

Session An Act to Repeal an Act Intituled an Act for the Relief of the Dev-
 Laws isees of James Philips the Elder and Anthony Philips late of
 Chap. XVI Baltimore County Decēd
 p 50
 [Repeals
 1724, ch. 15]

Whereas it was Represented to the Assembly held in the month of October Seventeen hundred and Twenty four that James Philips the Elder late of Baltimore County Decēd made and Duly executed his last Will and Testament in Writing and thereby Devised and Bequeathed his real and Personal Estate to his four Children Viz. James Philips his eldest son Anthony Philips Mary and Martha his Daughters in manner and form following Viz. unto his Eldest son James Philips all his Tracts of Land at Gunpowder River called Philips Islands with the Stock and Improvements thereunto belonging and all the residue of his Lands he Devised and Bequeathed unto his Sons James and Anthony to be divided equally between them Except Four Hundred Acres to be equally Divided betwixt the Daughters Mary and Martha and all his personal Estate except Stock on Philips's Islands to be equally Divided amongst his said four Children and Appointed his Eldest Son James to be Executor And it was further represented that the Testator intended that all his Children should

p. 51 have Estates of Inheritance in the severall parcells of Land Devised to them which last Will was then represented either to have been lost or purposely Destroyed and by that means the Intentions of the Testator Frustrated and the Devises without Remedy without the Aid of the then Assembly the said James Philips the son claiming all his Fathers real Estate by Descent as Heir at Law of his Father and that the said Anthony Philips in his life time by his last Will and Testament in Writing duely Executed gave and Devised severall parcells of Land which he claimed by Virtue of his Fathers Will to several persons which his the said Anthony's Devises were in Danger of being Defeated of by the Loss or Destruction of the said Will Whereupon it was then Enacted by an Act Intituled an Act for the Relief of the Devises of James Philips the Elder and Anthony Philips late of Baltimore County Decēd That the real Estate of the said James Philips the Elder except Philips's Island and Four hundred acres of his other Lands should be deemed the Estate of Inheritance in fee Simple of the said James Philips the Son and Anthony Philips their Heirs and Devises or of others having their Estates as if the last Will and Testament of the said James Philips the Elder had been Subscribed in the presence of three Credible Witnesses duely proved and recorded And that the said Lands were thereby expressly Devised to the said James and Anthony to be equall Divided between them and their Heirs for ever And it was further Enacted that the said Mary Philips now Mary Smithers then Wife of Richard Smithers lately Deceased and Martha Philips then and now Martha Paca widow and Relict of Aquilla Paca Decēd and their Heirs and