Whereas the Said Renatus Smith in the Year of our Lord God Seventeen hundred and Sixteen petitioned the then assembly Setting forth That Whereas the Said Robert Smith Esq.r on or about the Last of Jany anno Domini Seventeen hundred and Six Made his Last will and Testament in Writing and amongst other things therein Contained Appointed his Debts to be paid and for payment thereof left One thousand acres of Land to be Sold and appointed the Said Renatus Smith and Anthony Joy Executors thereof (as appears by the Records of the Said Will Remaing in the Comty Generalls Office of this Province and Shortly after dyed which Said Executors took upon them the burthen of the administration of the deceds Estate and the Execution of the Said Will and in pursuance thereof Caused the Estate of the Said Deced to be Valued and Appraised according to Law the Total whereof as per the Inventory Remaining Likewise in the Register Office Amounting to One Thousand and Sixty Seven pounds three Shillings and three pence which with the Value of the Land left by the deced to be Sold as it was Suggested to the Said assembly he thought might have been Sufficient to discharge his Debts But it was then represented by Renatus Smyth the Surviving Ex.r of the Other Ex.r being dead that the whole personall Estate of the deced together with the purchase Money of the aforesaid Lands was not more Sufficient to Satisfie the Creditors of the Testator and that the Said Renatus in Endeavouring to Comply with the Testators Will as to the payment of his Debts, had greatly Impoverished his Own Estate and likewise had past his Own Obligations to divers all persons to Satisfie and pay them their Respective Claims against the deced being due from him as appeared by Bills Bonds and Other Instruments for the payment whereof he Obliged as well his heirs Executors and —