To His Excellency Samuel Ogle Esq.r Governor of Maryland, And The Honourable the Upper and Lower Houses of Assembly of the Same Province in General Assembly convened ——

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The Petition of James Bayard of Cecil County Merchant and Edward Comegys of Kent County

ARCHIVES OF THE STATE OF MARYLAND

Humbly Sheweth ——

That a certain Alphonso Corden late of Cecil County Deceas'd, was in his Life time indebted to Your Petitioner James Bayard by Bond bearing date the eight day of December, Seven teen hundred & forty Seven in the Sum of Twenty four Pounds Eleven Shillings & ten pence Current Money and three thousand four hundred and Seventy Pounds of Tobacco payable on the tenth day of January then next ensuing with Lawful Interest ——

Wherefore, AND to Your Petitioner Edward Comegys by bond bearing date the tenth day of August in the Same Year, in the Sum of Sixty five Pounds like money Payable the last day of October then next following ——

That the Same Alphonso after the Execution of the Same Bonds made his last Will and Testament and thereof Constituted a certain Benjamin Ferry Executor, and afterwards Dyed leaving three Children to whom he devised his Lands, the Eldest of whom is about eight Years of Age, no part of the same debt being Paid or Satisfied ——

That your Petitioners after the death of the Same Alphonso brought actions on their respective Bonds afor.d against the Same Executor, who pleaded thereto that he had fully Administred the Personal Estate of his Testator before the Same actions had been commenced, which Your Petitioners upon enquiry find to be true, were Obliged to take Judgement (as the Law is in such Cases) for their debts to be made of the Effects of the Testator which thereafter should come to the said Executors hands to be administered.

That Your Petitioners are well Informed and have the greatest reason to believe that all the Personal Estate whereof the said Alphonso dyed possessed, or had right to is duely administered in Payment of Debts, Wherby, as Your Petitioners are advised the Real Estate whereof he dyed seized, is lyable to Execution for Payment of the Debts due to Your Petitioners and others. That the Right of the same real Estate being now in the afor.d Children as Devisees of the Deceas'd, Your Petitioners are advised that should the Proceed to Recover their said Debts of the Same Real Estate such Proceedings might be stayed by the Plea of Parol Demurrer or otherwise untill the Same Children or some of them should arrive at the Age of twenty one Years, whereby not only Your Petitioners would be much Prejudiced by being kept so long out of their Respective Debts, but likewise the Annual Interest in the mean time growing on the Same Debts, would amount to a Considerable value, & greatly burthen the same Estate and injure the said Infants ——

MAY it therefore please Your Excellency and Your Honours, the Premises considered to Order a Bill to be brought in for impowering the Executor afor.d or such Person or Persons as to Your Excellency and Honours shall seem meet to Sell or otherwise dispose of sale or such Part of the Real Estate whereof the same Alphonso Dyed Seized, as shall be thought necessary for that Purpose, and with the Proceeds of such Sale or other dispositions to pay to Your Petitioners their Respective Debts afor.d with the Legal Interest thereon, and their Cost accrued on the Judgements afor.d AND Your Petitioners, as in Duty bound will for ever Pray. ——

Jam.s Bayard
E. Comegys