

and down as himself. And for that the said Robert Smyth dyed ^{and} ~~deceased~~
 possessed of great quantities of Land in this province which can in
 no wise be serviceable to his heir at Law they not being anywise improved
 or profitable but wholly unutilitated and no benefit arising therefrom
 To discharge the yearly rent to his Lordship the Lord Proprietary of
 this province so that before the heir that is very young arrives to full
 age to possess them the yearly rent of would surmount the Real
 Value of the Lands. Also for that Several Devises in the land of
 mentioned of Large Tracts of Land lies so remote Viz in Great Britain
 that they cannot be taken to Satisfie Such of the Testator's debts as
 the Law would Oblige them to were they within this province And
 therefore praying that the said Henatus Smith might be admitted and
 empowered to Sell any of the Lands whereof the said Testator dyed
 possessed whether devised or not as well to Satisfie and pay his
 Obligations so as aforesaid entered into he not being able to comply there-
 with out of his own proper Estate being reduced by his Application
 of the greatest part thereof towards Satisfaction of the Testator's
 Creditors as to reimburse him what he had so paid Over and above
 the amount of the deced's Estate with the purchase of the Land aforesaid
 being about Eleven hundred and Thirteen pounds Thirteen Shillings Six
 pence as appears by an Act thereof made up and passed before the
 Commissary General of this province and remaining in his Office
 Whereupon an Act past in favour of the said Henatus Smyth empower-
 ing and authorizing him to Sell and dispose of so much of the Land
 whereof the said Robert Smith dyed possessed whether devised by his
 will or Not as would pay and discharge the Debts remaining due
 from the Testator's Estate and Satisfie the said Henatus Smyth what
 he had paid on account of the deced more than Effects could be raised
 To which use the said Henatus Smyth was Obliged to apply the purchase
 Money of the Lands he should Sell and to no other use whatsoever
 And make or cause to be made to any purchaser of such Land if
 their law a good Sure Judgeable Estate of Inheritance in fee simple
 any Law Statute or Customs to the contrary notwithstanding. All
 for that the said Henatus Smith in his life time did only dispose of
 a small Inconsiderable part of the said Robert Smith's Estate to the
 Value of Seventy four thousand pounds of Tobacco and five pounds
 Current Money which Tobacco being valued at Ten Shillings a hundred

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