

CHAP. 147. Louisa Catharine Harvey and Emily M'Tavish, which with one fourth allotted by consent to the said Mary Anne Patterson, and comprising the six hundred acres conveyed as aforesaid to Robert Patterson, make one other third of the whole, and one twelfth each to the aforesaid four daughters of Charles Carroll, Junior, being the remaining third; that it is the wish of the said Mary Anne Patterson, Emily M'Tavish, and Louisa Catharine Harvey, and Elizabeth Caton, to which the said Robert Patterson and John M'Tavish assent, that all the various limitations and contingent interests created by the respective conveyances in trust for them as aforesaid, for the mutual benefit of each other, and of their respective children and descendants, should be extinguished and destroyed, so that each uniting with her husband, when married, may have the absolute disposal of her own part; which extinguishment, on account of the complicated nature of those limitations and contingent interests, it may be difficult if not impossible to effect by means of mutual conveyances and releases, more especially as infants of very tender age may become interested in them, from whence may arise doubts about the title, injurious to the parties; that it is also necessary for rendering effectual the division which the said Charles Carroll, of Carrollton, has in view, and which is equally desirable and beneficial to all parties concerned, that the rights in the two undivided thirds, destined as above stated for the said Catharine Harper, and the four daughters of the said Charles Carroll, Junior, which might arise under and by virtue of the deed executed as aforesaid to Richard and Mary Caton for one undivided third of the whole estate, and the deeds executed by them to their daughters of undivided fourths of that third, should be extinguished and destroyed, which extinguishment it is very doubtful, for the reasons stated above, whether the parties can effect by mutual releases, or other conveyances, and the existence of this doubt would be very prejudicial to the parties interested in the said two thirds; that for the purpose of removing these doubts, as far as can be done by the parties themselves, and thus enabling the said Charles Carroll, of Carrollton, to carry fully into effect his beneficial intentions towards the various members of his family, the said Richard Caton, Mary Caton, Robert Patterson, Mary Anne Patterson, John M'Tavish, and Emily M'Tavish, have joined in an indenture of release to the said Charles Carroll of Carrollton, of and for all and each of their several and joint rights, interests and estates, in and to the aforesaid undivided third part conveyed by him to the said Mary Caton, and her heirs, which indenture has been duly executed, and bears date on the sixth day of this present month, February, one thousand eight hundred and twenty-one; and that the said Louisa Catharine Harvey, who is represented by her father the said Richard Caton, would have joined in the said indenture of release had she been present, the arrangement intended to be effected being beneficial to her as well as to her sisters, inasmuch as she, as well as they, will obtain a clear and absolute title in severalty in and to her twelfth part, entirely subject to her own disposal, instead of her present undivided interest limited over in such a manner as to deprive her of the power of making such future disposition of it as she might